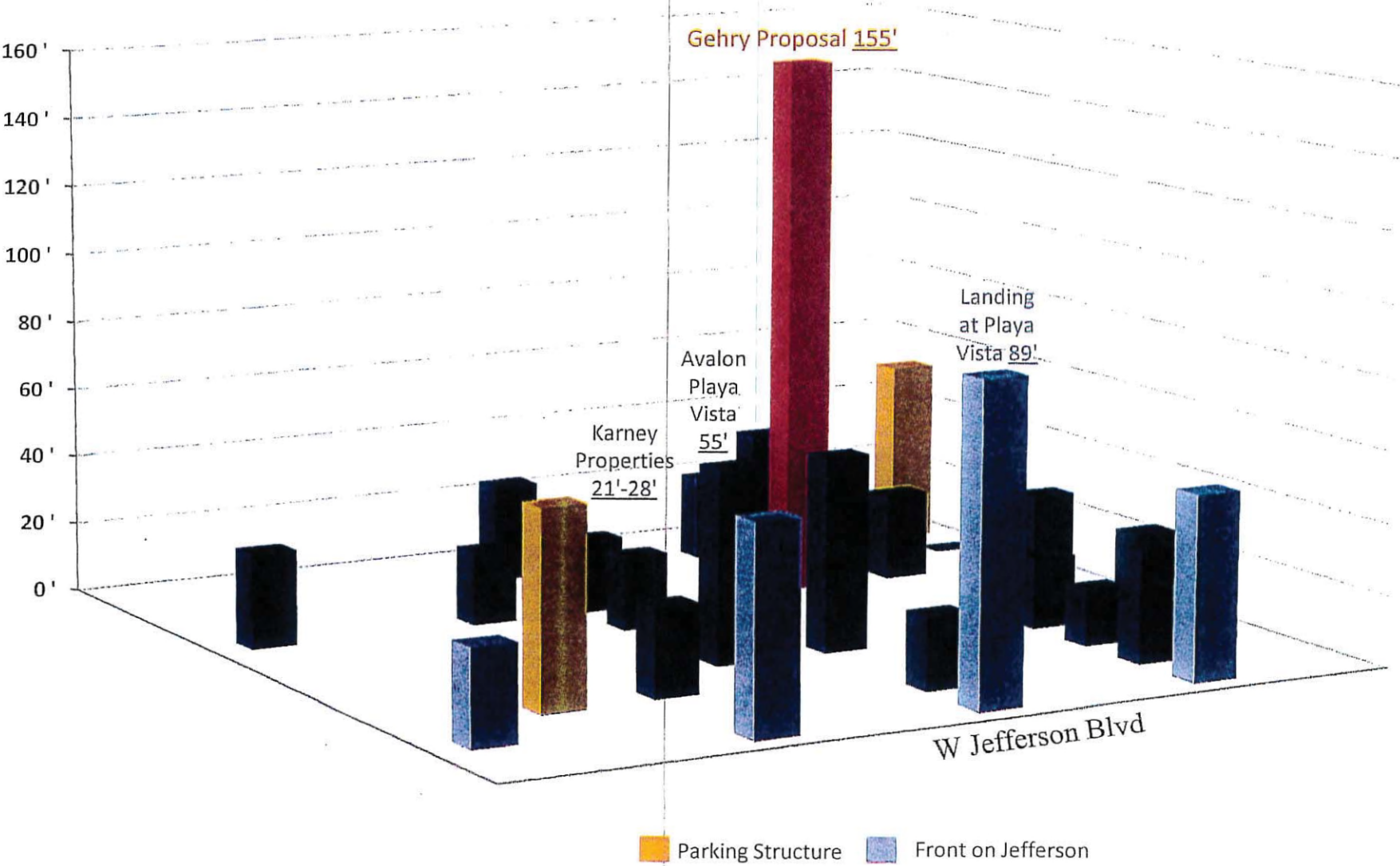


Building Heights: Playa Jefferson

North of Jefferson, West of Grosvenor, East of McConnell, South of Ballona Creek

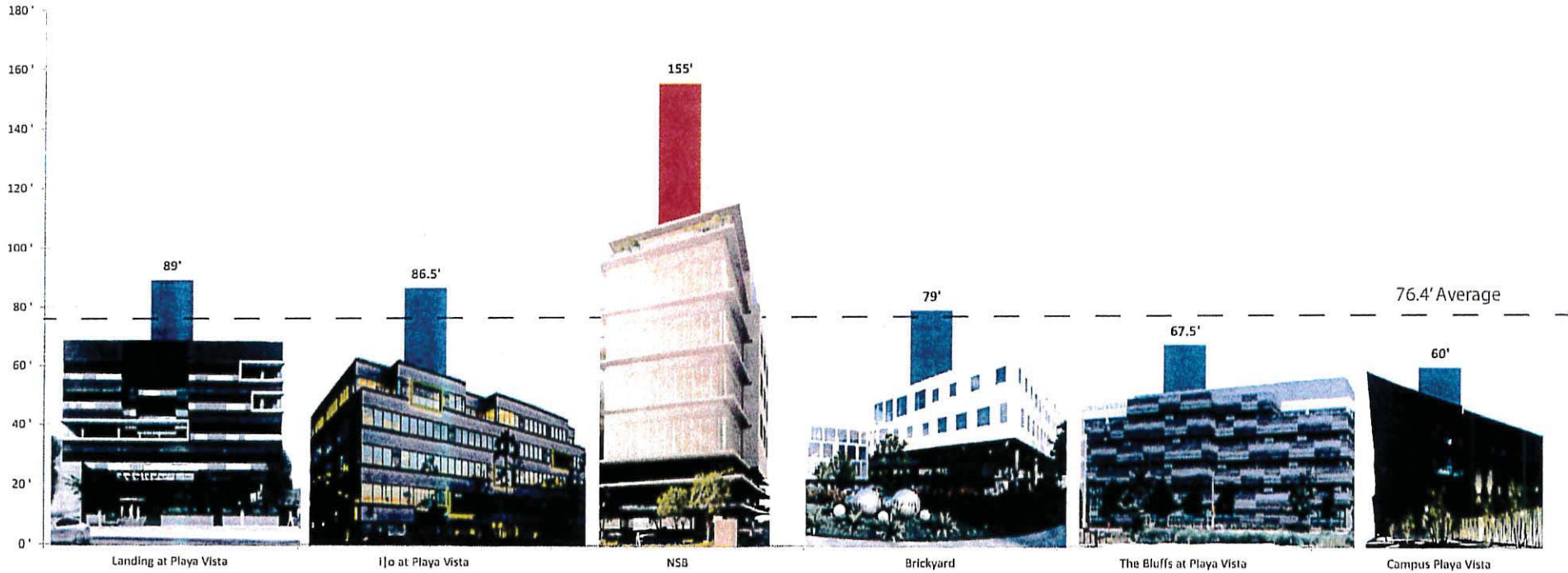
In 3D reality, the proposed structure will be grossly out of scale with the neighborhood



Building Heights: Playa Vista (South of Jefferson)

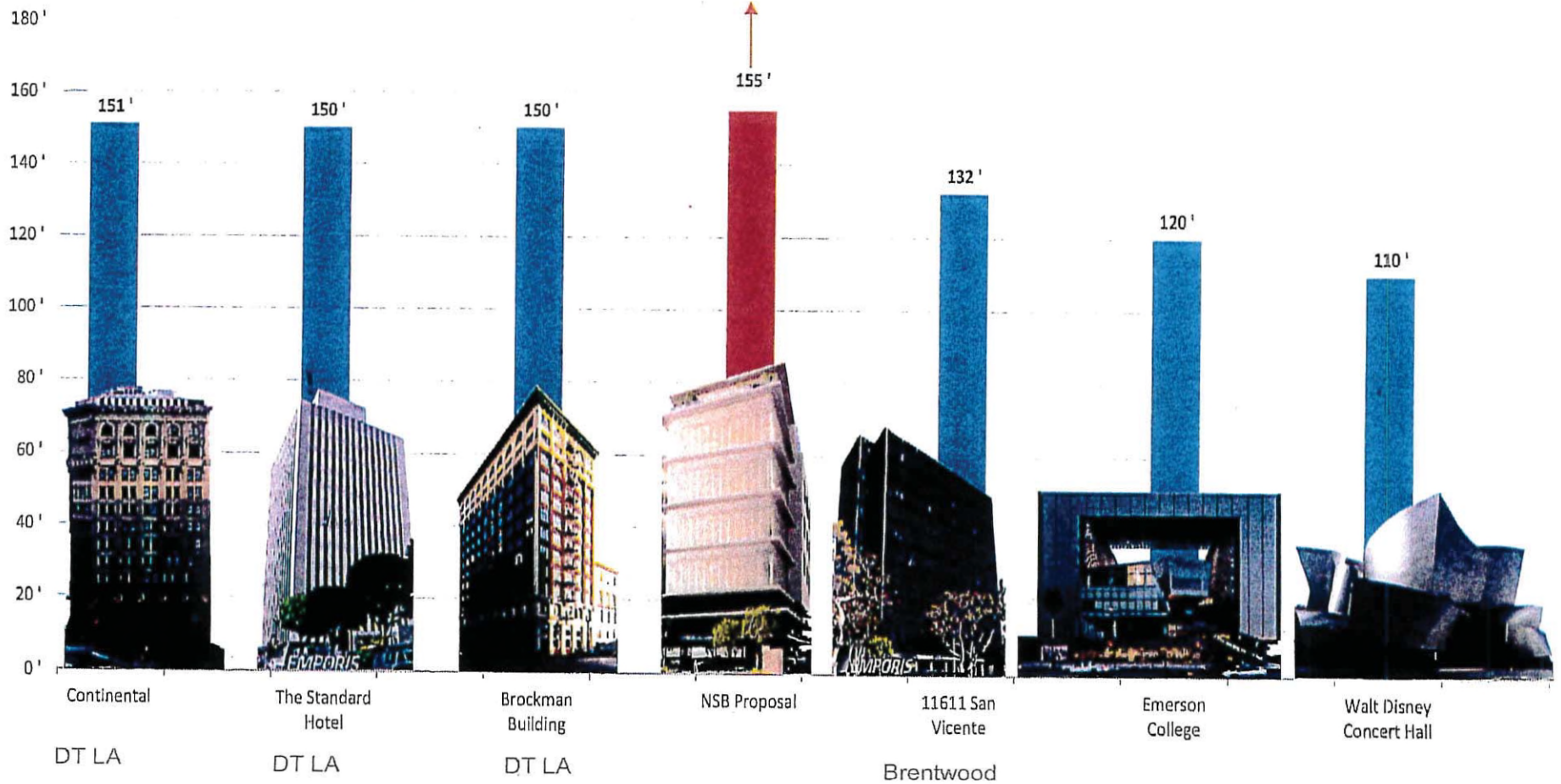
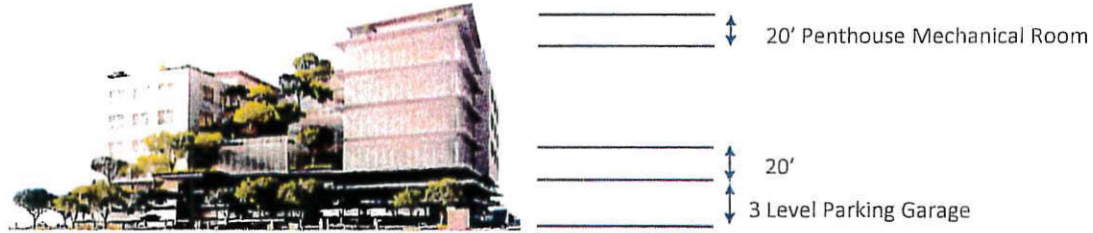
Key Observation

- Proposed building is 2x as tall as average height of comparable office buildings south of Jefferson



