



FINAL ENVIRONMENTAL IMPACT REPORT

1045 Olive Project

Environmental Case: ENV- 2016-4630-EIR
State Clearinghouse No.: 2017121047

Project Location: 1033 - 1057 S. Olive Street, Los Angeles, CA 90015

Community Plan Area: Central City

Council District: 14 - Huizar

Project Description: The 1045 Olive Project (Project) involves the construction and operation of a 70-story mixed-use high-rise development, with up to 751,777 square feet of floor area on a 0.96-acre site. The Project would include up to 794 residential units, 12,504 square feet of ground-floor commercial (restaurant/retail) uses, a ground-floor public plaza, and residential open space amenities. A 61-story residential tower would sit atop a nine-level podium structure, with a total building height of up to 810 feet. Eight above-ground levels of automobile parking would be located within the nine-level podium structure and would be partially wrapped with residential units. The Project would also have six subterranean levels of parking (depth of 64 feet) and would require the excavation and export of approximately 80,520 cubic yards of soil. Five existing single-story commercial buildings containing 35,651 square feet of floor area would be removed from the Project Site. The Project is a certified Environmental Leadership Development Project (ELDP).

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

ESA

APPLICANT:

1045 Olive, LLC

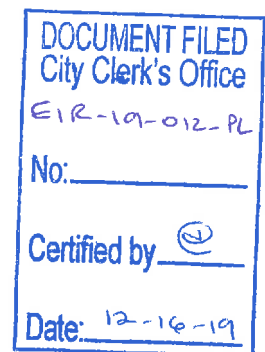


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- C. Letter on Dissolution of the Congestion Management Program in Los Angeles County

CHAPTER 1 INTRODUCTION

1. Purpose of the Final EIR

An application for the proposed 1045 Olive Project (Project) has been submitted to the City of Los Angeles Department of City Planning for discretionary review. The City of Los Angeles, as Lead Agency, determined that the Project is subject to the California Environmental Quality Act (CEQA) and requires the preparation of an Environmental Impact Report (EIR) to determine whether there is substantial evidence that the Project may have a significant effect on the environment. This document, in conjunction with the Draft EIR for this Project, comprise the Final EIR.

As described in Sections 15088, 15089, 15090 and 15132 of the State CEQA Guidelines, the Lead Agency must evaluate comments received on the Draft EIR and prepare written responses and consider the information contained in a Final EIR before approving a project. Pursuant to State CEQA Guidelines Section 15132, a Final EIR consists of: (a) the Draft EIR or a revision of the Draft; (b) comments and recommendations received on the Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the Draft EIR; (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and (e) any other information added by the Lead Agency.

This Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Draft EIR for the Project, which circulated for public review and comment from September 26, 2019 through November 12, 2019, constitutes the first part of the EIR and is incorporated by reference and bound separately. (Refer to Volumes I to VIII of the Draft EIR).

2. Organization of the Final EIR

This Final EIR is organized into chapters as follows:

1 INTRODUCTION

Describes the purpose of the Final EIR, presents the contents of the Final EIR, provides a summary of the proposed project, and provides an overview of the CEQA process.

2 RESPONSES TO COMMENTS

Presents a list of commenters, comments received by the City during the public review period for the Draft EIR, and responses to those comments.

3 REVISIONS, CLARIFICATIONS, AND CORRECTIONS

Includes revisions to the Draft EIR that represent minor changes or additions in response to some of the comments received on the Draft EIR and additional edits to provide clarification of the Draft EIR text. These changes do not add significant new information that would affect the analysis or conclusions presented in the Draft EIR.

4 MITIGATION MONITORING PROGRAM

The Mitigation Monitoring Program (MMP) is the document that will be used by the enforcement and monitoring agencies responsible for the implementation of the Project's Mitigation Measures (MMs) and Project Design Features (PDFs). MMs and PDFs are listed by environmental topic.

Final EIR Appendices

- A. Original Comment Letters
- B. First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures
- C. Letter on Dissolution of the Congestion Management Program in Los Angeles County

3. Project Summary

The Project proposes an up to 751,777 square foot mixed-use high-rise development (Project), with a maximum of 794 residential units and up to 12,504 square feet of neighborhood serving commercial (restaurant/retail) uses.¹ The Project is composed of 61-story tower atop a nine level podium structure for a total of 70 floors above grade with a height of up to 810 feet.² The Project would also have six subterranean parking levels, requiring the excavation and hauling of approximately 80,520 cubic yards of soil. Five existing one-story structures on site, containing 35,651 square feet of floor area, would be demolished and removed as part of the Project.

The Project's 12,504 square feet of commercial (restaurant/retail) space would be located at the ground level and would be oriented around the public plaza located at the corner of Olive Street and 11th Street. Access to the individual commercial units would be from 11th Street, Olive Street and the plaza. It is expected that a substantial amount of the commercial area would be devoted to restaurant uses. These ground-floor commercial spaces would be located within a nine-story podium structure, which would also include above-ground parking levels wrapped with approximately 40 residential units along the podium's perimeter adjacent to 11th Street and Olive Street on the fifth through ninth levels. At the top of the podium, an 8th floor cut-out terrace and a larger 10th floor terrace would include common open space areas for the residents' use, with a variety of tenant amenities such as lounge areas and an event deck. The 10th through 70th floors would be composed of a residential tower, containing the remainder of the residential units and amenities. The Project's residential development would include a range of unit types, including: studios, 1- and 2-bedroom units (with and without dens), and 3-bedroom units.

1 The Project area included here is based on the most recent Project Plans at the time the NOP was distributed. Subsequently, the Applicant has submitted plans to the City with a minor variation in the ground floor design resulting in a reduction in the amount of commercial (restaurant/retail) space to 10,947 square feet, a reduction of 1,557 square feet. This reduction would slightly reduce Project impacts from those reported in the analyses in this EIR. The number of residential units and total floor area has remained constant.

2 The height to the top of the residential development, i.e. to the Tower Roof Terrace, is 770 feet. The 810 feet is the height to the top of the rooftop screening.

Approximately 100,652 square feet of open space would be provided for Project residents, and an additional 2,728 square feet of open space would be provided in a ground level public plaza with landscaping and public art for a total of 103,380 square feet of open space.

Vehicle access (ingress/egress) would be provided from one entrance along Olive Street, near the northern property line, and from two entrances from the alley between 11th Street and Olympic Boulevard. An on-site loading and move-in/out service area would also be accessed from the alley. Vehicle parking would be provided within six (6) subterranean parking levels and in eight (8) partial levels of above-grade parking within the Podium. The Project would provide up to 891 vehicle parking spaces and up to 310 bicycle parking spaces, per requirements of the Los Angeles Municipal Code (LAMC).

The Project qualifies for consideration under the Jobs and Economic Improvement Through Environmental Leadership Act (the Act) of 2011 (AB 900, as amended by SB 743 [2013] and SB 734 [2016], which is codified in Sections 21178 – 21189.3 of the California Public Resources Code). The Project would voluntarily meet the requirements of the Act, which would allow the Project to qualify for streamlined environmental review as an Environmental Leadership Development Project (ELDP) under CEQA. The Act requires that the Project be ‘Net Zero’ and not result in any net additional greenhouse gas (GHG) emissions as determined by the Executive Director of the California Air Resources Board (CARB), be designed to achieve at least a U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Gold level of certification, maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), create highly skilled and high paying jobs, and invest at least \$100 million in California.

The Draft EIR concluded that the Project would result in one significant and unavoidable environmental impact, that impact being a temporary short-term impact due to construction noise. All other impacts would be less than significant or mitigated to a less than significant level.

4. CEQA Process

Below is a general overview of the CEQA process. The CEQA process is guided by the CEQA statutes and guidelines, which can be found on the State of California’s website (<http://resources.ca.gov/ceqa>).

a) Initial Study

At the onset of the environmental review process and pursuant to the provisions of Section 15082 of the State CEQA Guidelines, the City prepared an Initial Study and circulated a Notice of Preparation of a Draft Environmental Impact Report (NOP) for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on December 21, 2017 for a 30-day public review period. The Initial Study is included in Appendix A-2 of the Draft EIR and the NOP is included in Appendix A-1.

The purpose of the NOP was to formally convey that the City was preparing a Draft EIR for the Project, notify the public regarding a public Scoping Meeting, and to solicit input regarding the

scope and content of the environmental information to be included in the Draft EIR. The Scoping Meeting was held on January 10, 2018, between 5:00 and 7:00 PM at 1057 S. Olive Street in Los Angeles. The meeting was held in an open house or workshop format and provided interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide oral and written comments to the City regarding the scope and focus of the Draft EIR as described in the NOP and Initial Study. A copy of the Scoping Meeting materials is provided in Appendix A-3 of the Draft EIR.

Comments received in response to the NOP and Scoping Meeting were taken into consideration in the preparation of the Draft EIR. Approximately six people signed into the Scoping Meeting and one comment form was received. Written comment letters and emails responding to the NOP were submitted to the City by seven public agencies and four other interested parties. Public comments received during the NOP circulation period are provided in Appendix A-4, NOP Comments Received, of this Draft EIR.

b) Draft Environmental Impact Report

Following the circulation of the NOP, the City prepared technical studies and a Draft EIR to identify and evaluate the potential environmental effects of the Project, indicate whether any significant effects could be mitigated or avoided, and analyze potentially feasible alternatives to the Project. The Draft EIR was subject to a 45-day review period during which the document were made available to responsible and trustee agencies and interested parties. The public review period commenced on September 26, 2019 and ended on November 12, 2019, for a total of 48 days.

In compliance with the provision of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, the City, serving as the Lead Agency: (1) published a Notice of Completion and Availability (NOC/NOA) of a Draft EIR in the Los Angeles Times and posted the notice with the Los Angeles County Clerk, indicating that the Draft EIR was available for review at the City's Planning Department (Environmental Analysis Section, 221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90012); (2) provided copies of the NOC/NOA and Draft EIR to the Los Angeles Central Library, Little Tokyo Branch Library, and Pico Union Branch Library; (3) posted the NOC/NOA, the Draft EIR, and the Administrative Record consistent with ELDP requirements on the City's website (<https://planning.lacity.org/development-services/eir>); (4) prepared and transmitted a NOC/NOA as well as CD copies of the Draft EIR to the State Clearinghouse; (5) sent a NOC/NOA to all property owners within 500 feet of the Project Site and within a 500-foot radius of the boundaries of the TFAR Donor Site (Los Angeles Convention Center) located at 1201 S. Figueroa Street; and (6) sent a NOC/NOA to the last known name and address of all organizations and individuals who previously requested such notice in writing.

The City Planning Department received four comment letters on the Draft EIR from agencies and individuals during the Draft EIR public review period; and one late letter subsequent to the public review period. These letters were provided through written correspondence and emails. These comments are presented and responded to in Chapter 2, *Responses to Comments*, of this Final EIR.

c) Final Environmental Impact Report

Following the close of the Draft EIR public review and comment period, the City prepared a Final EIR, which includes responses to comments received on the Draft EIR, revisions to the Draft EIR, and a MMP. Consistent with CEQA Section 21092.5, responses to agency comments will be sent to each commenting agency at least 10 days prior to the City certifying the Project EIR. The Draft EIR and this Final EIR will be submitted to the decision-makers for consideration of certification in connection with action on the Project. Before approving a project, CEQA requires the Lead Agency to certify the EIR.

CHAPTER 2 RESPONSES TO COMMENTS

1. Introduction

Sections 21091(d) and 21092.5 of the Public Resources Code (PRC) and Section 15088(a) of the CEQA Guidelines govern the lead agency's requirement to respond to comments provided on a Draft EIR. Section 15088(a) of the State California Environmental Quality Act (CEQA) Guidelines states that "The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments raising significant environmental issues that were received during the noticed comment period and any extensions and may respond to late comments." In accordance with these requirements, this Chapter of this Final Environmental Impact Report (EIR) provides responses to each of the written comments on the Draft EIR, inclusive of four letters received during the public comment period and one letter received after the close of the public comment period.

Table 2-1, *Comments Received in Response to the Draft EIR*, provides a list of the comment letters received by the City.

Section 2, *Responses to Comments*, below, presents the comment letters submitted during the public comment period for the Draft EIR, as well as one late letter submitted after the end of the review period, with responses prepared by the City to each. Each letter/correspondence is given a number and each comment that requires a response within a given letter/correspondence is also assigned a number. For example, the first agency letter below that provides comments is the letter from Department of Toxic Substances Control and their correspondence is therefore designated Letter No. 1. The first comment received within Letter No. 1 is then labeled Comment 1- 1. Each numbered comment is then followed by a correspondingly numbered response, (i.e., Response to Comment No. 1-1). A copy of each comment letter is provided in Appendix A, Original Comment Letters, of this Final EIR.

As required by the State *CEQA Guidelines*, Section 15088(c), the focus of the responses to comments is "the disposition of significant environmental issues raised." Therefore, detailed responses are not provided to comments that do not relate to environmental issues. However, in some cases, additional information has been added for reference and clarity.

**TABLE 2-1
COMMENTS RECEIVED IN RESPONSE TO THE DRAFT EIR**

| Letter No. | From | Date Received |
|----------------------------|---|----------------------|
| Agencies | | |
| 1 | Department of Toxic Substances Control Meredith Williams, Ph.D., Acting Director 9211 Oakdale Avenue Chatsworth, California 91311 | October 29, 2019 |
| 2 | California Department of Transportation District 7 – Office of Regional Planning 100 S. Main Street, MS 16 Los Angeles, CA 90012 | November 6, 2019 |
| 3 | LA Sanitation Ali Poosti Wastewater Engineering Services Division, LA Sanitation and Environment | October 28, 2019 |
| Private Individuals | | |
| 4 | John and Enid Nilsson TEN50 #1201 1050 S. Grand Ave., Los Angeles, CA 90015 | October 24, 2019 |
| Late Letter | | |
| 5 | State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit 1400 Tenth Street, Sacramento, CA 95812-3044 | November 20, 2019 |

2. Responses to Comments

Comment Letter No. 1

Department of Toxic Substances Control
Meredith Williams, Ph.D., Acting Director
9211 Oakdale Avenue
Chatsworth, California 91311

Received October 29, 2019

Comment No. 1-1

Dear Ms. Zasadzien:

The Department of Toxic Substances Control (DTSC) has received the document for the above-mentioned project. Based on the review of the document, the DTSC comments are as follows:

- 1) The document needs to identify and determine whether current or historic uses at the project site have resulted in any release of hazardous wastes/substances at the project area.
- 2) The document needs to identify any known or potentially contaminated site within the proposed project area. For all identified sites, the document needs to evaluate whether conditions at the site pose a threat to human health or the environment.

Response to Comment No. 1-1

This comment acknowledges receipt of the Draft EIR and identifies topics that should be identified in the Project's EIR: notably information regarding the potential release of hazardous wastes/substances in the Project area and the identification of conditions at the Project Site that could pose a threat to human health or the environment, should they occur.

These topics are fully analyzed in Section IV.G, *Hazards and Hazardous Materials*, of the Draft EIR. The analysis is based upon a Phase I and Limited Phase II Environmental Site Assessment (ESA) prepared by an Environmental Professional, Leighton and Associated, Inc., and pursuant to processes defined in §312.10 of 40 Code of Federal Regulations (CFR) 312, and the ASTM International E1527-13. The ESA is included in Appendix H of the Draft EIR. Sources consulted in the ESA include user provided information, record reviews, site reconnaissance, interviews with parties familiar with the site's use, and Limited Phase II soil sampling.

The analysis concluded that methane testing and site design pursuant to the requirements of the City of Los Angeles Methane Testing Standards, Ordinance No. 175790, will reduce identified

vapor risks to negligible levels.¹ The analysis also recommends the proper abatement and disposal of all identified asbestos containing building materials, lead-based paint, and universal waste, which would also be addressed through regulatory measures.²

The analysis concluded that, based on the Limited Phase II soil sampling, VOC levels and lead levels would not pose a threat to human health.³ Nonetheless, Mitigation Measure, HAZ-MM-1 was included for the Project, which requires preparation of a Soils Management Plan (SMP) to ensure that all areas of the Project Site have been properly evaluated and to provide added guidance to contractors for appropriate screening, and management of potentially impacted or impacted soils that may be encountered during grading and excavation activities.⁴

The only potential Recognized Environmental Condition (REC) identified was the possible location of three small underground storage tanks (USTs) located under the sidewalk adjacent to the Project Site. Such tanks may represent a source of residual contamination due to their previous containment from petroleum products (e.g., materials associated with the Site's previous automotive uses) or other hazardous chemicals. To avoid contact with, or release of, hazardous materials associated with removal of such potential USTs and related infrastructure, Mitigation Measure HAZ-MM-2 was included for the Project.⁵ This mitigation measure requires that earthwork activities in the vicinity of potential USTs be preceded by potholing prior to construction to verify the potential occurrence and characteristics of the Site conditions. If a UST is identified, a tank removal permit would be submitted to the LAFD; and the UST would be abandoned and removed per regulatory requirements; thus avoiding hazards to the public safety.