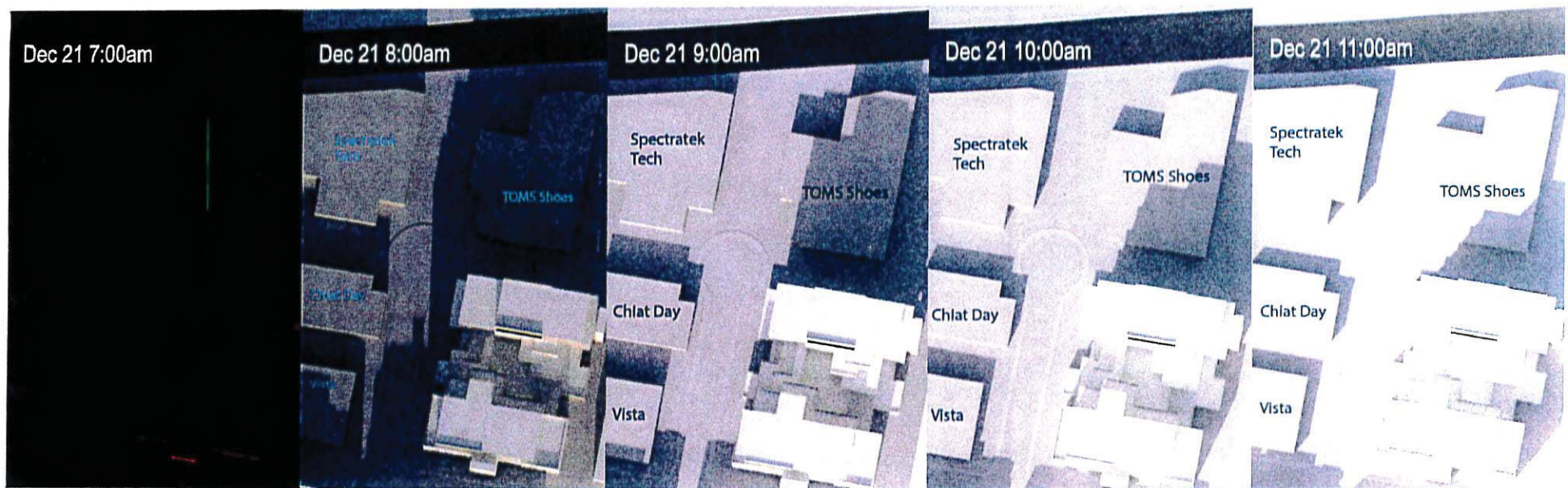
Familiar Buildings of Similar Height in Los Angeles

Due to double height floors, the true height of the proposed NSB buildings are equivalent to one 9 story and one 11 story building



Sun Shade Study

December 21 7:00 am – 11:00 am



FAR Utilization After New Development – Max FAR Allowable is 1.5

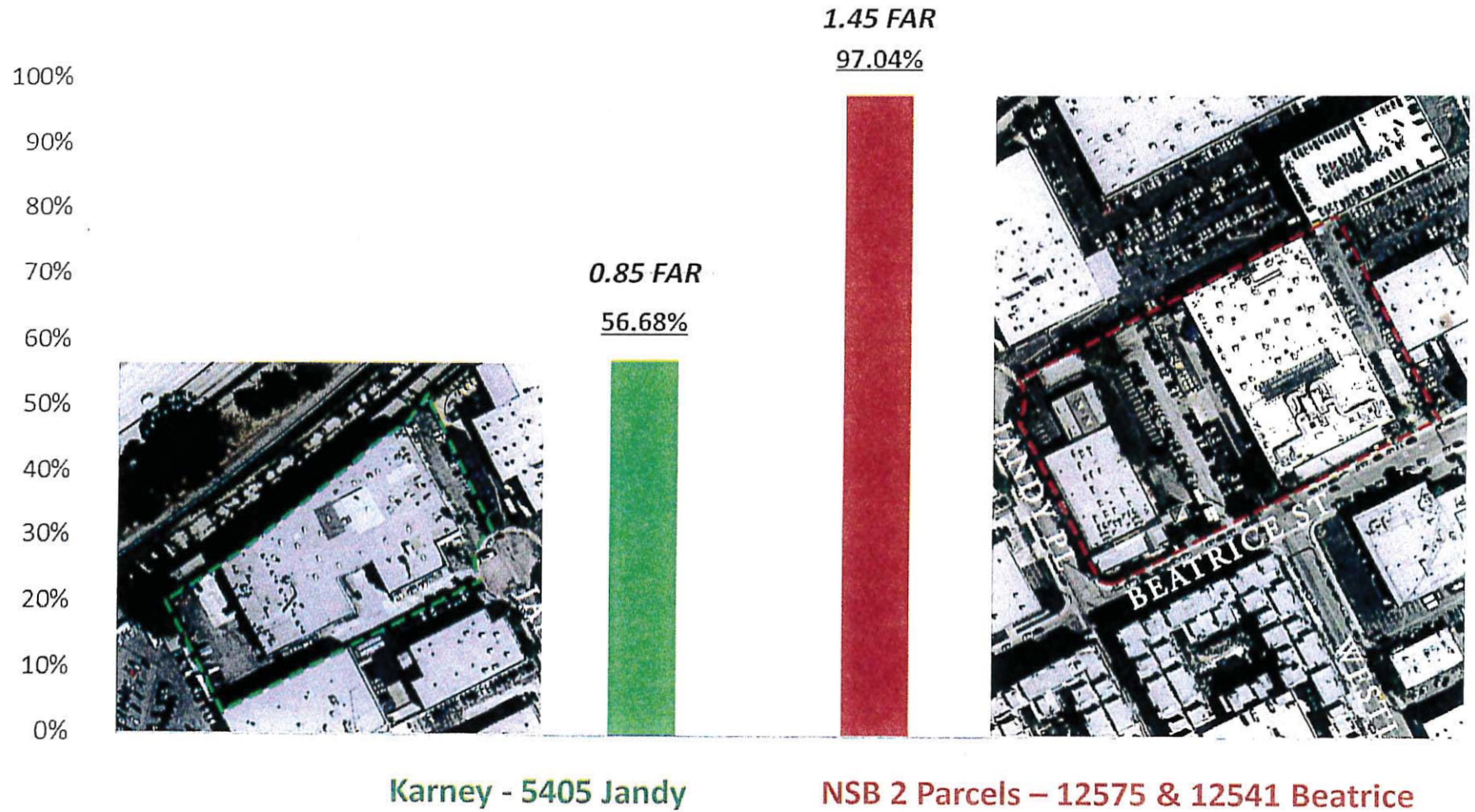


EXHIBIT 3

COMMENT LETTER NO. 10

MEMORANDUM

To: Luna & Glushon

From: CAJA Environmental Services, LLC

Date: October 16, 2017 [Revised]

Subject: Technical Assessment of the New Beatrice West Project (12553 West Beatrice Street) MND

This memorandum contains CAJA Environmental Services, LLC's findings and comments on the Mitigated Negative Declaration, dated May 17, 2017 ("MND") for the "12575 Beatrice Street" ("Project"), at 12553-12575 West Beatrice Street, which was prepared by the City of Los Angeles ("City"). Our comments are organized as follows: (i) the first section addresses general issues, as it relates to the environmental documentation under the California Environmental Quality Act ("CEQA") for the Project; and (ii) the second section contains our firm's peer review analysis of the MND. Section II tracks the organization of the MND and contains our specific comments with respect to each Section.

I. GENERAL COMMENTS ON THE MND

As discussed in detail below, several impact areas were not addressed in the MND. CEQA sets out a fundamental policy requiring local agencies to integrate the requirements of CEQA with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, run concurrently, rather than consecutively. It is for that reason that CEQA requires all environmental assessment/analysis, including formulation of mitigation measures to mitigate potential environmental impacts, to occur before a Project is approved. The MND fails to disclose necessary information to the public and to the decision-making body by omitting several pertinent CEQA environmental categories and/or by refusing to discuss and fully examine those issue areas to the fullest extent possible.

What's more, specific project information in the MND does not match what is proposed on the accompanying figures within the MND. As detailed below, it is difficult for the reader to understand and comprehend the overall height of the building, grading depths, parking locations, and proposed open space. The MND fails to give accurate and precise information within the MND to assist the public in their review.

The failure to comply with the law subverts the purposes of CEQA if it omits material necessary to inform decisionmaking and public participation.

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II. SPECIFIC COMMENTS REGARDING THE MND

1. Impact Areas Were Not Addressed in the MND

Several environmental impact areas were not discussed and/or disclosed in the MND. This decision does not appear to be supported by substantial evidence or any evidence at all. If these impact areas had been analyzed, it appears that they would disclose potentially significant and unmitigable impacts on the environment. The following impact areas should not have been scoped, or left out, of the MND.

- **Hazardous Materials (Methane):** The MND does not address methane zone impacts. The Project Site is located within the City of Los Angeles Methane Zone based on the City of Los Angeles Department of City Planning, Zone Information and Map Access System. These areas have a risk of methane intrusion emanating from geologic formations. The areas have developmental regulations that are required by the City of Los Angeles pertaining to ventilation and methane gas detection systems depending on designation category. A Methane Gas Investigation Report should be conducted. The investigation should evaluate existing methane conditions. According to the Los Angeles Department of Building and Safety (LADBS), methane mitigation is required for all sites located in a Methane Zone or a Methane Buffer Zone, regardless of results obtained in a methane investigation. Specifically, requirements for control of methane intrusion in the City of Los Angeles are specified in Division 71 of Article 1, Chapter IX of the Los Angeles Municipal Code ("Division 71"). Since the Project is within a *Methane Zone*, the LADBS has the authority to withhold permits for construction unless detailed plans for adequate protection against methane intrusion are submitted. As such, the Site is located in a Methane Zone, as mentioned above, and appropriate mitigation should be listed to reduce potential impacts. By failing to include this CEQA category from the MND's analysis, the public and decisionmakers are prevented from imposing potentially valuable mitigation measures to reduce the scope of such methane impacts.
- **Land Use Planning (Agency Regulations):** The MND fails to disclose potential impacts as it relates to the regional level and associated land use plans. At the regional level, the Project Site is located within the planning area of the Southern California Association of Governments (SCAG), the Southern California region's federally-designated metropolitan planning organization. The Project is also located within the South Coast Air Basin and, therefore, is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Neither of the goals or policies of both plans are discussed or disclosed of in the MND. By failing to include this CEQA category from the MND's analysis, the public and decisionmakers are prevented from imposing potentially valuable mitigation measures to reduce regional level land use conflicts, if any.
- **Utilities (Energy):** The MND scoped out this issue area without sufficient analysis that the Project would have no impacts with respect to utilities and service systems. Additionally, the MND did not take into consideration the recent Porter Ranch gas leak, which has the potential to cost the Southern California Gas Company billions of dollars and may require the curtailment of gas supply to electric generators. The California Public Utilities Commission already has ordered a reduction in the volume of available gas for certain gas storage facilities in the region, which may impact the available supply of natural gas for the Project. This issue was improperly left out of the MND and requires analysis, as well as a full discussion of electricity supply and demand, as required by Appendix F, of the State CEQA Guidelines.

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- Cumulative Analyses: The MND does not include a reliable or defensible cumulative impacts analysis, as required by CEQA. One of the basic and vital informational functions required by CEQA is a thorough analysis of whether the impacts of the Project, in connection with other related projects, are cumulatively considerable. Proper cumulative impact analysis is vital under CEQA because the full environmental impact of a proposed project cannot be gauged in a vacuum. Indeed, one of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact. Therefore, cumulative effects analysis requires consideration of “reasonably foreseeable probable future projects, if any.” *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *Gentry v City of Murrieta* (1995) 36 Cal.App.4th 1359, 1414. This issue was improperly left out of the MND and requires analysis, per CEQA standards.

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2. The Project Description (Section 2) Is Inadequate & Does Not Meet CEQA’s Requirements

The Project Description is confusing and does not provide an accurate and stable definition of the proposed Project that is easily understood by the public or decisionmakers. These clarifications are necessary in order for the general public and decisionmakers to adequately review the MND. It is very unclear at times what the Applicant is proposing. Our findings are below.

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- The description of the surrounding uses is inadequate. The MND makes no mention of the existing schools situated to the north and east of the Project Site.
- It is unclear if the proposed 135-foot height listed in the Project Descriptions is accurate or not. The language suggests that an additional 20-feet of mechanical penthouse component is also proposed. Is this considered part of the overall height of the structure? This requires clarification.
- The MND states that retail shops, restaurant uses, and lounges are included as part of the overall development and use of the Project site. However, the exact size and location of these mid- to ground-floor retail uses are not fully disclosed or calculated into the total of the available square-footage of the Project. Are these retail shops, restaurant, and lounge uses considered commercial square-footages? This does not make sense and is confusing. To evaluate the Project, the public must be given clear information regarding the amount of commercial square footages associated with such uses to fully understand the overall scope of potential impacts. Throughout many Sections of the MND (and as outlined further below), the analysis states that new retail uses are being proposed which will attract visitors to the site, yet, in other areas, the Project is advertised as a development with no commercial square-footage and claims that the retail uses will be primarily, if not entirely, used by onsite visitors or users of the office space. These issues need to be clarified in greater detail, as the narrative is extremely confusing at times and does not allow the public to meaningfully review the Project.
- The Project Description states that roughly 3,400 square-feet of the Project would be dedicated (we think) to solely retail and restaurant uses. However, the Traffic Impact Study does not include any retail and restaurant square footages in its trip generation estimates. How much floor area will actually be dedicated to restaurant

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and dining space for the Project? These glaring inconsistencies illustrate that the Project Description shifts throughout the MND and makes it impossible to properly assess the significance of Project impacts. Please explain the reasons for the differences in floor area dedicated to restaurant and dining uses under the MND when compared to the Traffic Impact Study.