As described above, potential impacts regarding ACMs and LBP materials would be controlled through the implementation of regulatory measure that would protect the public safety. Potential hazardous impacts due to the potential presence of USTs and/or subsurface soil and gas vapors would be avoided through the implementation of two proposed mitigation measures.

Comment No. 1-2

3) The document should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight.

4) If during construction of the project, soil contamination is suspected, construction in the area should stop and appropriate health and safety procedures should be implemented. If it is

1 Leighton and Associated, Inc., Phase I and Limited Phase II Environmental Site Assessment, Update, 1033 to 1057 South Oliver Street, City of Los Angeles, Los Angeles County California. Section 9.0, Opinion, page 54; and Section 10.0 Conclusions, page 56. Included in Appendix H of the Draft EIR.

2 Leighton and Associated, Inc., Phase I and Limited Phase II Environmental Site Assessment, Update, 1033 to 1057 South Oliver Street, City of Los Angeles, Los Angeles County California. Section 9.0, Opinion, page 54; and Section 10.0 Conclusions, page 56. Included in Appendix H of the Draft EIR.

3 Leighton and Associated, Inc., Phase I and Limited Phase II Environmental Site Assessment, Update, 1033 to 1057 South Oliver Street, City of Los Angeles, Los Angeles County California. Section 8.0, Findings, page 51; and Section 10.0 Conclusions, page 56. Included in Appendix H of the Draft EIR.

4 Draft EIR, page IV.G-24.

5 Draft EIR, page IV.G-23.

determined that contaminated soil exists, the document should identify how any required investigation or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

Response to Comment No. 1-2

The Draft EIR adequately identified regulatory compliance requirements for asbestos and lead-based paint remediation during demolition activities, and also adequately identified the mechanisms to initiate any required investigation and/or remediation. The Draft EIR also identified appropriate health and safety procedures for the handling of hazardous materials. Pursuant to the recommendation of the Phase I and Limited Phase II ESA, the Draft EIR has also incorporated Mitigation Measures HAZ-MM-1 and HAZ-MM-2 to address existing Site conditions.

Mitigation Measure HAZ-MM-1 requires preparation of a Soil Management Plan (SMP) that would provide guidance to contractors for appropriate handling, screening, and management of potentially impacted soils from historical operations that may be encountered at the Project Site during grading and excavation activities. Mitigation Measure HAZ-MM-2 requires potential potholing prior to construction to assess if any USTs are present and if so identified, removal pursuant to a tank removal permit and oversight by the Los Angeles Fire Department.

These Mitigation Measures have been incorporated into the Project's Mitigation Monitoring Program (MMP), which has been prepared pursuant to Public Resources Code Section 21081.6. The MMP, includes the mitigation measures in their entirety, along with identification of the enforcement agency, monitoring agency, monitoring phase, monitoring frequency, and action indicating compliance for each Mitigation Measure. The MMP is included in Chapter 4 of this Final EIR.

Comment No. 1-3

DTSC provides guidance for Preliminary Endangerment Assessment (PEA) preparation, and cleanup oversight through the Standard Voluntary Agreement (SVA). For additional information on the SVA, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6545 or email at Fatima.carrera@dtsc.ca.gov.

Response to Comment No. 1-3

Based on the analyses to date and the proposed cautionary mitigation measures, it is expected that development can proceed without threat to human safety. Should some unforeseen condition be identified through implementation of the SMP that would be of interest to DTSC, DTSC would be notified per any regulatory requirements.

Comment Letter No. 2

State of California - Department of Transportation
District 7 – Office of Regional Planning
100 S. Main Street, MS16
Los Angeles, CA 90012
November 6, 2019

Comment No. 2-1

Dear Ms. Zasadzien:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Project involves the construction and operation of a 70 story mixed-use high rise development with up to 751,777 square feet of floor area on a 0.96-acre site. The Project would include up to 794 residential units, 12,504 sf of ground-floor commercial uses, a ground-floor public plaza, and residential open space amenities. Five existing single-story commercial building containing 35,651 sf of floor area would be removed from the Project Site.

Response to Comment No. 2-1

This comment is introductory and does not raise issues regarding the Project or the CEQA analysis. The description of the Project provided is consistent with the Project Description and subsequent analyses in the Draft EIR. Specific comments regarding the Draft EIR, with responses, follow.

Comment No. 2-2

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. For future project [sic], you may reference to The Governor's Office of Planning and Research (OPR) for more information.

<http://opr.ca.gov/ceqa/updates/guidelines/>

Response to Comment No. 2-2

On July 30, 2019, the City updated its travel demand model and transportation impact thresholds based on vehicle miles traveled, pursuant to SB 743, and State CEQA Guidelines Section 15064.3, of the 2019 CEQA Updates that implement SB 743. The City established the Transportation Assessment Guidelines (TAG) that include both CEQA thresholds with screening criteria, and non-CEQA thresholds, with screening criteria. The CEQA thresholds provide the methodology for analyzing the State CEQA Guidelines Appendix G transportation thresholds, as well as specifying the City's adopted VMT thresholds.

According to State CEQA Guidelines Section 15064.3(c), the new provisions of Section 15064.3 may be applied immediately but will otherwise become applicable statewide beginning on July 1, 2020. The City of Los Angeles has provided further direction that during the interim period between the City's adoption of new VMT thresholds and the July 1, 2020 State deadline, either LOS or VMT traffic methodologies will be accepted for CEQA analysis for projects that receive discretionary approvals (inclusive of any appeals) before July 1, 2020. Therefore, as the Project's Transportation Study was conducted prior to the City's adoption of a VMT methodology, the transportation analysis in this Draft EIR is therefore primarily based on the adopted rules and policies based on level of service (LOS), which were in place at the time of the circulation of the NOP. The methodology for the Transportation Study was approved in a Memorandum of Understanding (MOU), dated March 6, 2018. The Study itself was submitted to LADOT in May 2018 (prior to the City's adoption of VMT thresholds) and approved by LADOT and dated August 2018. The Project is expected to move forward to a public hearing in January 2020 and City Planning Commission consideration in March 2020, with subsequent final decisions by the City Council prior to the July 1, 2020 State deadline.

In addition, as the City's TAG establishing criteria for performing VMT analyses was adopted during preparation of this Draft EIR and subsequent to the approval of the Transportation Study, a supplemental VMT analysis was completed to provide additional information regarding the Project's transportation impacts. The VMT analysis is included in Appendix N-4 of the Draft EIR,⁶ and is incorporated into the discussion of the Project's Transportation and Traffic impacts on page IV.M-52 of the Draft EIR. As indicated therein, the Project's VMT impacts regarding both residential and retail development would be less than significant. The Project's Household VMT per Capita of 4.2 is 30 percent below the threshold and 41 percent below the average for the City's Central Area Planning district.

Comment No. 2-3

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, future development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We encourage the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, and achieve a high level of non-

⁶ The Mobility Group, 1045 Olive Project – VMT Analysis, September 12, 2019.

motorized travel and transit use. We also encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements.

Response to Comment No. 2-3

The City has adopted policies and implemented programs that integrate transportation and land use to reduce VMTs and GHG emissions in the development of its General Plan Elements (notably the General Plan Framework, Mobility Plan 2035, and Central City Community Plan), and the City's Green New Deal (Sustainable City pLAN 2019) as implemented through the City's zoning provisions (LAMC, Chapter 1 - Planning and Zoning). These policies and programs are consistent with related policies in the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. The policies and programs encourage and support the provision of residential uses that are proximate to goods and services, non-motorized travel modes and transit use, and the development of complete streets. Consistency with these policies and programs was analyzed in various Draft EIR sections, including Section IV.F, *Greenhouse Gas Emissions*, Section IV.I, *Land Use*, and Section IV.M, *Transportation and Traffic*, among others.

The Project is consistent with, and supports implementation of, these programs and policies, as discussed generally in the Draft EIR and notably in the above cited Draft EIR sections. As discussed therein, the Project is providing 794 residential units in the Downtown area in proximity to nearby employment, entertainment and retail/restaurant services, contributing to improvements in the job/housing ratio of the Downtown area. The Project is being implemented through use of the City's Transfer of Floor Area (TFAR) regulations that provide for increased densities on sites that lie in proximity to transit facilities. The Project is increasing residential density on a Project Site that is four blocks and six blocks, respectively, from two rail line stations, and that is served by a total of seven local and inter-city transit operators offering regional transit services as well as local LADOT DASH Lines, and is in proximity to bicycle facilities serving the Project area.⁷ The Project has qualified as an Environmental Leadership Development Project (ELDP) project as it meets the qualification requirements, inclusive of the following among others: it is a mixed use development on an urban infill site that would achieve LEED Gold certification (or better), maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency), and be 'Net-Zero' in carbon/greenhouse gas emissions.

Further, the Project is being developed consistent with, and benefiting from, City policies and programs that provide for complete streets in the Project vicinity. These include, among other zoning provisions, (a) the *Downtown Design Guide* that provides development standards for the Downtown area, improving the pedestrian milieu and linkages to alternative transportation modes; (b) the *My Fig Project* that has transformed the Figueroa Corridor, inclusive of an extension along W. 11th Street adjacent to the Project Site, into a complete multimodal network that serves the

⁷ Refer in particular to Section IV.M, *Transportation and Traffic*, of the Draft EIR: Sub-section (2) Public Transit, on page IV.M-17, and Sub-section (3) on page IV.M-17.

needs of pedestrians, bicyclists, transit riders, and drivers; and (c) the *Mobility Plan 2035* that is guiding development of a number of new bicycle facilities in the Project vicinity, inclusive of a Tier 1 Protected Bike Lane along 11th Street adjacent to the Project Site. The Project design provides massing, landscaping and architectural features that contribute to the continuity of public spaces and encourage the use of the local bicycle facilities and comfortable accessibility to public transit facilities.

Finally, although not required to mitigate impacts regarding alternative transit plans, policies and programs, the Project includes two mitigation measures that provide for transportation demand strategies and intelligent transportation systems. The first, **TRAF-MM-1: TDM Program**, requires support for the use of alternative modes of transportation with the implementation of such features as the following: on-site bicycle facilities; the provision of information regarding the availability of, and encouraging the use of, public transit; and the payment of funds to support off-site improvements regarding bicycle services and first/last mile transit accessibility. The second, **TRAF-MM-2: Transportation System Management (TSM) Improvements**, requires the Project to contribute to signalization improvements (support for the City's ATSAC/ATCS traffic control systems) to enhance intersection operations in the Project vicinity.

Comment No. 2-4

After reviewing the Draft Environmental Impact Report for this project based on Level of Service (LOS), Caltrans has the following comments:

1. From the Transportation Study prepared in August 2018 by The Mobility Group, was stated that the project would generate net 2,227 daily trips and 196/200 AM/PM peak hour trips per Table 3.1 Trip Generation Estimates. There are 193 related projects in the project vicinity. Many of the project and related trips would be traveling on the State facilities once the projects are built. Cumulative project trips assigning to the State facilities would contribute potential cumulative traffic impacts on the State facilities. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate potential cumulative traffic impacts.

Response to Comment No. 2-4

The comment is noted for the consideration of the decision makers. As demonstrated in the Draft EIR, the Project's contribution to cumulative impacts on State facilities would not be cumulatively considerable, and cumulative impacts would be less than significant.

As stated in the City Department of Transportation Inter-Departmental Correspondence from Wes Pringle to Luciralia Ibarra dated August 16, 2018, included as page 5 of Appendix N-1, *Transportation and Traffic*, the Project's Transportation Study included a freeway impact analysis that was prepared in accordance with the previously State-mandated Congestion Management Program (CMP) administered by the Los Angeles County Metropolitan Transportation Authority (MTA). Pursuant to the Dissolution of the CMP in Los Angeles County, which occurred after the release of the Draft EIR, this CMP Traffic Impacts Analysis is no longer required in EIRs in the 89

local jurisdiction in Los Angeles County.⁸ Nevertheless, the analysis provided in the Draft EIR indicates that the Project would not result in significant traffic impacts on any of the evaluated freeway mainline segments. Further, the Project's Transportation Study examined Caltrans facilities pursuant to the Freeway Analysis Agreement executed between Caltrans and LADOT in December 2015.⁹ In addition, the Project's Transportation Study also included a screening analysis to determine if additional evaluation of freeway mainline and ramp segments was necessary beyond the CMP requirements. Exceeding one of the four screening criteria would require the applicant to work directly with Caltrans to prepare more detailed freeway analyses.

Based on the review conducted as part of the traffic analysis prepared for the Draft EIR, the amount of Project traffic expected to occur on the freeway system would not meet any of the referenced criteria. Thus, no further analysis of potential impacts to the freeway system was required. Further, while the amount of Project traffic expected to occur on nearby Caltrans facilities did not meet the criteria for additional focused analysis of Caltrans facilities, additional analysis was undertaken and was included in the Draft EIR (refer to Appendix N-2, Draft EIR, pages 115 -116 and 230-251). The analysis of Caltrans facilities examined existing and future conditions with and without the Project. The analysis shows that the volume of traffic that would be added to any freeway mainline or ramp locations would be very small and would not exceed any screening thresholds (e.g. the Project would cause an increase in mainline freeway trips of 0.1 percent to 0.2 percent, or the maximum number of one-way Project trips that would be added to freeway segments would be 16 morning trips and 14 afternoon peak hour trips at the SR-110 south of US-101 station). The Draft EIR concluded that the Project would not result in impacts to state facilities. See Draft EIR, pp. IV.M-46 and 47. CEQA Guidelines Section 15126.4(a)(3) states that "Mitigation measures are not required for effects which are not found to be significant." Thus, the Project Applicant is not required to mitigate an effect not found to be significant.

Comment No. 2-5

2. On Table 3.1 1045 Olive-Trip Generation Estimates, please clarify and provide reference on how Apartment ITE 222 daily trip, 1,644 trips, 167/151 AM/PM peak hour trip were calculated per notes #2 (trip rate reductions were applied per LADOT's Transportation Impact Study Guidelines, December 2016) and note #6 (apartments analyzed as ITE 222-Multifamily Housing (High Rise) Used trip rates for Dense Multi-Use Urban). Please provide the page number from the 10th Edition of the Trip Generation Manual and formula to arrive the project trip estimates. This would clarify the low volume on the trip estimates for such a large project.

Response to Comment No. 2-5

The relevant pages in the 10th Edition of the ITE Trip Generation Manual are pages 150-151 and pages 179-181. These pages are included in Attachment B, Trip Generation Estimates, of the

⁸ Per August 28, 2019 letter regarding "Dissolution of the Congestion Management Program in Los Angeles County." Included as Appendix C, of the Final EIR.

⁹ First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures, included as Appendix B, of the Final EIR.

LADOT approved MOU, that is provided in Appendix A to the Transportation Study. As shown in Table 3.1 of the Transportation Study, and as approved by LADOT, Adjustments were made to non-residential ITE trip rates for 15 percent reduction for transit use, 5 percent reduction for walk trips, and 20 percent to 50 percent reductions for pass-by trips. These adjustments reflect the synergy of mixed uses in the Project and that some trips to the restaurants would come from residents of the building, that the proximity to transit would result in some residents and visitors using transit, that the proximity of the Project to other nearby destination land uses would lead to walk and bicycle trips, as well as LADOT approved reductions for pass-by trips (trips already on the road system). A key component of the 10th Edition is the stratification of trip rates by geographic location, and the fact that the manual shows trip rates for high rise buildings are much lower in dense urban areas with good transit connections and walkable destinations. Therefore, the selection of these factors in the Transportation Study, Appendix N-2 of the Draft EIR, was appropriate, as it based the trip rates for Apartments built within a downtown Los Angeles high-rise. This is based on the fact that the apartments qualify as multi-family housing in a high-rise development within a dense multi-use urban area. To this end, the Project is also consistent with Public Resources Code Section 21180(b)(1) as an Environmental Leadership Development Project that achieves a 15 percent greater standard for transportation efficiency than for comparable projects. The trip generation estimates were reviewed and approved by LADOT.

Comment No. 2-6

3. As a reminder, the Agreement Between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedure was expired in December 2016. Any meaningful verbal agreement needs to be followed by a signed [sic] legal binding agreement acceptable to both agencies. The Lead Agency has the ultimate responsibility to disclose the traffic impact on the State facilities.

Response to Comment No. 2-6

This comment does not raise any specific, substantive issues on the content of the Draft EIR. The comment is noted for the consideration of the decision makers.