- Where are the proposed outdoor bars and restaurants to be located? They are not shown on the provided Site Plan. The public should be given clear information as to where they are to ensure that projected noise and air quality modeling are executed accurately. This is not indicated on the Site Plan.
- Regarding construction, Section 2.3 of the MND states that Project construction “would occur over approximately 22 months.” This 22-month figure is used throughout the document, but it understates the actual construction time period required for the Project. The MND goes on to state that several months of infrastructure work would also be required, but since it “would precede” the 22-month construction period, it is not included as part of the overall construction time period. The “infrastructure work” should be properly considered part of the construction work required for the Project and the MND’s description of the Project’s construction duration makes the length of construction time required appear shorter than is actually proposed for the Project.

3. The Environmental Setting Is Non-Existent

The Environmental Setting Section, which is absent from the MND, fails to adequately disclose what the Applicant proposes to build. The MND should include a Section explaining and clarifying that the analysis of the environmental baseline assumes a built environment with several structures onsite, with the full range of potential/estimated environmental impacts already in existence and occurring onsite. This would help establish what is being analyzed in the MND when disclosing the City’s significance conclusions under the various CEQA environmental categories.

In addition, there is no cumulative project list contained in the Project Description. Please correct these glaring errors and provide an accurate cumulative impact analysis based on a City approved related projects list.

4. Environmental Impacts (Section 3) Are Not Properly Assessed

Those limited environmental impact areas that are studied under the MND are not analyzed properly. The MND either understates identified significant impacts or improperly concludes that impacts are less than significant or that mitigation would reduce impacts to less than significant levels. The flaws as to each of the impact areas discussed in Section 4 of the MND are discussed below.

3.1 Aesthetics

The Aesthetics Section contains numerous errors, inconsistencies, omissions, and incorrect assumptions and conclusions. They are summarized here.

- The aesthetics impacts of the Project were improperly analyzed. The section does not delve into overall design and compatibility of the building with existing structures and uses in the surrounding area. For example, what are some façade improvements and colors that would complement the area? The overall height

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of the structure, listed at 135-feet, seems misleading, as the number does not consider the proposed Penthouse on the roof of the proposed structure. Proposed landscaping should also be discussed and show its compatibility with the neighborhood. With this, what is the actual character of the building and would the structure be compatible with the surrounding character, which is not fully disclosed in the MND. This needs to be expanded.

- Regarding shade and shadow sensitive receptors, the MND fails to mention that there exists an outdoor gathering space directly north of the Project Site. According to the *L.A. CEQA Thresholds Guide*, shadow sensitive uses are “facilities and operations sensitive to the effects of shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors.” These land uses are termed “shadow-sensitive” because sunlight is important to function, physical comfort or commerce. The *L.A. CEQA Thresholds Guide* calls for a determination of whether there are any shadow-sensitive uses to the north, northwest, or northeast of a project, as that is generally the path shadows will be projected. As such, the MND falls inadequate in this analysis. As mentioned, directly north of the Project Site exists an outdoor gathering/seating/eating location for adjacent office building works. The MND fails to identify this particular area as shadow sensitive use, which it is. This needs to be discussed and disclosed in the MND.

3.3 Air Quality

The Air Quality Section contains numerous errors, inconsistencies, omissions, and incorrect assumptions and conclusions. They are summarized here.

Construction Air Quality Impacts

- Regarding construction impacts, numerous errors were made with respect to the CalEEMod analysis. These errors resulted in construction air quality impacts being understated. The CalEEMod analysis should be redone using assumptions more consistent with industry standards. Errors and improper assumptions include the following.
 - The construction phasing in the CalEEMod analysis conflicts with the Project Description. As identified in the MND, early infrastructure work (e.g., storm drain line, retaining wall, shoring) would precede a 22-month construction period. The CalEEMod analysis uses a 22-month process after the initial infrastructure shoring period. Why is that? What effect does this have on the modeled emissions? Are they lower or higher? This must be explained.
 - The CalEEMod air quality analysis assumes a very low level of equipment associated with the construction phases.
- Haul trucks are proposed to stage at Jefferson Boulevard south of the Project Site. A CO hot-spot analysis should have been conducted for this staging location, which is adjacent to heavily congested intersections along Jefferson Boulevard.

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- A Health Risk Assessment (HRA) should have been conducted to assess potential construction impacts to neighboring schools and nearby residential sensitive receptors. Although the elementary school is greater than 100-feet from the Project Site, construction is anticipated to last 22 months, though could be longer. Given the high level of diesel emissions and the close proximity of an existing elementary school, a health risk assessment should have been completed. What's more, there exist several residential structures immediately south/southwest of the Project Site along Beatrice Street, roughly 50-feet in distance from the boundary of the Project Site. Specifically, an HRA addresses potential impacts to people exposed to toxic air contaminants (TACs) anticipated to be released as a result of a Project. Potential impacts to human health associated with releases of TACs may include increased cancer risks and increased chronic (long-term) and acute (short-term) non-cancer health hazards from inhalation of TACs by people working, living, recreating, or attending school on or near the Project site. The objective of an HRA is to estimate increased incremental health risk associated with construction activities of a Project. When performing a construction Health Risk Assessment, all sensitive receptors within 100-feet should be considered. What was the reason for not completing one as part of the MND? Health risks to elementary school kids and nearby residential sensitive receptors must be addressed.

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Operational Air Impacts

- Operational air impacts are largely the result of off-site mobile sources. The MND states that “[t]he estimate of total daily trips associated with the Proposed Project was based on the Traffic Impact Analysis prepared ...” As discussed below, the Traffic Impact Study substantially understates the number of daily trips, since it uses solely an office use generation for its trips, when clearly there are restaurant and retail uses proposed. As a result, the emission volumes are also understated. Mobile emissions must be recalculated using the correct number of daily trips.
- The MND states that the proposed Project would not be a source of toxic air contaminants. This ignores the fact that there will be a substantial increase in truck deliveries to the Project Site as a result of the commercial uses that will now need to be serviced. Exposure to TACs is exacerbated by the Project site’s location immediately Playa Vista and north of Jefferson Boulevard. The proposed Project contains office uses and restaurant uses, both sensitive land uses. Accordingly, a mobile health risk assessment should have been conducted for the Project’s users to ensure that the proposed “Project is not exposing sensitive receptors to substantial concentrations of DPM.” (Id.) Please include such an assessment in the MND or explain why it is not included.
- The Project could also result in a cumulative air quality impact, which was not disclosed for some reason. The proposed growth in population from the Project could exceed the 2020 projections for the City in the adopted 2012 AQMP. As such, the Project would conflict and obstruct implementation of the applicable, federally-approved air quality attainment plan for the region. This potential impact is not recognized. It should have been.

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3.5 Cultural Resources

The Cultural Resources Section does not provide adequate mitigation to reduce a potential impact to a less than significant level – ultimately failing as an informational document.

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The proposed MND mitigation mentions that if cultural resources (including archaeological and paleontological resources) are found on-site during grading and excavation, then a qualified archaeologist/paleontologist will evaluate the find. Given the cultural resources environment near the Playa Vista development south of the Project Site (and surrounding area), this mitigation measure is insufficient to mitigate impacts to a less than significant impact. As found in the Village at Playa Vista Final RS-EIR (August 2009), the longer-term placement of buildings in the area would limit future access to the soils underling the Play Vista Site that have been rated as having archaeologically and paleontologically high impact significance. With this, mitigation measures were required regarding the location of any potential resources to be included in and archived as part of the treatment plan prior to earthwork being performed. Effective mitigation measures should include an on-site monitor during all grading and excavation activities. Similarly, a qualified Archaeologist and Paleontologist should be retained to develop and implement a monitoring program for construction activities that could possibly encounter older sedimentary deposits and/or human remains. The qualified Archaeologist and Paleontologist should also attend a pre-grading/excavation meeting to discuss a monitoring program prior to any earthwork being performed. If cultural resources are found, a qualified Archaeologist and Paleontologist must be required to prepare a report regarding the find and its treatment effort to be submitted to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies. This report must include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register.

3.6 *Geology and Soils*

The Geology and Soils Section has many inconsistencies, as detailed below:

- Per the MND, it is unclear if the proposed grading (and subsequent disturbances to existing soil) are fully detailed and explained in the analysis. As proposed, the Project would excavate soil up to 20-feet in depth. This seems unrealistic for a development that is proposing two-levels of underground parking. Each level would typically be roughly 10-feet in depth. This 20-foot depth number seems to not take into account footings and related structural items needed to support a building of the size proposed. What's more, the Geology section states that groundwater may be encountered less than 30-feet in depth, but provides no mitigation in case groundwater is encountered. This seems confusing and misleading. Also, with these inconsistencies, how are we supposed to know if loss of topsoil and ground surface disturbances are accurately disclosed and presented in the MND? This needs to be discussed in more detail in the MND.

3.7 *Greenhouse Gas Emissions*

The Greenhouse Gas Emissions Section contains numerous errors, inconsistencies, omissions, incorrect assumptions, and incorrect conclusions – ultimately failing as an informational document. The MND fails to compare the Project's impacts against all applicable climate action plans and policies. When the MND compares the Project's greenhouse gas (GHG) emissions against a draft 2010 threshold of significance raised by SCAQMD Staff during a working group process, it fails to properly conclude that the Project would exceed that draft threshold. The input assumptions used in the CalEEMod analysis also understate potential construction impacts and require updated modeling to properly disclose construction-related impacts. Specific comments are as follows.

- The Regulatory Setting Section of the MND is cursory, outdated, and inaccurate. Some examples are provided below:

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○ The MND fails as an informational document because it does not analyze the Project's consistency with Executive Orders S-03-05 and B-30-15. These Executive Orders establish mid-term (2030) and long-term (2050) emission reduction targets for the State. The failure to consider the Project's consistency with the State's climate policy of ongoing emissions reductions reflected in the Executive Orders, which importantly are tied to the atmospheric concentrations of GHGs necessary to stabilize the climate, frustrates the State's climate policy and renders the MND legally deficient and inadequate as an informational document. This analysis must be completed.

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○ Although the MND mentions Assembly Bill 32 (AB 32), which focuses on achieving GHG emissions equivalent to statewide levels in 1990 by 2020, the MND fails to mention and/or discuss Senate Bill 32 (SB 32). On September 7, 2016, Governor Brown signed into law a measure that extends AB 32 another ten years to 2030 and increases the State's objectives. This is known as SB 32. SB 32 calls on Statewide reductions in GHG 40 percent below 1990 levels by 2030. This analysis must be completed and/or discussed in detail within the MND.

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○ As mentioned above, the MND compares the Project's GHG emissions against a draft 2010 threshold of significance raised by SCAQMD Staff during a working group process. The MND fails to properly conclude that the Project would exceed that draft threshold. Specifically, in September 2010, the Working Group released additional revisions that recommended a screening threshold of 3,500 MTCO₂e for residential projects, 1,400 MTCO₂e for commercial projects, and 3,000 MTCO₂e for mixed use projects. Additionally, the Working Group identified project-level efficiency target of 4.8 MTCO₂e per service population as a 2020 target and 3.0 MTCO₂e per service population as a 2035 target. As the Project exceeds a 2020-derived screening level, it is only logical to assume that the Project also would exceed a 2030-derived screening level, should one be calculated/extrapolated. If application of the draft SCAQMD CEQA Threshold Working Group's GHG threshold considers the Project potentially significant using the state's 2020 climate target, then it misleads the public and the City decision-makers to not more closely assess the Project's consistency (or lack thereof) with the state's 2030 climate target. This analysis must be completed and/or discussed in detail within the MND.

- The analysis fails to describe whether the Project incorporates sustainability design features in accordance with regulatory compliance measures to reduce vehicle miles traveled and the Project's potential impact.
- Methane (CH₄) is generally emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in solid waste landfills, raising livestock, natural gas and petroleum systems, stationary and mobile combustion, and wastewater treatment. Mobile sources represent 0.5 percent of overall methane emissions.¹ With this, for most non-industrial development projects, motor vehicles make up the bulk of GHG emissions, particularly carbon

¹ *United States Environmental Protection Agency, Inventory of U.S. Greenhouse Gas Emissions and Sinks, 1990-2003, April 2005 (EPA 430-R-05-003).*

dioxide, methane, nitrous oxide, and HFCs.² Since the Project is in a Methane Zone per ZIMAS, the Greenhouse Gas Emissions section should look closer at this issue and provide additional analysis.

- Similar to the Air Quality section of the MND, the CalEEMod estimates are based on inconsistent activity data for mobile sources that should be resolved. These items include:
 - As noted above, the construction phasing in the CalEEMod analysis conflicts with information in the Project Description under the MND.
 - As noted previously, the CalEEMod GHG analysis assumes a very low level of equipment associated with the construction phases.
 - Several consistency statements mention that the Project is providing many retail and commercial uses, all of which would contribute to the policies of encouraging the creation of jobs. Similar to other comments that have been presented, the MND conveniently picks and chooses when to mention that they are proposing commercial uses, when in fact, the Project Description illustrates very little retail.