As stated in Response to Comment 2-4, to comply with the Freeway Analysis Agreement executed between Caltrans and DOT in December 2015, the Project's Transportation Study also included a screening analysis to determine if additional evaluation of freeway mainline and ramp segments was necessary beyond the CMP requirements. This methodology in the Transportation Study was approved and accepted by LADOT. Exceeding one of the four screening criteria would require the applicant to work directly with Caltrans to prepare more detailed freeway analyses. However, the Project did not meet or exceed any of the four thresholds defined in the agreement; therefore, no additional freeway analysis was required.

Comment No. 2-7

4. Table D-10 Existing With Project-Freeway On-Ramp Analysis-AM Peak Hour and Table D-12 Future With Project-Freeway On Ramp Analysis-AM Peak Hour show 900 trips ramp capacity for the Northbound I-110 on-ramp at 11th Street. For both scenarios, the project

trips would exceed the available storage length which would create potential traffic conflict (rear end accident) at the entrance of this on-ramp. We recommend the City to make traffic signal adjustment at this intersection or work with Caltrans to modify the on-ramp configuration to make safety improvement.

Response to Comment No. 2-7

In both these cases the tables show that the ramp capacity is exceeded under current conditions, and would also be exceeded in the future conditions without the Project. The tables also show that the Project would increase the ramp volume by 1 percent or less – a negligible amount, and not a significant impact. CEQA does not require mitigation for less than significant impacts. CEQA Guidelines Section 15126.4(a)(3) states that “Mitigation measures are not required for effects which are not found to be significant.” Thus, the Project Applicant is not required to mitigate an effect not found to be significant.

Comment No. 2-8

5. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan.

Response to Comment No. 2-8

The comment notes compliance with storm water management laws and regulations but does not comment on any issue related to the Project as designed or the Draft EIR. Nevertheless, the Project will comply with all applicable regulatory requirements regarding storm water, as discussed in detail in Section IV.H, *Hydrology and Water Quality*, of the Draft EIR, and will not discharge storm water onto State highway facilities.

Comment No. 2-9

6. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

Response to Comment No. 2-9

This comment notes the need to obtain a permit from Caltrans for oversized transport vehicles to use state highways and recommends that large truck trips be limited to off peak hours, but does not raise any specific, substantive issues on the content of the Draft EIR. Nonetheless, the Project will comply with applicable Caltrans requirements. The Project is not anticipated to require work within a state right-of-way. However, a Caltrans transportation permit will be sought for the use of oversized-transport vehicles on State highways to the extent that oversized-transport vehicles would be used on State highways. In addition, in accordance with Project Design Feature TRAF-PDF-1, construction material deliveries would occur outside of peak travel periods, to the extent

feasible. The Project will require a Haul Route permit approved by the City that will determine permitted hours for hauling, which are typically limited to off-peak hours (e.g., 9:00 a.m. to 3:30 p.m.).

Comment No. 2-10

7. As a reminder, in the event that the project proponent finds a significant impact to an intersection including safety traffic issue, an Intersection Control Evaluation (ICE) should be prepared as an initial step of an intersection improvement project.

Response to Comment No. 2-10

The Project's Transportation Study found that the Project would not cause any unmitigated significant intersection traffic impacts. Mitigation measures TRAF-MM-1 and TRAF-MM-2 would reduce all operational traffic significant impacts to less than significant. The City of Los Angeles, as lead agency, would follow its procedures with respect to monitoring and enforcing mitigation.

Comment No. 2-11

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2018-02843AL-DEIR.

Response to Comment No. 2-11

The Caltrans contact is noted.

Comment Letter No. 3

Ali Poosti, Division Manager
Wastewater Engineering Services Division
LA Sanitation and Environment

Received October 8, 2019

Comment No. 3-1

SUBJECT: 1045 OLIVE PROJECT - NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT

This is in response to your September 26, 2019 Notice of Completion and Availability of Final Environmental Impact Report for the proposed residential units, retail area, lobby of retail area, office building, and swimming pool located at 1033-1057 S. Olive Street, Los Angeles, CA, 90015. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review, there were no changes to the project and the previous response is valid. Please notify our office in the instance that additional environmental review is necessary for this project.

Response to Comment No. 3-1

This comment acknowledges receipt of the Notice of Completion and Availability for the “Draft” EIR; and thereafter mistakenly refers to a Notice of Completion and Availability of “Final” EIR. For clarification, the Notice referred to is in-fact for the Draft EIR.

Notwithstanding, LA Sanitation has commented on the Project previously in response to receipt of the Project’s NOP. Those comments remain pertinent and applicable, and would be consistent with the comments presented this letter. The LA Sanitation’s NOP response letter, dated January 10, 2018, addressed the following topics: Wastewater Requirements, Stormwater Requirements, Groundwater Dewatering Reuse Options and Solid Resource Requirements.

In Regard to the Wastewater Requirement

The LA Sanitation’s NOP Response Letter discussion of the Wastewater Requirement calculated the Project’s wastewater discharge (105,356 gallons per day), identified the current flow level (d/D) for local sewer main-lines serving the Project Site and demonstrated a capacity in the sewer system to accommodate the total Project flow, subject to further gauging and evaluation as part of permitting process for connection of a sewer connection.

The Draft EIR included further analyses based upon further updated input from LA Sanitation, most notably in an LA Sanitation letter from April 25, 2018 that included an updated calculation of the Project’s wastewater discharge in a new Sewer Capacity Availability Report (SCAR) (129,004 gallons per day), and concluded that there is capacity available to serve the Project. The updated information was included in the Project’s Utility Report in Appendix P-1 of the Draft EIR.

In Regard to Remaining Topics Addressed in the NOP Response Letter

The remaining topics in the LA Sanitation's NOP Response Letter provided information on regulations that would be applicable to the Project and therefore should be taken into account. The items regarding Stormwater Requirements and Groundwater Dewatering Reuse Options were accounted for in Section IV.H, *Hydrology and Water Quality*, of the Draft EIR. As indicated therein, applicable regulations would be implemented, and the Project impacts regarding Hydrology and Water Quality would be less than significant. The topic regarding Solid Resource Requirements advised the Applicant of the requirement for inclusion of recycling areas or rooms. This requirement was appropriately cited and accounted for in the analysis of the Project's impacts regarding Solid Waste Disposal in the Project's Initial Study, included in Appendix A of the Draft EIR.

Comment No. 3-2

If you have any questions, please call Christopher DeMonbrun at (323) 342-1567 or email at chris.demonbrun@lacity.org

Response to Comment No. 3-2

This comment provides guidance for further discussion with LA Sanitation regarding the Project. No further response is required at this time.

Comment Letter No. 4

John and Enid Nilsson
TEN50 #1201
1050 S. Grand Ave.
Los Angeles, CA 90015

Received October 24, 2019

Comment No. 4-1

Dear Ms. Zasadzien:

I have just completed my review of the subject property Draft EIR and have the following comments to submit for consideration.

Response to Comment No. 4-1

This comment is introductory and does not raise environmental issues. Specific comments regarding the Project follow with responses.

Comment No. 4-2

THE PROJECT AS PROPOSED IS TOO BIG.

This massive structure housing 795 residential units will exceed the height of all but two existing buildings in downtown Los Angeles. The building will tower above all other buildings in the surrounding 6 block area and promises to more than double the population of the block on which it will sit with resulting negative impacts on traffic congestion, air, and quality of life in the neighborhood. The proposed design of 70 stories pushes the envelope on practicality all aspects of design and living criteria. An example: Based on the average number of pets per unit currently in the area, the project may bring over 500 new dogs to the block - an impact that I hope is being provided for.

Response to Comment No. 4-2

This comment and opinion regarding the size of the Project is noted for the consideration of the decision-makers.

The Project Description in the Draft EIR takes into account the Project's 794 residential units and 70-stories of development. The Project is slightly smaller than the size cited in the comment. The Project Description accurately accounts for these uses, as well as other uses on-site in the Draft EIR analyses. The conclusions of the Draft EIR indicate that the Project's long-term, operational impacts would be less than significant, with the only significant unavoidable impact being related to temporary construction noise. Note in particular the analyses and conclusions in Sections IV.A, *Aesthetics*, IV.B, *Air Quality*, IV.I, *Land Use and Planning*, IV.K, *Population and Housing*, IV.L.5, *Parks and Recreation*, and IV.M, *Transportation and Traffic*, that are the sections most pertinent to items mentioned in this comment.

The analyses in the Draft EIR discuss the Project density and its relationship to nearby buildings. Some key points discussed in the Draft EIR regarding the issues referred to in this comment include the following:

- As discussed, in Section IV.A, *Aesthetics*, the appearance of the Project Site from nearby locations is mostly focused on visibility of the lower building stories. From more distant areas the Downtown skyline is characterized by articulated and varied building massing and heights. The Project has been designed to meet the spacing requirements between towers that are established in the Downtown Design Guide for setting standards that reflect compatible high-rise development in the Downtown area. The tower above the podium has large setbacks from the Project edges, the adjacent TEN50 building and potential future developments across 11th Street. The Draft EIR shows no significant and unavoidable Aesthetic impact.
- As discussed in Section IV.B, *Air Quality*, and Section IV.F, *Greenhouse Gas Emissions*, the Project would not result in any significant air quality or greenhouse gas emission impacts. The Project would use Green Building Features for its long-term operations, and more notably the construction equipment on the Project site would have restrictions that would limit the localized air emissions during construction. In addition, the Project volunteered to qualify as an Environmental Leadership Development Project (ELDP) under State Law. The Project has committed to the following air pollutant reduction and sustainability features: the Project would be 'Net Zero' and not result in any net additional greenhouse gas (GHG), it would be designed to achieve at least a U.S. Green Building Council Leadership in Energy and Environmental Design (LEED) Gold level of certification, and it would maximize transit friendly features (resulting in a minimum 15 percent greater transportation efficiency).
- As discussed in Section IV.I, *Land Use*, the Project's development program is consistent with, and supports City and regional policies intended to provide increased density at key locations in the City to support regional public transportation systems, reduce vehicle miles traveled, provide efficiency in the provision of infrastructure, and accommodate City growth in a manner that reduces impacts on the City's existing low density neighborhoods. These policies have been incorporated into the General Plan Elements (notably the General Plan Framework, Mobility Plan 2035, and Central City Community Plan), and the City's Green New Deal (Sustainable City pLAn 2019) as implemented through the City's zoning provisions (LAMC, Chapter 1 - Planning and Zoning). These policies and programs are consistent with related policies in the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. Another purpose of the Central City Community Plan is to increase residential development in the South Park area so as to improve the balance between residential development, employment and retail/entertainment uses, with an improvement to the jobs/housing balance, in a pedestrian oriented area. The Project is being implemented through use of the City's Transfer of Floor Area (TFAR) regulations that provides for increased densities on selected sites to allow for efficiencies associated with clustered development. The Draft EIR shows no significant and unavoidable Land Use impact.
- The analysis in Section IV.K, *Population and Housing*, discusses the Project's impact on population, housing, and employment. The analysis demonstrates no significant and unavoidable impact on Population and Housing.
- The analysis in Section IV.L.5, *Parks and Recreation*, discusses the Project's open space amenities for Project residents, as well as the ground floor public plaza with streetscaping,

landscaping and public are display with new trees and parkways on Olive Street. As noted therein, the Project includes large outdoor landscaped terraces, within mid-tower building cut-out areas, and on a roof-top terrace (including such facilities as lounge and event areas, a pool and gym/fitness center, community rooms, and a dog run); and large wrap-around private balconies for residents that provide outdoor space adjacent to every residential unit, with ample space for residents and their pets.¹⁰

- Finally, as discussed, in Section IV.M, *Transportation and Traffic*, the Project density supports statewide goals that were established in SB 743 to promote reductions in greenhouse gas emissions and traffic-related air pollution, promote the development of multimodal transportation systems, and provide clean, efficient access to destinations. For its implementation, SB 743 requires traffic impacts analyses that are based on impacts to vehicle miles traveled (VMT) in contrast to measures of delay time. Such an analysis has been incorporated into the Draft EIR that takes into account the Project density in the context of its existing neighborhood conditions. The VMT analysis is included in Appendix N-4 of the Draft EIR; and is incorporated into the discussion of the Project's Transportation and Traffic impacts on page IV.M-52 of the Draft EIR. As indicated therein, the Project's VMT impacts regarding both residential and retail development would be less than significant. The Project's Household VMT per Capita of 4.2 is 30 percent below the threshold and 41 percent below the average for the City's Central Area Planning district. As also discussed in Section IV.M, *Transportation and Traffic*, the Project includes mitigation measures to reduce Project impacts on Downtown traffic, based on a Level of Service (LOS) Analysis that reflects local traffic congestion conditions. The proposed mitigation measures include support for and encouraged use of alternative travel modes, with a Transportation (TDM) Program; and contributions to the improvements in the signalization system in the Downtown area. The analysis demonstrates that with mitigation, there is no significant and unavoidable Transportation and Traffic impact.

Comment No. 4-3

THE PROPOSED USE OF THE ALLEYWAY AS THE MAJOR ACCESS TO PARKING IS UNTENABLE.

The proposed building plan provides for two entry/exit access points in the alleyway behind the building as well as a loading area for move-ins and move-outs and only one access point from Hill Street. There are currently two large apartment buildings and a 22 story condominium complex which total approximately 650 residential units that use this alleyway for parking and move-in/move out access. Currently this alleyway is impassable on many instances throughout the day. The doubling of traffic in this alleyway, which would be the result of adding 795 units to the mix will cause extreme problems for all residents on the block. There should be at least two entrance/exit portals on Hill and/or 12th Ave and only one secondary portal in the alleyway. The traffic disaster that will result from the proposed 70 story design will negatively affect tenants of the new building as much as the surrounding neighbors.

¹⁰ Further, the provision of a related dog wash was incorporated into the calculation of water consumption in Section IV.O.2, *Water Supply*, of the Draft EIR.

Response to Comment No. 4-3

This comment discusses access to the Project Site from Hill Street and 12th Ave. The Project does not about these streets. Instead, the Project abuts Olive Street and 11th Street. The preference regarding access locations is noted for the consideration of the decision-makers.

The Project's Site access is provided by one driveway on Olive Street and two driveways in the alleyway that connects 11th Street and Olympic Boulevard between Olive Street and Grand Avenue. The Site access has been designed to meet the standards in the Downtown Design Guide (Section 5.A.11 and Figure 5- 3) that encourage entries from alleys in order to support the pedestrian character of the Downtown area, while limiting potential conflicts between vehicles and pedestrians and cyclists.

The Project would widen the alleyway to a 10-foot half width to meet the City's 20-foot total alley width standard; and the on-site loading dock would enable deliveries and move-ins/moves-outs to occur without stationary vehicles in the alley. The alley driveways would be perpendicular to the alley, with adequate visibility, and designed to LADOT standards to ensure there will be no hazardous conditions created.

For informational purposes, the Transportation Study has evaluated traffic operations in the alleyway including traffic from the existing projects abutting the alley. (See Draft EIR Appendix N-2, Transportation Study – 2018, Section 6.3 on page 82.) The Transportation Study analyzed the potential queuing effects of the Project on the alleyway and concluded that the increase in queue lengths due to the Project at Olympic Boulevard and at 11th Street in both the morning and afternoon peak hours would be minimal (one to two cars). It should be noted that similar to the Project, two of the existing developments abutting the alley have access driveways to both the alley and to the adjacent street (either Olive Street or Grand Avenue), so traffic ingress/egress is distributed between street driveways and alley driveways.

Comment No. 4-4

THE MORE VIABLE DESIGN ALTERNATIVES ARE ALTERNATIVES 2 AND 3 IN THE EIR: MID RISE RESIDENTIAL WITH 300 AND 325 UNITS RESPECTIVELY AND ONE LEVEL OF PARKING.

These design concepts will be more in keeping with the current neighborhood scale and keep negative impacts to an acceptable level. While not keeping with the City's goal of providing maximum rental units in the area please consider the following:

The developer is proposing to build rental units to the luxury rental market. These units will not offer affordable alternatives to the majority of the local employment population. Most units added to the rental pool in the downtown area over the last few years are for luxury renters and there is currently a glut of such high end rentals in the neighborhood. Is there a market to absorb an additional 795 luxury units over the next 10-year period? Wouldn't the area be better served by a 300 unit fully occupied building than a 1/2 occupied 795 unit building?

Response to Comment No. 4-4

This commenters' opinion regarding the preferred rental rates and development for the Project Site is noted for the consideration of the decision-makers.