- The Proposed Project's cumulative contribution to GHG emissions needs to be calculated and presented. As it is written, there is no reasoned analysis or substantial evidence to support the MND's claims that impacts would be less than significant.

3.8 *Hazards and Hazardous Materials*

As mentioned earlier, the MND does not address methane zone impacts. The Project Site is located within the City of Los Angeles Methane Zone based on the City of Los Angeles Department of City Planning, Zone Information and Map Access System. These areas have a risk of methane intrusion emanating from geologic formations. The areas have developmental regulations that are required by the City of Los Angeles pertaining to ventilation and methane gas detection systems depending on designation category. A Methane Gas Investigation Report should be conducted.

The investigation should evaluate existing methane conditions. According to the LADBS, methane mitigation is required for all sites located in a Methane Zone or a Methane Buffer Zone, regardless of results obtained in a methane investigation. The Site is located in a Methane Zone, as discussed above, and appropriate mitigation should be listed to reduce potential impacts. By failing to include this CEQA category from the MND's analysis, the public and decisionmakers are prevented from imposing potentially valuable mitigation measures to reduce the scope of such methane impacts.

3.10 *Land Use Planning*

In general, the MND fails to provide a sufficient level of detail or explanation in order to adequately inform the public and decisionmakers of the Project's consistency with the Land Use Policies and Goals. Most of the consistency

² California Air Resources Board, *Climate Change Emission Control Regulations, 2004*

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findings are limited to a few sentences total. A deeper level of consistency should have been developed and thoroughly explored within the MND, especially for a development of this size and scope.

For example, the MND concludes that the Project is consistent with respect to the Land Use and Conservation Elements based primarily on the conclusion that it would not increase impacts as to these Elements over and above those resulting from the existing uses at the Project Site, or based on the fact that the Project is similar to existing uses. What's more, Objective 2-1.1 is listed as a consistent approach to commercial development, however, the Proposed Project is mostly Office related uses and does not provide new services to the existing community.

More glaring, it seems that many land use plans and policy documents were left out of the analysis. The table provided in the MND mentions strictly those goals and objectives of the related Community Plan for the area. No mention of the City's Land Use Element, Open Space Element, Safety Element, Public Services Element, and Do Real Planning Guidelines were listed and disclosed. This is a huge oversight. Where is the consistency analysis with the Regional Comprehensive Plan, South Coast Air Quality Management Plan, and others? Also, there is no mention of consistency with the City's LAMC regarding Floor Area Ratio, Open Space, density, parking, and etc.

These are the types of issues that appear to be missing from and improperly addressed under the analysis in the MND that should be disclosed and considered as part of the land use impact analysis.

3.12 Noise and Vibration

The MND utterly fails to address the fact that there are sensitive receptors that will be significantly impacted from construction noise including the underestimated volume of excavation and the operation of a large parking facility, the loading area and mobile noise from all of the likely vehicles that will have to turn around at the end of the cul-de-sac. To make matters worse, the MND proposes an utterly deficient mitigation measure to address construction noise – Noise XII-27; as a complaint line mitigates nothing.

A complete review of the Noise section of the MND is presented below:

On-Site Construction Noise Impact: Compliance with regulatory standards does not by itself ensure a less than significant impact.

Checklist Question 3.12(d) reads as follows:

Would the project result in...[a] substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

In response to this checklist item on page 3-46, section (d), of the noise analysis, the analysis states that “[a]s discussed in Response to Checklist Question 3.12(a), the proposed project would result in a less-than significant impact related to construction with implementation of Mitigation Measures XII-20 through XII-27.” However, Checklist Question 3.12(a) only considers whether a project would generate noise or expose persons to noise “in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.” However, the response to Checklist Question 3.12(a) never quantitatively or qualitatively demonstrates that the project would not cause a significant increase in noise levels at nearby sensitive receptors and inappropriately reasons that the project's construction noise impact would be less than significant because it would comply with LAMC Section 112.05 and

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See Attachment B
Response 3-25
(cont.)

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other city regulations pertaining to construction activities. But compliance with regulatory requirements is compulsory, and compliance with local and other regulations does not by itself guarantee or prove that a project would not result in “substantial temporary or periodic” increases in ambient noise levels in the project vicinity, the matter raised by Checklist Question 3.12(d).

The City of Los Angeles has published guidance defining what constitutes significant construction noise impacts. According to the L.A. CEQA Thresholds Guide, “A project would normally have a significant impact on noise levels from construction if...[c]onstruction activities lasting more than 10 days in a three-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use...” The analysis has utilized a similar 5 dBA threshold to determine the significance of the project’s off-site construction noise impacts from construction vehicles, and therefore considers a 5-dBA threshold to be appropriate for the evaluation of the project’s construction noises. As such, the L.A. CEQA Thresholds Guide’s 5 dBA threshold should be utilized to determine the significance of the project’s construction noise impact with respect to Checklist Question 3.12(d).

On-Site Construction Noise Impact: Less than significant impact determination is unsubstantiated as the effectiveness of mitigation is unquantified.

As shown in Table 3-8 of the noise analysis, four receptors are projected to experience construction-related noise level increases in excess of the L.A. CEQA Thresholds Guide’s 5 dBA noise increase threshold for construction activities lasting more than ten days in a three-month period. Table 3-8 does not include the two noise-sensitive receptors discussed above that were not identified and analyzed. According to the analysis, “Multi-family Residences to the south” are projected to experience a noise level increase of 26.9 dBA; Digital Domain, 11.6 dBA; 740 Sound Design, 10.4 dBA; and “Single-family Residences to the east,” 13.0 dBA. The analysis finds that Regulatory Compliance Measures RC-NO-1 through RC-NO-4 and Mitigation Measures XII-20 through XII-27 would be capable of mitigating these noise increases to a less than significant degree, but offers limited evidence as to why these measures would suffice, failing to disclose the mitigated construction-related noise levels that would be experienced by receptors with the implementation of these measures.

Further, the analysis offers no further explanation of how the proposed regulatory compliance and mitigation measures would adequately mitigate the project’s on-site construction noise impacts, failing to quantitatively or qualitatively demonstrate the effectiveness of the proposed mitigation. The analysis claims that “other mitigation measures, while difficult to quantify, will assist in controlling construction noise. Therefore, impacts related to on-site construction noise would be less than significant with mitigation incorporated.” But just because these mitigation measures may “assist in controlling construction noise” does not at all mean that they would be capable of reducing construction noises to a less than significant impact.

For example, Mitigation Measure XII-20 additionally requires “state-of-the-art noise shielding,” and Mitigation Measure XII-26 requires the placement of “flexible sound control curtains...around all drilling apparatuses, drill rigs, and jackhammers.” However, the analysis does not quantify the mitigating potential of this shielding in any way, let alone describe what a “state-of-the-art” noise barrier would even be. According to the Federal Transit Administration, sound barriers can be expected to attenuate noises by 5 to 15 decibels only.³ Even considering a full 15 dBA of barrier mitigation and 3 dBA of muffler mitigation, the multi-family residences 50 feet south of the project would still be

³ *Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006.*

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Response 8-1 (cont.)

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projected to experience a construction-related ambient noise level of 71.5 dBA L_{eq} , an increase of 9.4 dBA above their existing ambient noise conditions, and 4.4 dBA above the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold for temporary construction activities lasting more than ten days in a three month period.⁴

Further, this analysis does not consider that because these residences are 4-story multi-family structures, they would not be capable of obstructing the line of sight travel of on-site construction noises to upper-story residential units at all 40 feet in height unless the project's "state of the art noise shielding" and "flexible sound control curtains" were exceedingly tall. The incorporation of equipment mufflers and temporary sound barriers required by Mitigation Measures XII-20 and XII-26 would not be capable of mitigating the project's construction noise impact at this multi-family residence to below the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold.

Moreover, the total mitigation potential of these measures when combined with the project's other proposed measures could still be inadequate. Mitigation Measure XII-21 would only "prevent additional noise due to worn or improperly maintained parts," not reduce noise levels from properly functioning equipment.

Mitigation Measure XII-22 would require the construction contractor to "use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than metal-tracked equipment)." This measure is ambiguous and generally unenforceable, and the analysis fails to quantify the effect that it would have on construction noise levels.

Additionally, the analysis cites the reference noise levels of construction equipment in Table 3-6 of the noise analysis, as provided by the Federal Highway Administration's Roadway Construction Noise Model. However, this database makes no distinction between the noise levels of rubber-tired versus steel-tracked equipment, as an equipment's noise level is primarily a product of its internal combustion engine noise. The EPA's Noise from Construction Equipment and Operations, Building Equipment and Home Appliances source cited in Table 3-7 also makes no such distinction. Use of smaller or otherwise less-effective equipment could even extend construction scheduling, lengthening the duration of the project's significant construction noise impacts.

Mitigation Measures XII-23 to XII-25 are similarly ambiguous or unenforceable and fail to establish how they would quantifiably reduce the project's on-site construction noise impacts to below the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold.

Mitigation Measure XII-26 would have no mitigating effect on the project's potential to result in significant noise impacts, as it would only address complaints after disturbances have already occurred, rather than prevent significant impacts from occurring in the first place. It is an end around to defer any mitigation of the project's significant impacts until after they have already occurred. Such a method placards the discretionary authority of who decides what constitutes as "reasonable measures" into the hands of the project itself.

⁴ *It should be noted that the California Department of Transportation (Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013) and the Federal Highway Administration (Noise Barrier Design Handbook) concede that achieving 20 dBA of barrier attenuation is possible, though their design feasibility is considered "nearly impossible." Such a barrier would, at a minimum, require a transmission loss of 30 dBA or greater, achievable by materials such as concrete blocks. Needless to say, this would far exceed any realistic performance standard achievable by a temporary construction sound barrier, especially considering that it would have to fully obstruct the line of sight travel of sound between the project and its receptors. Even a barrier design capable of achieving 15 dBA of mitigation is considered "very difficult."*

3.14 *Public Services*

With regard to Fire Protection Services, the MND fall flat and does not disclose true potential impacts. In particular, is the Project considered a high-rise structure per LAMC requirements? This is not discussed nor disclosed. This is important since many fire code requirements need to be implemented into the overall design of the Project building. Is a Heli-Pad needed, since the buildings may be considered a high-rise structure? Also, since the Fire Protection Services sections does not provide sufficient detail on existing equipment mix of existing fire stations, are new ladder trucks needed, and if so, how many would be required? This could be a potentially significant impact prior to mitigation measures being incorporated. This needs to be disclosed. With this, are sprinklers required on each floor of the building, due to the overall height of the building and distance to the nearest fire station? It seems the MND is deficient in this area and needs to be revised accordingly.

3.18 *Utilities and Service Systems*

The Utilities and Service Systems Section does not provide adequate information and is ultimately failing as an informational document. Our firm's comments on the MND are listed below:

- Projected water during construction use must be calculated based on total water usage and not average daily consumption, similar to how Air Quality impacts are calculated. Since the time period required for construction has been extended, construction activities associated with construction will require greater water consumption.
- Not only has the duration of construction is confusing, but the extent and intensity of construction is also unclear. There is no analysis regarding the potential for the increased levels of water demand required for the increased amount of excavation required for the Project.
- The forecasted water supplies assume that state mandated conservation requirements will continue to apply throughout the life of the Project. Please provide an analysis of what happens if the current state mandated measures are relaxed or eliminated.

III. CONCLUSION

In our expert opinion, the MND contains substantial inaccuracies and misleads the reader as to the scale and scope of the proposed Project's environmental impacts. Several CEQA sections are absent or non-disclosed, CEQA required sections within the Project Description are missing, among many other things, as discoursed in detail above. Additionally, substantial evidence indicates that the Project may have significant environmental effects on the environment. As a result, an Environmental Impact Report should be required, or, at the very least, the MND should be substantially revised in accordance with our comments and recirculated for further review, consistent with the requirements of CEQA.

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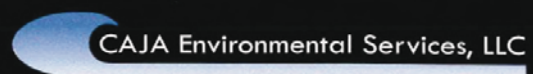
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STATEMENT OF QUALIFICATIONS



CAJA ENVIRONMENTAL SERVICES, LLC



CAJA Environmental Services, LLC



COMPANY OVERVIEW

The CAJA team has provided environmental planning services to the public and private sectors for over 20 years. Throughout those years, the company and staff have earned a reputation for consistent and conscientious performance in guiding projects through the environmental clearance process. The company's status as a well-known and respected leader in the environmental planning field is largely based on the personalized, accessible, and honest service that CAJA guarantees to each and every client.