In regards to the neighborhood scale of the development, it was noted above (Response to Comment No. 4-2) that the visibility of the Project Site from nearby locations is mostly limited to the lower building stories. While massing for the alternatives would be less than that of the Project, Alternative 2 would include a 5 level podium in the same lot area as the Project, thus occupying near-by views and a tower that would be 300 feet in height, which is still substantially higher than the adjacent TEN50 building. Alternative 3 would have a massing that is similar to that of the Project's podium on the same lot area as the Project and would present a building façade that would be 145 feet in height adjacent to the alley across from the TEN50 development in contrast to the Project's podium that would be only approximately 114 feet tall, with the Project's tower having a substantial setback above the podium. That is, the Project would provide more space and light across from the TEN50 Project than would Alternative 3.

With regard to development units that would be provided, it is also noted above that the Draft EIR, Section IV.K, *Population and Housing*, concluded that the Project would not have a significant impact in regards to population and housing. The discussion addresses the need for new housing units within the City and region to address a full range of housing markets. As noted in the analysis discussed in that analysis, the Housing & Development chapter of the City's Green New Deal includes a target of an increase in cumulative new housing unit construction of 150,000 by 2025; and 275,000 units by 2035. Also, consistent with the policies to provide transit accessible housing as discussed in Response to Comment No. 4-2, above, City's Green New Deal seeks to ensure that 57 percent of new housing units are built within 1,500 feet of transit by 2025; and 75 percent by 2035.

Pursuant to Section 15126.6 of the State CEQA Guidelines, Chapter V, *Alternatives*, of the Draft EIR provides a comparative analysis between the Project and Alternatives 2 and 3. The analysis compares the impacts of the Project to those of the Alternatives for each of the environmental topics analyzed in the Draft EIR and discusses the success of each development in meeting the Project's main objectives.

It should be noted that according to Section 15126.6(a) the purpose of an Alternatives analyses is to identify alternative developments that would feasibly attain most of the basic objectives of the project but that would avoid or substantially lessen any of the significant effects of the project. Implementation of the Alternatives would generally reduce environmental impacts. However, the two Alternatives would not avoid the Project's singular significant construction noise impact; they would only reduce the construction noise impacts length to a shorter time duration due to shorter construction schedules.

While Alternative 2 and Alternative 3 would have reduced impacts as compared to those of the Project, they would not provide the same reductions or efficiencies regarding impacts involving travel by passenger vehicles and resulting air emissions at the regional- and City-scale that the

Project would provide. They would not include the greater residential density in Downtown Los Angeles that is encouraged by goals and policies established by SCAG and the City for focusing density in High Quality Transit Areas (HQTAs) and Transit Priority Areas (TPAs). Providing increased density in transit-rich areas supports other policy objectives to reduce VMT with associated reductions in GHG and air pollutant emissions, improves the current jobs/housing balance, and maximizes the use of existing and planned transit and utility infrastructure. Further, Alternative 2 and Alternative 3 would not meet some of the Project Objectives and would only partially meet other objectives.

Comment Letter No. 5

State of California – Governor’s Office of Planning and Research
State Clearinghouse and Planning Unit
1400 Tenth Street,
Sacramento, CA 95812-3044

Received November 20, 2019

Comment No. 5-1

Dear Milena Zasadzien:

The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 11/12/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project’s ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2017121047/3>. Should you need more information or clarification of the comments, we **recommend that you contact the commenting agency directly.**

Response to Comment No. 5-1

This comment acknowledges receipt of the Project’s Draft EIR by the State Clearinghouse and the implementation of State Clearinghouse procedures for Project review. The website cited in the comment shows that Draft EIR was referred to 17 State agencies for review, with responding comments from two: Department of Toxic Substances Control and California Department of Transportation, District 7. The letters from the two responding State agencies were submitted directly to the City and have been incorporated into and responded to in this Final EIR (see Letter No. 1 and Letter No.2, above).

Comment No. 5-2

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445- 0613 if you have any questions regarding the environmental review process.

Response to Comment No. 5-2

The comment regarding Project compliance with State Clearinghouse review requirements is noted for the consideration of the decision makers. As noted in the previous Response to Comment No. 5-1, comments from and responses to the two commenting State agencies have been incorporated into this Final EIR. No further contact with the State Clearinghouse is needed at this time.

CHAPTER 3

REVISIONS, CLARIFICATIONS, & CORRECTIONS

In accordance with Section 15132(a) of the California Environmental Quality Act (CEQA) Guidelines, this Chapter of the Final Environmental Impact Report (EIR) provides revisions, clarifications, and corrections to the Draft EIR as a result of public and agency comments received in response to the circulated Draft EIR, or due to recognition of inadvertent errors or omissions. The revisions and additions are being added to the Draft EIR to clarify information regarding the regulatory and setting conditions under which the Project's analysis of traffic impacts on State highway facilities were performed. Otherwise, there have been no changes to the Project Description or Draft EIR analysis. The supplementary information provided in this Chapter does not add significant new information or support a conclusion that the Project would result in new or increased significant environmental impacts as compared to those disclosed in the circulated Draft EIR.

More specifically, CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and *CEQA Guidelines* Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. 'Significant new information' requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."

CEQA Guidelines Section 15088.5 also provides that "[re]circulation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record."

As demonstrated in this Final EIR, the changes presented in this Chapter do not constitute new significant information warranting recirculation of the Draft EIR as set forth in *CEQA Guidelines* Section 15088.5. Rather, the Draft EIR is comprehensive and has been prepared in accordance with CEQA.

The supplementary information to the Draft EIR is indicated below under the respective EIR section heading, page number, and paragraph. Paragraph references are to the first full paragraph on the page. Deletions are shown with ~~strikethrough~~ and additions are shown with double underline. Existing text to remain unchanged is included as plain text, without strikethrough or double underlines, to provide context for the revisions, clarifications, and corrections.

Chapter IV. Environmental Impact Analysis

Section IV.M, Transportation and Traffic

1. Page IV.M-26, second paragraph is revised to read as follows:

b) Methodology

The Transportation Study was prepared pursuant to a MOU with the LADOT and is consistent with the traffic impact assessment guidelines set forth in the County CMP. The methodology and findings of the Transportation Study were approved by LADOT in Inter-Departmental Correspondence to the Department of City Planning on August 18, 2018. Subsequent to this date, on August 28, 2019, there was a dissolution of the provisions of the CMP as they apply to the local jurisdictions in Los Angeles County, and therefore the CMP analyses included herein are no longer required.^x However the CMP analysis has been retained in the Project's EIR, as it provides useful information. The Inter Departmental Correspondence precedes the Transportation Study in Appendix N of this Draft EIR. The MOU is included as Appendix A in the within the Appendix N-2, Transportation Study.

----- related footnote

^x Letter from Metro, August 28, 2019. Dissolution of the Congestion Management Program in Los Angeles County. This letter has been added to the EIR as Final EIR Appendix C.

2. Page IV.M-46, second paragraph is revised to read as follows:

(2) MOU between LADOT and Caltrans – Freeway Analysis

The Project's Transportation Study, Appendix N of this Draft EIR, also includes a freeway analysis pursuant to an MOU between LADOT and Caltrans (Agreement Between the City of Los Angeles and Caltrans District 7 on Freeway Impact Analysis Procedures (December 2015)) (Agreement).^y While this Freeway Analysis has expired, the analysis remains a component of this EIR for the information that it provides to decision-makers. The Agreement sets forth criteria for when a freeway impact analysis should be conducted.

----- related footnote

^y Refer to “First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures,” included in Final EIR Appendix B.

Draft EIR Appendices

1. Appendix N of the Draft EIR is supplemented with the addition of the following two Appendix items.

Final EIR, Appendix B:

First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures

Final EIR, Appendix C:

Letter on Dissolution of the Congestion Management Program in Los Angeles County

CHAPTER 4

MITIGATION MONITORING PROGRAM

1. Introduction

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the State California Environmental Quality Act (CEQA) Guidelines requires that a public agency adopt a program for monitoring or reporting mitigation measures and project revisions, which it has required to mitigate or avoid significant environmental effects. This MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines.

The City of Los Angeles (City) is the Lead Agency for the Project and is therefore responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures are completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project’s impacts in the EIR takes into consideration the project design features (PDFs) and applies mitigation measures (MMs) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

2. Organization

As shown on the following pages, each identified project design feature and mitigation measure for the Project is listed and categorized by environmental impact area, with an accompanying identification of the following:

- Enforcement Agency: The agency with the power to enforce the PDF or MM.
- Monitoring Agency: The agency to which reports involving feasibility, compliance, implementation and development are made.
- Monitoring Phase: The phase of the Project during which the PDF or MM shall be monitored.
- Monitoring Frequency: The frequency at which the PDF or MM shall be monitored.
- Action Indicating Compliance: The action of which the Enforcement or Monitoring Agency indicates that compliance with the required PDF or MM has been implemented.