CAJA staff members are fully prepared to identify and address a wide array of environmental issues. CAJA's project experience includes environmental clearance documentation and third party review for all types of projects and programs, including:

- Industrial
- Commercial
- Institutional
- Residential
- Mixed-Use
- Entertainment/Events
- Public Sector
- Subdivisions
- Coastal Development
- Urban Infill

Led by its reputable project management staff, CAJA's commitment to high quality, efficient, and individualized service is carried through to every project.

CAJA Environmental Services, LLC



COMPANY SERVICES

CAJA offers a broad range of environmental consulting services with a particular emphasis on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documentation. In addition to CEQA and NEPA related analysis and documentation (described in detail below), CAJA provides specialized environmental analyses and services to meet each client's individual needs. CAJA's diverse assortment of services includes:

- CEQA/NEPA Documentation
- Aesthetics/View Studies and Simulations
- Air Quality Studies
- Noise Studies
- Land Use/Zoning Analysis
- Environmental Review Management
- Mitigation Monitoring Programs
- Peer Review Services
- Expert Witness Testimony
- Environmental Constraints Analysis
- Strategic Assistance
- Project Benefit Analyses
- Preparation of Community Impact Reports
- Water Supply Assessments

CAJA Environmental Services, LLC



ENVIRONMENTAL IMPACT REPORT/ STATEMENT PREPARATION AND TECHNICAL ANALYSIS

CAJA approaches the preparation of each environmental document with an emphasis on quality and thoroughness of analysis. Because a project's environmental document is sometimes scrutinized by interested parties, the potential environmental effects of the project must be fully analyzed and disclosed. Although any environmental document can be challenged, a document that is prepared using a comprehensive approach with appropriately conservative assumptions is likely to withstand any legal challenges that might be raised. In addition, an Environmental Impact Report/Statement (EIR/EIS) must respond directly to issues introduced by responsible agencies, interest groups, and community organizations. A document that provides thoughtful and well written responses to issues raised during the environmental review process is the best means of allowing applicants to proceed with their projects in the most expeditious manner. CAJA is responsible for all document preparation tasks, including:

- Reviewing quality and content of all technical analyses;
- Ensuring compliance with style, format, and content requirements of responsible and lead agencies;
- Reviewing technical methodologies; and
- Developing new methodologies as appropriate to meet the specific needs of a particular project.

Additionally, since CAJA specializes in environmental analysis and documentation, the project management staff can apply all available resources towards regularly upgrading our analytical approach and quality standards. With regard to this, the firm has earned a reputation for being conscientious in its approach and responsive to tight schedules and emergent problems. CAJA's EIRs are prepared to the standards and requirements of CEQA, the State CEQA Guidelines, the Office of Planning and Research guidelines, State planning and zoning laws, and applicable lead agency regulations. Environmental documents are always prepared in a manner that meets CAJA's exacting standards of quality, with specific emphasis placed on a clear and substantive writing style.

CAJA Environmental Services, LLC



INITIAL STUDY/NEGATIVE DECLARATION & ENVIRONMENTAL ASSESSMENT/FINDING OF NO SIGNIFICANT IMPACT PREPARATION

CAJA specializes in a wide-ranging identification of constraints and opportunities created by a project and identification of project alternatives that minimize or avoid significant impacts to the environment. In addition to more extensive environmental documentation, CAJA prepares Initial Studies (ISs) and Environmental Assessments (EAs) that investigate the scope of potential impacts resulting from a project and ultimately determine whether or not an EIR under CEQA or EIS under NEPA is required. If the results of the analysis indicate that an EIR or EIS is not required, CAJA will prepare a Negative Declaration (ND) or Mitigated Negative Declaration (MND) pursuant to CEQA, or a Finding of No Significant Impact (FONSI) pursuant to NEPA. Overall, this process generally includes:

- Preparing Environmental Information forms and a detailed IS or EA;
- Identifying viable mitigation measures and project conditions that would reduce impacts to a less-than-significant level; and
- Preparing, noticing, and distributing the IS/MND or EA/FONSI.

The comprehensive approach CAJA brings to these tasks provides extensive evaluation of a project while eliminating costly and unnecessary environmental analysis.

CAJA Environmental Services, LLC



MITIGATION MONITORING PROGRAMS

CAJA prepares "stand-alone" Mitigation Monitoring Programs that may be submitted concurrently with the primary environmental document or subsequent to environmental review. A subsequent program may be needed to reflect mitigation modification or design changes that could affect mitigation measures described in the primary environmental document.

Programs are developed to meet the specific needs of different agencies, documenting all stages of mitigation implementation, enforcement mechanisms, and criteria to be used to determine compliance with mitigation conditions.

PREPARATION OF COMMUNITY IMPACT REPORTS

In addition to preparing a wide range of environmental documents, CAJA also prepares "stand-alone" Community Impact Reports (CIRs) for both public and private sector clients. The CIR is designed to complement an environmental impact analysis by providing comprehensive and objective information regarding the social, economic, and demographic impacts of a proposed project to project applicants, policy makers, and the public.

CAJA recognizes that for a decision-making body to accurately weigh the costs and benefits of a proposed project, the CIR must address the unique set of circumstances that are relevant to each community at the time of the proposed development. As such, there is no single formulaic approach to the preparation of a CIR.

CIRs prepared by CAJA utilize spatial Geographic information system (GIS), statistical, and qualitative analysis using applicable detests, state and local economic data, and current Census data to provide a detailed cost-benefit analysis. CAJA's ability to accurately analyze a proposed project's impacts on local businesses, public health and safety, community services, employment opportunities, and housing, makes CAJA a leader in this area of study.

CAJA Environmental Services, LLC



AIR QUALITY ANALYSIS

CAJA offers expert assistance in air quality assessment and mitigation, including:

- Construction Pollutant Modeling
- Project Operational Pollutant Modeling
- Carbon Monoxide Hotspots Modeling
- Air Quality Dispersion Modeling
- Human Health Risk Assessment
- Greenhouse Gas Emission Analysis

EMISSION INVENTORY DEVELOPMENT AND AIR DISPERSION MODELING

Most regulatory agencies require an evaluation of air pollutant emissions levels and/or concentration levels of criteria pollutants such as ozone, nitrogen dioxide, carbon monoxide, sulfur dioxide, and particulate matter to determine the impact of a project to air quality. CAJA utilizes the latest air quality modeling practices and techniques to accurately and precisely quantify air pollutant emission and concentration levels both during construction and after project completion. The type of modeling utilized is determined by the latest industry standards and the needs of both the regulatory agencies involved and the project specific demands.

CAJA Environmental Services, LLC



AIR QUALITY ANALYSIS

The following are some of the models used to develop emission inventories and conduct air dispersion analysis.

CalEEMod

CalEEMod is a statewide land use emissions computer model designed to quantify potential criteria pollutant and greenhouse gas emissions associated with both construction and operations from a variety of land use projects. The model quantifies direct emissions from construction and operations (including vehicle and off-road equipment use), as well as indirect emissions, such as greenhouse gas emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The mobile source emission factors used in the model (EMFAC2011) includes the Pavley standards and Low Carbon Fuel standards. Further, the model identifies mitigation measures to reduce criteria pollutant and greenhouse gas emissions along with calculating the benefits achieved from measures chosen by the user.

URBEMIS 2007

The URBEMIS 2007 software estimates emissions associated with both construction and operational activities. Construction emissions are evaluated based on the timing of construction phases and the size of the project site. User overrides for defaults provide additional site-specific flexibility. Operational emissions are evaluated for mobile sources operating during the use of a development as well as area sources once the development is operational.

EMFAC 2007

The EMFAC 2007 model estimates emission rates of criteria pollutants for on-road mobile sources operating in California. Emissions are calculated based on vehicle type, model year, ambient weather conditions, and time frame.

CAJA Environmental Services, LLC



AIR QUALITY ANALYSIS

OFFROAD 2007

The OFFROAD 2007 model estimates the activity and emissions of off-road mobile emission sources such as construction equipment. OFFROAD contains a database of default values for construction equipment information and can calculate emission factors based on the type of equipment and year of use.

ISC3

ISC3 is a steady-state Gaussian plume model which can be used to assess pollutant concentrations from a wide variety of sources associated with an industrial complex. This model is used by the South Coast Air Quality Management District to assess potential localized significant impacts, and can account for the following: dry plume depletion of particles; down wash; point, area, line, and volume sources; plume rise as a function of downwind distance; separation of point sources; and limited terrain adjustment. ISC3 operates in both long-term and short-term modes.

AERMOD

AERMOD is an advanced plume model that incorporates updated treatments of the boundary layer theory, understanding of turbulence and dispersion, and handling of terrain interactions. This is the dispersion model recommended by the United States Environmental Protection Agency (US EPA), and can be adapted to meet the diverse modeling challenges faced in the state of California. Several model enhancements were made as a result of public comment, including the installation of the PRIME down-wash algorithm. AERMOD is a refined model that is utilized to provide the most accurate analysis possible.

CALINE4

The California LINE Source Dispersion Model, Version 4 (CALINE4) is the standard modeling program used by Caltrans to assess carbon monoxide (CO) impacts near transportation infrastructure. The model is based on the Gaussian diffusion equation and employs a mixing zone concept to characterize pollutant dispersion over the roadway.

CAJA Environmental Services, LLC



AIR QUALITY ANALYSIS

HUMAN HEALTH RISK ASSESSMENT

Many regulatory agencies require performing human Health Risk Assessments (HRAs) to evaluate impacts from the release of toxic air contaminants (TACs). These risk assessments estimate cancer risks and non-cancer effects from TAC emissions on nearby residents and other sensitive receptors. Such evaluations include diesel particulate matter from diesel trucks servicing distribution centers and large retail centers, benzene from gasoline service stations, and process TACs at large industrial facilities. In addition, CAJA has the technical capabilities to evaluate the impact from TACs to a project site from existing sources such as the impact of nearby industrial facilities to a proposed residential project. HRAs are prepared by quantifying toxic air emissions and resulting health risks at sensitive receptors using advanced toxic air emission and health risk assessment tools, including Hotspots Analysis and Reporting Program (HARP) and proprietary analytical tools.

HARP

The Hotspots Analysis and Reporting Program (HARP) is a tool that combines emission inventories, air dispersion modeling and risk assessment analysis to estimate chronic and acute health impacts consistent with the Office of Environmental Health Hazard Assessment (OEHHA) Air Toxics "Hot Spot" Program.

GREENHOUSE GAS EMISSION ANALYSIS

Since the passage of Assembly Bill 32, California Global Warming Solutions Act of 2006 (AB 32), CAJA has been helping public and private sector clients comply with emerging greenhouse gas regulations and policies. This includes using agency-approved methods to estimate existing and potential greenhouse gas emissions from direct and indirect sources (greenhouse gas inventories), recommending innovative greenhouse gas/air pollutant reduction methods during the construction and operation of a project, investigating the use of renewable energy sources/energy efficient products, and quantifying the benefits of resource conservation (e.g., electricity usage, recycling). CAJA's innovative approach to greenhouse gas analysis utilizes the latest methodologies recommended by reputable sources, such as the Climate Action Registry General Reporting Protocol, the California Air Resources Board (CARB) AB 32 Scoping Plan, the US EPA, and the Greenhouse Gas Protocol developed by the World Resources Institute and the World Business Council.

CAJA Environmental Services, LLC



NOISE ANALYSIS

CAJA offers expert assistance in transportation and community noise assessment and mitigation, including:

- On-Site Noise Measurement
- Residential Noise Studies
- Construction Noise Measurement, Analysis, and Mitigation
- Community Noise Surveys
- Traffic Noise Analysis

CAJA utilizes the following noise modeling practices and techniques to accurately and precisely quantify ambient noise levels both prior to construction and after project completion.

NOISE MONITORING

The first step in quantifying the impact a particular project may have on the existing noise environment is identifying the baseline noise conditions. CAJA's technical experts record existing ambient noise levels using the Larson-Davis 831 noise meter. The Model 831's measurement capabilities include instantaneous Sound Pressure Level; Lmin; Lmax; Lpeak and Unweighted Peak Levels; Ln (statistics); Leq; Sound Exposure Level (SEL); and Time Weighted Average (TWA). All of these parameters are measured simultaneously, making this tool very flexible in many different applications.

CAJA Environmental Services, LLC



NOISE ANALYSIS

CONSTRUCTION NOISE

To determine a project's potential construction-related noise impacts, CAJA uses a set of construction noise level data published by the US EPA that outlines the noise ranges of typical construction equipment that can be found at various types of construction sites. Under conditions where a more refined analysis is required, CAJA utilizes the Federal Highway Administration Roadway Construction Noise Model (FHWA RCNM) that is capable of predicting noise from construction operations based on a compilation of empirical data and the application of acoustical propagation formulas.

FHWA HIGHWAY TRAFFIC NOISE PREDICTION MODEL FHWA-RD-77-108

To determine a project's operational noise levels associated with project-generated traffic CAJA utilizes the FHWA Highway Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA Model calculates the peak hour Leq and 24-hour Ldn or Community Noise Equivalent Level (CNEL) noise levels associated with traffic based on a particular reference set of input conditions, including site-specific traffic volumes, distances, speeds, and/or noise barriers.

CAJA Environmental Services, LLC



WATER SUPPLY ASSESSMENTS

CAJA provides assistance to applicants, lead agencies, and water suppliers in the preparation of water supply analyses required by state laws SB 610 and SB 221, which require projects exceeding certain size thresholds to include evaluations of long-term water supply availability in their environmental documents. While these assessments are required to be adopted by the water supplier to the project, CAJA can assist in preparing documentation that is consistent with the requirements of state law and associated case law.

CAJA understands the interactions between the sources of state water supplies, such as the Colorado River, State Water Project and Central Valley Project; regional cooperatives, such as the Metropolitan Water District of Southern California; local wholesalers; and local water purveyors, along with local water sources such as groundwater and recycled water. CAJA develops estimates of project-related water demand using appropriate local demand factors, along with cumulative demand within the service area of the water supplier, and analyzes the projected demand relative to local, regional, and state-wide water plans to assess the reliability of future supplies that would serve the project, including alternative sources of supply if necessary. CAJA also incorporates this information and analysis into the project's environmental document to provide the specific assessments and supporting documentation required to comply with state law and court decisions.

CAJA Environmental Services, LLC

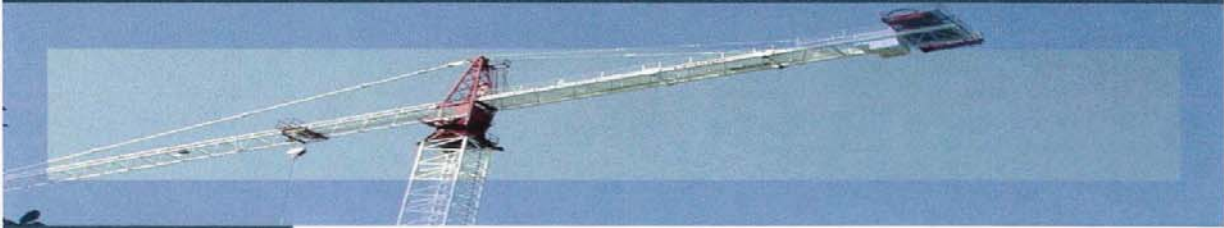


ENVIRONMENTAL CONSTRAINTS ANALYSES

Understanding the environmental and land-use constraints on a project site early in the planning stages of a project provides valuable insight to a site's limitations and opportunities, resulting in a cost-efficient and timely entitlement and permitting process. CAJA's staff and its technical and entitlement contract consultants are experienced in performing on-site surveys that identify and map environmentally-sensitive resources, environmental and regulatory land-use/zoning constraints, and other regulated permitting processes that might restrict or cause modifications to the development of a parcel of land. Such assistance can help identify and address environmental and planning issues prior to the start of a project, allowing the lead agency to consider adjustments in the project design that would mitigate potentially significant environmental impacts that were previously unknown or overlooked.

CAJA offers environmental constraints analysis to both private applicants and public agencies.

CAJA Environmental Services, LLC



ENVIRONMENTAL REVIEW PROJECT MANAGEMENT

The most important consultant function in the environmental review process is effective project management.

CAJA's project management approach is based on our understanding that each project presents a unique set of challenges based on the level of detail proposed in the project plans, available site-specific information, perceived public controversy, and pro-posed timing of project implementation. CAJA's overall approach to project management is based on clear communication. As the leader of the environmental team, CAJA communicates all project milestones, issues, and pending processes with project team members and City staff to ensure compliance with the schedule, scope of work, and budget.

CAJA's management approach allows regular interaction between the project team, lead agency staff, and the other consultants; and requires frequent information sharing among team members. This approach fosters efficient data acquisition and provides advance notice of environmental findings. Such participation minimizes environmental impacts and duplication of research efforts, improves the technical quality and accuracy of the environmental analysis, and ultimately assists in the preparation of a quality project design and therefore, a technically accurate environmental document.

CAJA reviews all project communications and technical reports in a timely fashion to ensure that issues are recognized early in the process and communicated to appropriate parties, and that an action plan is formulated for resolving issues. This ensures that the environmental review focuses appropriately on environmental issues of most controversy and importance, that all environmental review is conducted to the highest standards and considers all appropriate environmental thresholds, and that all client and public concerns are addressed appropriately. In this role, CAJA is also responsible for:

- Supervising technical consultants who pre-prepare specialized technical studies;
- Coordinating with the lead agency; and
- Facilitating communication between agencies, the project development team (including the applicant, attorney, architect, et al.), and all consultants.

CAJA is recognized for the effective execution of these responsibilities, which ultimately determines the schedule, cost, and legal adequacy of the environmental review process for any project.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.



MARTIN EXPO TOWN CENTER EIR

CLIENT: Philena Properties, L.P.

LEAD AGENCY: City of Los Angeles

CAJA prepared the EIR for the Martin Expo Town Center Project. The Project proposes the removal of all existing structures and the construction of approximately 807,200 square feet of new development (approximately 707,801 net new square feet) with an FAR of 3.91:1. The Project proposes the development of 516 residential units (508,200 gross square feet), 99,000 square feet of retail floor area (consisting of a 50,000-square-foot grocery store, 40,000 square feet of general retail use, and 9,000 square feet of restaurant uses), 200,000 square feet of creative office floor area, and enclosed subterranean parking.



JEFFERSON AND LA CIENEGA EIR

CLIENT: CPV Cumulus, LLC.

LEAD AGENCY: City of Los Angeles

CAJA prepared an EIR for the Jefferson and La Cienega Project. The Project consists of the demolition of an existing office building, accessory structures, and four light industrial structures (approximately 63,313 square feet), two existing radio tower structures, and the development of an approximately 1,900,000-square-foot transit-oriented, mixed-use development. The Project includes approximately 1,218 multi-family residential units (1,600,000 square feet of residential floor area) and 300,000 square feet of commercial floor area on the lower ground floors, and a total FAR of 3.9:1. The commercial space would include 200,000 square feet of office space, 50,000 square feet of grocery store, 20,000 square feet of restaurant space, and 30,000 square feet of general retail. The height would be 320 feet for the tower portion of the Project (480,000 square feet), and 110 feet for the podium buildings. Parking would be provided within a combination of above ground and subterranean levels and would comply with LAMC requirements.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.



NoHo WEST EIR

CLIENT: MGP XI-GPI Laurel Plaza, LLC

LEAD AGENCY: City of Los Angeles

CAJA is preparing the EIR for the NoHo West Project. The Project includes the redevelopment/reuse of the Project Site with a mix of commercial, retail and residential land uses. Approximately 16.44 acres (or 716,310 square feet) of the Project Site fronting Laurel Canyon Boulevard and Oxnard Street and near the 170 Freeway would be devoted to commercial use, with new interior access ways and private streets added for circulation. Approximately 8.26 acres (or 359,942 square feet) of the Project Site fronting Radford Avenue and Erwin Street would be developed with multi-family residential units. The Project includes the demolition of the existing 90,000-square-foot office building at the corner of Laurel Canyon and Erwin Street and the 10,000-square-foot Macy's annex building, as well as the removal of an approximately 20,000-square-foot portion of the existing Macy's building. The existing main Macy's building would be expanded and re-used for approximately 500,000 square feet of office uses. The Project also involves the development of the remainder of the Project Site with approximately 300,000 square feet of commercial uses, as follows: approximately 142,513 square feet of retail land uses, 48,687 square feet of restaurant land uses, 40,000 square feet of health club/gym, and 68,800 square feet of cinema uses (with 1,750 seats). The Project also includes the development of two residential buildings fronting on Radford Avenue and Erwin Street containing a total of 742 residential units.



LOS ANGELES COLISEUM EIR

CLIENT: Los Angeles Memorial Coliseum Commission

LEAD AGENCY: Los Angeles Memorial Coliseum Commission

CAJA prepared an EIR for the renovation of the Los Angeles Memorial Coliseum to conform with the generally accepted standards of design for National Football League (NFL) stadiums, under the objective of enabling the Coliseum Commission to acquire and maintain an NFL franchise in the City of Los Angeles. Proposed renovations to the Coliseum included reducing the seating capacity for professional and college football games, from the existing level of 92,500 to approximately 68,000 for NFL games and approximately 78,000 for collegiate football games. The project also included the addition of 175 luxury suites and a club level of 15,000 premier seats, along with renovations to portions of the 27.4-acre project site surrounding the Coliseum structure itself. The Coliseum is a prominent landmark in the history of the City of Los Angeles; the stadium hosted the 1932 and 1984 Olympic Games, and has been the home of numerous Los Angeles sports teams including the University of Southern California Trojans, the UCLA Bruins, the Los Angeles Rams and Raiders, the Los Angeles Dodgers, and Express and Xtreme football teams. One of the primary goals of the project was to renovate the Coliseum while simultaneously retaining and restoring as much of the existing Coliseum façade, bowl geometry, and seating areas as physically and practically possible, within the constraints of operational, programmatic, and historic restoration guidelines.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

MILLENNIUM HOLLYWOOD EIR

CLIENT: Millennium Hollywood, LLC

LEAD AGENCY: City of Los Angeles



CAJA prepared an EIR for the Millennium Hollywood Project. The Project includes the construction of approximately 1,052,667 net square feet of new developed floor area. The historic Capitol Records Building and the Gogerty Building are within the Project Site. These historic structures would be preserved and maintained and are operating as office and music recording facilities under long term lease. Including the existing approximately 114,303 square-foot Capitol Records Complex, the Project would include a maximum of approximately 1,166,970 net square feet of floor area resulting in a 6:1 Floor Area Ratio averaged across the Project Site. The Project would also demolish and/or remove the existing approximately 1,800 square foot rental car facility. The Project would develop a mix of land uses, including some combination of residential dwelling units, luxury hotel rooms, office and associated uses, restaurant space, health and fitness club uses, and retail uses.

CASDEN SEPULVEDA EIR

CLIENT: Casden West LA, LLC

LEAD AGENCY: City of Los Angeles



CAJA prepared the EIR for the Casden Sepulveda Project. The Project includes a mixed-use commercial and residential development, with commercial access along Pico and Sepulveda Boulevards and residential access along Sepulveda and Exposition Boulevards. Part of the Metro railroad easement at the southern portion of the site along Exposition Boulevard between Sepulveda Boulevard and Sawtelle Boulevard is planned for use as rail-line-related infrastructure associated with Phase II of the Metro's Exposition Light Rail Transit Line (the "Expo Line"). The Development Project would provide Expo Line passengers with pedestrian access to both existing and planned bus stops on both Pico and Sepulveda Boulevards. The Development Project would include a total of approximately 266,800 square feet of retail commercial floor area and 538 residential units (of which 59 would be senior-affordable units), including 56 studios, 262 one-bedrooms, 201 two-bedroom units, and 19 three-bedroom units (approximately 518,764 residential square feet). The Development Project would provide a total of approximately 2,029 parking spaces combined for residential, commercial, and guest use, in compliance with Code requirements. These parking stalls would be provided in up to five subterranean parking levels located below the development.

Add Area Project Description:

The Proposed Add Area Project includes re-designation of three parcels from Light Industrial and Public Facilities to Community Commercial.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

INGLEWOOD FOOTBALL STADIUM EIR

CLIENT: Hollywood Park, Incorporated

LEAD AGENCY: City of Inglewood



The City of Champions Revitalization Initiative (Initiative) would authorize the owners of the property at the former Hollywood Park Race Track to develop either the currently approved Hollywood Park Specific Plan project (Existing Project) or a new alternative project (Stadium Alternative) that would incorporate a multi-purpose stadium with fixed seating capacity of up to 80,000 for professional sports, including football and soccer, as well as concerts, and other entertainment uses into the previously approved Hollywood Park Project. While the stadium could be utilized for a variety of events with varying levels of attendance, for the purposes of the City's analysis, a venue designed for professional football with 75,000 patrons was assumed based on expected actual attendance, which would be less than full capacity for the majority of events due to unused tickets. The Stadium Alternative would be located on approximately 298 acres that encompass the site of the former Hollywood Park Race Track (the same site analyzed in the 2009 EIR and 2014 EIR Addendum) and 60 additional acres of existing surface parking north of the former track (Northern Parcel), which is located between Arbor Vitae Street and Pincay Drive and east of Prairie Avenue. The initiative would also authorize the construction of an approximately 6,000-seat entertainment venue, and additional retail, office, and business uses. The Stadium Alternative project, as described in the Initiative, would allow the City to continue its legacy of providing the region with world-class sports and entertainment by permitting the construction of a state-of-the-art, energy-efficient stadium and an entertainment district, which would provide the City with a unique ability to attract a National Football League (NFL) franchise to Southern California, as well as other regional, national, and international sporting events. The initiative process is being utilized by proponents because construction of the original project is already underway and to the extent a stadium is to be incorporated into the project, it would need to be approved by the end of the year.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

PONTE VISTA EIR

CLIENT: BDC Ponte Vista Partners, LLC

LEAD AGENCY: City of Los Angeles



CAJA prepared an EIR for the Ponte Vista Mixed Use Project in the San Pedro area of the City of Los Angeles. The project site is located at the former U.S. Navy San Pedro Housing complex, a 61.5-acre property on Western Avenue south of Palos Verdes Drive North. Adjacent land uses include the U.S. Navy's Defense Fuel Support Point (DFSP) to the north, Mary Star of the Sea High School to the east, multi-family residences to the south, and single-family residences in the City of Rancho Palos Verdes to the west (across Western Avenue). The project site is currently improved with 245 residential units, a community center, and a retail convenience facility that were constructed in 1962 by the U.S. Navy for the purpose of housing personnel stationed at the Long Beach Naval Shipyard.

Subsequent to the circulation of the Draft EIR, the project applicant proposed reductions to the original project. The revised project reduced the total number of units proposed from 2,300 to 1,950 (reducing the overall density to 32 units per acre). The revised project included 1,000 stacked townhomes and condominiums in 3-4 story buildings. Approximately 850 units would be restricted as senior housing. The remaining 100 units would be 3-story attached townhome units with private garages. The revised project set aside 370 units for sale to workforce households. The revised project continued to include a maximum of 10,000 square feet of retail uses, as well as the public park and private recreational amenities proposed by the original project (consisting of approximately 40 percent landscaped common areas). Like the original project, the revised project would redevelop 100 percent of the project site.

At the time the EIR was published, the Ponte Vista Project was the second largest housing project proposed in the City of Los Angeles (with the Playa Vista project being the largest). The Ponte Vista Project sparked highly publicized debate within the San Pedro community and the adjacent City of Rancho Palos Verdes, with the primary points of contention being traffic impacts on Western Avenue and land use consistency (the project site is zoned R1 and the Project's proposed density is R3). The CAJA team faced further challenges when, during preparation of the Draft EIR, the project site was chosen as a preferred site for a high school by the Los Angeles Unified School District (LAUSD later abandoned its proposal during preparation of the Final EIR). 107 comment letters were received on the Draft EIR, amounting to a total of 1,655 individual comments.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

VERDUGO HILLS GOLF COURSE PROJECT EIR

CLIENT: Snowball West Investments

LEAD AGENCY: City of Los Angeles



CAJA is currently preparing an EIR for the proposed Verdugo Hills Golf Course project, located in the Sunland Tujunga community of the City of Los Angeles. The approximately 58-acre project site is an irregularly shaped property that is roughly bounded by Tujunga Canyon Boulevard to the east and La Tuna Canyon Road to the south. Approximately 25 acres of the project site are currently occupied by the Verdugo Hills Golf Course, a driving range, a surface parking lot, and other supporting uses. Single-family homes are to the north, and undeveloped land is to the west. The Foothill Freeway (Interstate 210) is located to the south of the project site, just beyond La Tuna Canyon Road.

The project proposes to demolish the existing golf course and supporting uses, subdivide the property and subsequently develop 229 four- and five-bedroom, two-story homes, with a density of approximately 3.93 units per acre. The residential units are to be located principally on the former site of the golf course and driving range, along with a currently undeveloped strip of land along Tujunga Canyon Boulevard. The development would be a private community with gated access and private roads. Grading would be restricted to slopes of 15 percent or less; therefore, approximately 32 acres of hillside slopes with gradients steeper than 15 percent are proposed to be retained as open space. The project would require a change of zone from RA-1 and A1-1 to RD5-1 to permit the construction of the proposed homes.

Major environmental issues include impacts related to hillside development, aesthetics, air quality, biological resources, cultural resources, hazards, hydrology, land use, noise, public services, traffic and transportation, recreation, and utilities and service systems.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

PARK FIFTH EIR

CLIENT: MacFarlane Partners

LEAD AGENCY: City of Los Angeles



CAJA prepared an EIR for the Park Fifth Project. The project includes the construction of 615 residential units and 16,968 square feet of commercial uses with a total floor area of 588,091 square feet. The revised project consists of a 241-foot, 24-story mixed-use building (referred to as the "Tower") with 300 residential units and approximately 10,961 square feet of commercial uses and a 7-story, 98-foot 10-inch mixed-use building (referred to as the "Mid-Rise") with 315 residential units and approximately 6,007 square feet of ground floor commercial uses above a semi-subterranean parking podium. The revised project will provide 657 parking spaces.

The entitlement request includes a Conditional Use to allow an FAR averaging across the project site within a Unified Development, a Variance to allow 545 standard parking stalls in lieu of the required 615 standard stalls for the residential use, a Variance to permit 88 trees in lieu of the required 154 trees for 615 residential units, a Zoning Administrator's Adjustment to waive the transitional height requirement for a C Zone property located within 100-feet of an OS Zone (Pershing Square), and a Site Plan Review for the development of a mixed-use project with 615 dwelling units.

MALIBU RACQUET CLUB EXPANSION MND

CLIENT: 94596 Malibu Racquet Club, LLC & North Broadway Ventures

LEAD AGENCY: City of Malibu



CAJA prepared the MND for the Malibu Racquet Club Expansion Project. The project includes the demolition of the existing single-family residence, construction of a new tennis pavilion, four additional tennis courts, yoga studio, walkways and additional parking spaces. Consistent with the City's General Plan, LCP, and sound planning practices, the Project will consolidate existing Racquet Club activities with the eastern portion of the overall Project Site, in order to preserve a usable internal open space design while maintaining required City setbacks from nearby residential and commercial properties. The expansion and upgrade to the existing tennis club would involve the creation of an additional four tennis courts (two clay and two hard courts) to the immediate east of the existing facility. The new tennis courts would allow for a tournament setting with ADA compliant access. Also, roughly 19,269 cubic yards of exempt grading and 2,751 cubic yards of non-exempt grading is proposed in order to allow the placement of the courts on an existing east sloping property. Exempt grading consists of remedial, understructure, and safety grading quantities. Additionally, parking would be provided on-site and to the east of the newly proposed courts.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.



BRADLEY LANDFILL AND RECYCLING CENTER MASTER PLAN EIR

CLIENT: Waste Management, Inc.

LEAD AGENCY: City of Los Angeles

CAJA prepared an EIR for the Bradley Landfill Transition Master Plan, which consists of two phases: (1) a proposed increase in the presently permitted height of the landfill to continue operations at the levels allowed under current permits; and (2) implementation of a transfer station operation within the current landfill site. The purpose of the Bradley Landfill Transition Master Plan is to provide for an orderly transition of the existing landfill site from an active landfill to a transfer station operation that will receive solid waste for disposal at other landfills. Under Phase I of the Bradley Landfill Transition Master Plan, the applicant requests to increase the maximum height of the landfill by 43 feet to a maximum height of 1,053 feet above mean sea level (msl). This increase in height would allow the landfill to continue operating at its current level of activity until its established closure date. On or before the established closure date, the applicant proposes to convert the existing landfill operation into a transfer station where solid waste loads are received, consolidated, and transported to other local or regional landfill facilities.



LAAFB LAND CONVEYANCE, CONSTRUCTION AND DEVELOPMENT PROJECT EIS/EIR

CLIENT: SAMS Venture, LLC

LEAD AGENCY: US Air Force, US Department of Housing & Urban
Development, City of El Segundo & City of Hawthorne

CAJA prepared an EIS/EIR for a series of actions related to the possible conveyance, development, and use of four properties currently belonging to Los Angeles Air Force Base (LAAFB), which are referred to as Area A, Area B, the Lawndale Annex, and the Sun Valley Property. LAAFB houses several commands which encompass functions related to research, development, and the procurement of military space systems. Under the proposed concept, Area A, the Lawndale Annex, and the Sun Valley Property would be conveyed to a private developer (a partnership of Kearny, Morgan Stanley Real Estate Fund IV, and Catellus) in exchange for constructing new buildings for the Air Force on Area B. The proposed project may also include the use of federal or State development incentives, including but not limited to: Brownfield grants, lease financing and certificates of participation, Mello-Roos special tax bonds, Base Retention grants, Infrastructure Financing Districts, tax-based incentive agreements, redevelopment funds, and/or other similar financial incentives.

CAJA Environmental Services, LLC

PROJECTS

Following are representative samples of CAJA's extensive project experience.

SANTA MONICA COLLEGE MADISON THEATER EIR

CLIENT: Santa Monica College

LEAD AGENCY: Santa Monica College



CAJA prepared an EIR for the Santa Monica College Madison Theater Project, which involves the construction and operation of a state-of-the-art, 500-seat theater facility for instruction and performances. The addition of the theater would be the catalyst in transforming the Madison Campus into the Madison Performing Arts Center. The design is intended to create a recognizable identity for the Madison Performing Arts Center, and to create a prized cultural venue for Santa Monica College students as well as members of the surrounding community. The project primarily consists of constructing the new performance theater, converting the existing unused school auditorium into a classroom rehearsal hall, and resurfacing and redesigning the surface parking lot.

METRO UNIVERSAL PROJECT EIR

CLIENT: Thomas Properties

LEAD AGENCY: City of Los Angeles



CAJA prepared an EIR for the Metro Universal Project located in the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan Area of the City of Los Angeles. The project site is generally bound by Bluffside Drive to the north and west, Lankershim Boulevard to the east, and Ventura Boulevard to the south and west. Campo de Cahuenga Way and the Hollywood Freeway bisect the project site at the central and southern portions of the site, respectively. The existing uses on the project site included operation of a transit/transportation hub associated with the Universal City Metro Red Line Station. The project proposed the development of approximately 1.47 million square feet of new commercial and possible residential uses in two phases. Phase 1 included a 655,200 square-foot office and a 315,000 square-foot media production complex with up to 1,929 parking spaces, and a separate parking garage with up to 1,780 parking spaces, of which 800 were designated for use by Metro patrons and 25 for patrons of the Campo de Cahuenga historic site. Phase 1 also included up to 25,000 square feet of retail/restaurant facilities. Phase 2 included a 489,100 square-foot office building or a mixed-use hotel/residential building comprised of 400 residential units, 300 hotel rooms and ancillary meeting rooms, restaurant/lounge areas, spa space, and residential amenities. Phase 2 included the provision of up to 1,467 parking spaces. The project also included new bus drop-off, transfer, and layover facilities associated with the Metro Red Line station. Development of Phase 1 occurred on Sites A, B; Sites D and E were to be restriped to accommodate additional spaces for use as park and ride facilities.



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EXHIBIT 4

COMMENT LETTER NO. 8

CPC-2016-1208-CU-SP

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Non-Complying Submission

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CITY OF LOS ANGELES

JUL 27 2017

CITY PLANNING DEPT.
AREA PLANNING COMMISSION



To: Ryan Luckert
From: Noah Tanski, Douglas Kim
CC:
Date: July 26, 2017
Re: Peer Review – New Beatrice West Noise Analysis

This memo summarizes our peer review of the noise analysis in the Draft Initial Study analysis dated May 17, 2017 for the New Beatrice West project.

On-Site Construction Noise Impact: Compliance with regulatory standards does not by itself ensure a less than significant impact.

Checklist Question 3.12(d) reads as follows:

Would the project result in...[a] substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

In response to this checklist item on page 3-46, section (d), of the noise analysis, the analysis states that “[a]s discussed in Response to Checklist Question 3.12(a), the proposed project would result in a less-than significant impact related to construction with implementation of Mitigation Measures XII-20 through XII-27.” However, Checklist Question 3.12(a) only considers whether a project would generate noise or expose persons to noise “in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.” However, the response to Checklist Question 3.12(a) never quantitatively or qualitatively demonstrates that the project would not cause a significant increase in noise levels at nearby sensitive receptors and inappropriately reasons that the project’s construction noise impact would be less than significant because it would comply with LAMC Section 112.05 and other city regulations pertaining to construction activities. But compliance with regulatory requirements is compulsory, and compliance with local and other regulations does not by itself guarantee or prove that a project would not result in “substantial temporary or periodic” increases in ambient noise levels in the project vicinity, the matter raised by Checklist Question 3.12(d).

The City of Los Angeles has published guidance defining what constitutes significant construction noise impacts. According to the L.A. CEQA Thresholds Guide, “A project would normally have a significant impact on noise levels from construction if...[c]onstruction activities lasting more than 10 days in a three month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use...” The analysis has utilized a similar 5 dBA threshold to determine the significance of the project’s off-site construction noise impacts from construction vehicles, and therefore considers a 5 dBA threshold to be appropriate for the evaluation of the project’s construction noises. As such, the L.A.

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CEQA Thresholds Guide's 5 dBA threshold should be utilized to determine the significance of the project's construction noise impact with respect to Checklist Question 3.12(d).

On-Site Construction Noise Impact: **Less than significant impact determination is unsubstantiated as the effectiveness of mitigation is unquantified.**

As shown in Table 3-8 of the noise analysis, four receptors are projected to experience construction-related noise level increases in excess of the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold for construction activities lasting more than ten days in a three-month period. Table 3-8 does not include the two noise-sensitive receptors discussed above that were not identified and analyzed. According to the analysis, "Multi-family Residences to the south" are projected to experience a noise level increase of 26.9 dBA; Digital Domain, 11.6 dBA; 740 Sound Design, 10.4 dBA; and "Single-family Residences to the east," 13.0 dBA. The analysis finds that Regulatory Compliance Measures RC-NO-1 through RC-NO-4 and Mitigation Measures XII-20 through XII-27 would be capable of mitigating these noise increases to a less than significant degree, but offers limited evidence as to why these measures would suffice, failing to disclose the mitigated construction-related noise levels that would be experienced by receptors with the implementation of these measures.

Further, the analysis offers no further explanation of how the proposed regulatory compliance and mitigation measures would adequately mitigate the project's on-site construction noise impacts, failing to quantitatively or qualitatively demonstrate the effectiveness of the proposed mitigation. The analysis claims that "other mitigation measures, while difficult to quantify, will assist in controlling construction noise. Therefore, impacts related to on-site construction noise would be less than significant with mitigation incorporated." But just because these mitigation measures may "assist in controlling construction noise" does not at all mean that they would be capable of reducing construction noises to a less than significant impact.

For example, Mitigation Measure XII-20 additionally requires "state-of-the-art noise shielding," and Mitigation Measure XII-26 requires the placement of "flexible sound control curtains...around all drilling apparatuses, drill rigs, and jackhammers." However, the analysis does not quantify the mitigating potential of this shielding in any way, let alone describe what a "state-of-the-art" noise barrier would even be. According to the Federal Transit Administration, sound barriers can be expected to attenuate noises by 5 to 15 decibels only.¹ Even considering a full 15 dBA of barrier mitigation and 3 dBA of muffler mitigation, the multi-family residences 50 feet south of the project would still be projected to experience a construction-related ambient noise level of 71.5 dBA L_{eq} , an increase of 9.4 dBA above their existing ambient noise conditions, and 4.4 dBA above the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold for temporary construction activities lasting more than ten days in a three month period.²

Further, this analysis does not consider that because these residences are 4-story multi-family structures, they would not be capable of obstructing the line of sight travel of on-site construction noises to upper-story residential units at all 40 feet in height unless the project's "state of the art noise shielding" and "flexible sound control curtains" were exceedingly tall. The incorporation of equipment

¹ Federal Transit Administration, Transit Noise and Vibration Impact Assessment, May 2006.

² It should be noted that the California Department of Transportation (Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013) and the Federal Highway Administration (Noise Barrier Design Handbook) concede that achieving 20 dBA of barrier attenuation is possible, though their design feasibility is considered "nearly impossible." Such a barrier would, at a minimum, require a transmission loss of 30 dBA or greater, achievable by materials such as concrete blocks. Needless to say, this would far exceed any realistic performance standard achievable by a temporary construction sound barrier, especially considering that it would have to fully obstruct the line of sight travel of sound between the project and its receptors. Even a barrier design capable of achieving 15 dBA of mitigation is considered "very difficult."

mufflers and temporary sound barriers required by Mitigation Measures XII-20 and XII-26 would not be capable of mitigating the project's construction noise impact at this multi-family residence to below the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold.

Moreover, the total mitigation potential of these measures when combined with the project's other proposed measures could still be inadequate. Mitigation Measure XII-21 would only "prevent additional noise due to worn or improperly maintained parts," not reduce noise levels from properly functioning equipment.

Mitigation Measure XII-22 would require the construction contractor to "use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than metal-tracked equipment)." This measure is ambiguous and generally unenforceable, and the analysis fails to quantify the effect that it would have on construction noise levels.

Additionally, the analysis cites the reference noise levels of construction equipment in Table 3-6 of the noise analysis, as provided by the Federal Highway Administration's Roadway Construction Noise Model. However, this database makes no distinction between the noise levels of rubber-tired versus steel-tracked equipment, as an equipment's noise level is primarily a product of its internal combustion engine noise. The EPA's Noise from Construction Equipment and Operations, Building Equipment and Home Appliances source cited in Table 3-7 also makes no such distinction. Use of smaller or otherwise less-effective equipment could even extend construction scheduling, lengthening the duration of the project's significant construction noise impacts.

Mitigation Measures XII-23 to XII-25 are similarly ambiguous or unenforceable and fail to establish how they would quantifiably reduce the project's on-site construction noise impacts to below the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold.

Mitigation Measure XII-26 would have no mitigating effect on the project's potential to result in significant noise impacts, as it would only address complaints after disturbances have already occurred, rather than prevent significant impacts from occurring in the first place. It is an end around to defer any mitigation of the project's significant impacts until after they have already occurred. Such a method placrd the discretionary authority of who decides what constitutes as "reasonable measures" into the hands of the project itself.

On-Site Construction Noise Impact: Two studio receptors not identified and/or analyzed.

On page 3-40 of the New Beatrice West Project Initial Study/Mitigated Negative Declaration, the noise analysis conducted identifies the following noise-sensitive receptors within 500 feet of the project:

- Multi-family residences located 50 feet to the south across Beatrice Street;
- Single-family residences located approximately 300 feet to the east of the project site but approximately 600 feet east of the construction zone;
- 740 Sound Design located adjacent to the project site but 350 feet east of the construction zone; and
- Digital Domain located approximately 300 feet west to the west. [sic]

The analysis goes on to note that "[t]he above sensitive receptors represent the nearest sensitive locations with the potential to be impacted by the proposed project. Additional sensitive receptors are located within 500 feet of the project site, but these receptors would be somewhat shielded from construction activity by the buildings immediately surrounding the project site." However, there are at

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least two additional noise-sensitive studio land uses exist within 500 feet of the project site, and neither would be shielded from the project's construction activities. ATN Stages is a studio land use located approximately 80 feet west of the project site at 5415 Jandy Place. Vista Studios is also a studio land use, and it is located approximately 110 feet west of the project site at 12615 Beatrice Street. No existing building, wall, or other structure would obstruct the line of sight travel of construction noise from the project to these noise-sensitive receptors.

On Thursday, May 25, 2017, from 3 to 4 P.M., DKA Planning measured ambient noise levels at ATN Stages and Vista Studios. ATN Stages was found to have an existing ambient noise level of 59.1 dBA L_{eq} ; Vista Studios, 61.0 dBA L_{eq} .³ Following the noise study's methodology for determining construction noise impacts, ATN Stages would be projected to experience construction noise levels of 84.9 dBA L_{eq} during the project's grading/excavation and finishing phases, an increase of 25.8 dBA over this receptor's existing ambient noise conditions. This would far exceed the 5 dBA noise increase threshold considered to be a significant noise impact by the L.A. CEQA Thresholds Guide for construction activities lasting more than ten days in a three month period. Vista Studios would be projected to experience construction noise levels of 82.2 dBA L_{eq} during the project's grading/excavation and finishing phases, an increase of 21.2 dBA over existing ambient conditions. This would also exceed the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold. Even if the nearest measured ambient noise level of 62.1 dBA L_{eq} is used instead of those measured by DKA Planning, ATN Stages and Vista Studios would still be predicted to experience construction-related ambient noise level increases of and 22.8 dBA and 20.1 dBA, respectively.

On-Site Construction Noise Impact: Undisclosed potential significant health impact.

According to the National Institute for Occupational Safety and Health (NIOSH), a federal agency under the Centers for Disease Control and Prevention (CDC), extended or repeated exposure to sounds at or above 85 dBA can cause hearing loss. In Table 3-8 of the noise analysis, the analysis projects the multi-family residential receptor located 50 feet south of the project site to experience a constructed-related noise level of 89.0 dBA L_{eq} , without mitigation. Environmental exposure to this noise level would be considered hazardous after a duration of only 3 hours and 10 minutes, far shorter than a typical 8-hour construction work day.⁴ The project's potential to expose nearby residents to hazardous levels of noise should be documented and further analyzed, especially given the questionable effectiveness of the proposed mitigation.

Off-Site Construction Noise Impact: Undisclosed potential noise impact from concrete mixing and pumping activities.

Contemporary construction frequently requires extensive concrete pumping activities to deliver concrete around construction sites for a variety of applications. This project could require additional concrete pumping or grout pumping for the installation of its auger cast displacement pile foundation, as recommended by Mitigation Measure GEO 1 of the project's geology and soils analysis.

To deliver concrete or grout on-site, diesel-powered pumping trucks pump concrete from mixing vehicles and transport it on-site with the use of extended booms. These vehicles are typically permitted to operate from public rights-of-way, closer to nearby receptors than construction activities that may

³ Noise measurements were taken using a Quest Technologies SoundPro DL Sound Level Meter, the exact meter used to conduct their ambient noise measurements. The SoundPro meter complies with the American National Standards Institute (ANSI) and International Electrotechnical Commission (IEC) for general environmental measurement instrumentation. The meter was equipped with an omni-directional microphone, calibrated before the day's measurements, and set at approximately five feet above the ground.

⁴ National Institute for Occupational Safety and Health, Occupational Noise Exposure, 1998.

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occur on-site and behind any potential sound barriers. Concrete mixing vehicles may also form a queue on a public right-of-way while waiting to deliver their payload. For this reason, concrete pumping activities have an elevated potential to cause sustained and significant noise impacts at noise-sensitive receptors.

As shown in Table 3-6 of the project's noise analysis, concrete mixer trucks can produce a noise level of 74.8 dBA L_{eq} at a distance of 50 feet; concrete pump trucks, 74.8 dBA L_{eq} . Thus, a concrete pump truck and a single concrete mixer truck operating on Beatrice Street near the intersection of Jandy Place could produce a combined noise level of at least 77.6 dBA L_{eq} at the multi-family residence at that location. A queue of multiple concrete mixer trucks would exacerbate this noise level, especially because concrete mixer trucks must remain operational and mixing while carrying their payload. A queue of three concrete mixer trucks, not uncommon, would elevate this noise level to 80.7 dBA L_{eq} at the multi-family residence receptor. If concrete pump and mixing trucks were to operate from the Jandy Place right-of-way, similar impacts could occur at Vista Studios and ATN Stages. These impacts would exceed the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold. Given the unlikelihood that noise barriers or sound curtains could be installed on any public rights-of-way, it is questionable how these impacts could be mitigated at all. Clearly, more analysis is necessary with regard to this potentially significant impact.

Off-Site Construction Noise Impact: Undisclosed potential noise impact from off-site improvements in adjacent rights-of-way.

According to the project's description, the project's connection to existing utility infrastructure (e.g., water mains, sewer lines, etc.) "could require off-site improvements in adjacent rights-of-way." Such improvements could similarly require construction activities at off-site locations closer to receptors than construction activities that may occur on-site and behind any potential sound barriers. They also commonly require equipment such as backhoes, jackhammers, and mounted impact hammers. According to the construction source noise levels provided by the noise analysis in Table 3-6, each of these pieces of equipment would be capable of increasing noise levels at roadway-adjacent sensitive receptors, for example the multi-family residences directly south of the project site, by greater than the L.A. CEQA Thresholds Guide's 5 dBA noise increase threshold for construction activities. It is unlikely that noise barriers or sound curtains could be installed on public rights-of-way and questionable how these specific impacts could be mitigated at all. Additional analysis is recommended with regard to this potentially significant impact.

Off-Site Construction Noise Impact: Outdated traffic model, incorrect receiver setback distances, and use of peak hour traffic baselines understate the construction vehicle noise impact.

On page 3-43 of the project's noise impact analysis, the study explains that the off-site mobile construction noise impact from construction-related vehicles "was estimated using the Federal Highway Administration RD-77-108 calculation methodology." According to the FHWA, this traffic noise prediction model "was comprised of acoustic algorithms, computer architecture, and source code that dated to the 1970s. Since that time, significant advancements have been made in the methodology and technology for noise prediction, barrier analysis and design, and computer software design and coding."⁵ This traffic model has been obsolete since the 1998 release of TNM version 1.0. The FHWA's current traffic noise prediction model, TNM version 2.5, is presently the industry standard method for traffic noise prediction. While there is some discretion as to the modeling tool used, the more contemporary TNM model is a more robust tool for modeling off-site mobile noise impacts from construction vehicles.

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