3. Administrative Procedures and Enforcement

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately notify the Applicant of any non-compliance with PDFs and MMs. If the Applicant does not correct the non-compliance within two days from the time of notification, the Construction Monitor shall be obligated to report such non-compliance to the Enforcement Agency. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

4. Program Modification

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. The flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with the PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted if the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, finds that the modification or deletion complies with CEQA (including CEQA Guidelines Sections 15162 and 15164). This could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modification to or deletion of the PDF or MM. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or other basis for modifying or deleting the PDF or MM. Under this process, the modification or deletion of a PDF or MM shall not in and of itself require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

5. Mitigation Monitoring Program

A. Aesthetics

Project Design Features

AES-PDF-1: Construction Fencing. The Project's security fencing along the W. 11th Street, S. Olive Street, and the mid-block alley perimeters of the Project will be designed to screen views to the Project Site's ground levels during construction. The fencing shall have a minimum height of 8 feet; and the Applicant shall ensure through appropriate postings and regular visual inspections that no unauthorized materials are posted on temporary construction barriers or temporary pedestrian walkways, and that such temporary barriers and walkways are maintained in a reasonable manner throughout the construction period.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections during construction
- **Action Indicating Compliance:** Field inspection sign-off

AES-PDF-2: Parking Shielding: Podium parking will be shielded from adjacent areas with minimum 36-inch high baffling panels behind architectural screen meshing for aesthetic character as well as for light and sound attenuation.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

B. Air Quality

Project Design Features

AQ-PDF-1: Green Building Features: The Project will be designed to achieve the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification level for new buildings. The Project will demonstrate compliance with the LEED Gold Certification or equivalent by providing architectural and engineering documentation, building energy modeling simulations, and other supporting evidence consistent with USGBC accepted documentation standards. Pre-construction documentation that indicates the Project is designed to achieve the number of points required for LEED Gold Certification will be provided to the City prior to building permit issuance. Post-construction documentation that indicates the Project operates within the expected parameters to achieve the number of points

required for LEED Gold Certification will be provided to the City after completion of commissioning activities. A summary of key green building and LEED measures are provided below:

- The Project will implement a construction waste management plan to recycle and/or salvage a minimum of 65 percent of nonhazardous construction debris.
- The Project will incorporate heat island reduction strategies for 50 percent of the site hardscapes or provide 100 percent structured parking and incorporate heat island reduction strategies, including but not limited to high-reflectance and vegetated roofs, for the Project roof areas.
- The Project shall include at least twenty (20) percent of the total code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating ampacity. Of the 20 percent EV Ready, five (5) percent of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the 20 percent or 5 percent results in a fractional space, round up to the next whole number. A label stating “EV CAPABLE” shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.
- The Project will optimize building energy performance including, but not limited to, installing energy efficient appliances.
- The Project will reduce water consumption by 40 percent for indoor water and 50 percent for outdoor water compared to baseline water consumption. Water reduction strategies include, but are not limited to planting drought-tolerant/California native plant species, increasing irrigation system efficiency, incorporating alternative water supplies (e.g., stormwater retention for use in landscaping), and/or installing smart irrigation systems (e.g., weather-based controls).
- The Project will provide on-site recycling areas with containers to promote the recycling of paper, metal, glass, and other recyclable materials and adequate storage areas for such containers.
- The residential units within the Project will not include the use of natural gas-fueled fireplaces.
 - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
 - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Pre-construction; Operation
 - **Monitoring Frequency:** Once at Project plan check prior to issuance of building permit; Once after completion of LEED Gold Certification commissioning activities

- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Post-construction documentation that indicates the Project operates within the expected parameters to achieve the number of points required for LEED Gold Certification

AQ-PDF-2: Construction Equipment Features: The Applicant will implement the following construction equipment features for equipment operating at the Project Site. These features will be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features will include the following:

- During plan check, the Project representative will make available to the lead agency and the South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used during any of the construction phases. The inventory will include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified tier specification, Best Available Control Technology (BACT) documentation, and California Air Resources Board (CARB) or SCAQMD operating permit shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit. Off-road diesel-powered equipment that will be used an aggregate of 40 or more hours during any portion of the construction activities associated with grading/excavation/export phase must meet the Tier 4 Final standards. Construction contractors supplying heavy duty diesel equipment greater than 50 horsepower will be encouraged to apply for SCAQMD Surplus Off-Road Opt-In for NO_x (SOON) funds. Information including the SCAQMD website will be provided to each contractor which uses heavy duty diesel for on-site construction activities.
- Equipment such as tower cranes and signal boards must be electric or alternative-fueled (i.e., non-diesel). Pole power will be made available for use for electric tools, equipment, lighting, etc. Construction equipment such as tower cranes and signal boards must utilize electricity from power poles or alternative fuels (i.e., non-diesel), rather than diesel power generators and/or gasoline power generators. If stationary construction equipment, such as diesel- or gasoline-powered generators, must be operated continuously, such equipment must be located at least 100 feet from sensitive land uses (e.g., residences, schools, childcare centers, hospitals, parks, or similar uses), whenever possible.
- Alternative-fueled generators (e.g., natural gas, battery electric, solar, etc.) that generate less NO_x and particulate matter emissions when compared to equivalent diesel-fueled models will be used when commercial models that have the power supply requirements to meet the construction needs of the Project are commercially available from local suppliers/vendors. The determination of the commercial availability of such equipment will be made by the City prior to the issuance of grading or building permits based on applicant-provided evidence of the availability or unavailability of alternative-fueled generators and/or evidence obtained by the City from expert sources such as construction contractors in the region.
- Alternative-fueled sweepers/scrubbers shall be used pursuant to SCAQMD Rule 1186.1.
- Contractors will maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor must keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices must be prohibited.

- Construction activities must be discontinued during second-stage smog alerts. A record of any second-stage smog alerts and of discontinued construction activities as applicable will be maintained by the Contractor on-site.
 - **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
 - **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
 - **Monitoring Phase:** Pre-construction; Construction
 - **Monitoring Frequency:** Once during Project plan check; Continuous field inspections during construction, with quarterly reporting
 - **Action Indicating Compliance:** Issuance of applicable building permit; Field inspection sign-off

Mitigation Measures

AQ-MM-1: The Applicant shall implement the following measures to reduce the emissions of air pollutants generated by concrete trucks during the continuous concrete pouring phase lasting for approximately one day:

- a. The contractor shall use concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips;
- b. The contractor shall use local concrete suppliers with 90 percent or more of the concrete supplied by one or more facilities located within a driving distance of approximately 4.5 miles per one-way trip (approximately 9 miles per round trip) and the remaining 10 percent from one or more facilities located within a driving distance of approximately 9 miles per one-way trip (approximately 18 miles per round trip).
- c. The contractor shall be required to ensure that approximately 50 percent of the concrete truck trips, equivalent to approximately 19 concrete trucks per hour, are made by CNG-fueled concrete trucks or trucks that achieve the same or lower NO_x emissions as CNG-fueled concrete trucks.
- d. During plan check, the Project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all concrete trucks that will be used during the continuous approximately one-day concrete pouring phase. The inventory shall include the concrete truck capacity, fuel specification, and NO_x emissions rating. A copy of each such unit's certified emissions rating shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified emissions specification.
 - **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
 - **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
 - **Monitoring Phase:** Pre-construction; Construction
 - **Monitoring Frequency:** Once during Project plan check; Continuous field inspections during construction, with quarterly reporting

- **Action Indicating Compliance:** Issuance of applicable building permit; Field inspection sign-off

C. Biological Resources

Mitigation Measures

MM-BIO-1: Prior to issuance of a grading permit, the Project Applicant shall demonstrate that the following requirements have been included in the Project construction plan:

- a. Any construction activities that occur during the nesting season (February 15 to August 31) shall require that all suitable habitat (i.e., street trees and shrubs) be surveyed for the presence of nesting birds by a qualified biologist, retained by the Applicant as approved by the City of Los Angeles Building and Safety, before commencement of clearing and prior to grading permit issuance. The survey shall be conducted within 72 hours prior to the start of construction. A copy of the pre-construction survey shall be submitted to the City of Los Angeles Building and Safety.
- b. If the required pre-construction survey detects any active nests, an appropriate buffer as determined by the biological monitor, shall be delineated, flagged, and avoided to the extent feasible until the qualified biological monitor has verified that the young have fledged or the nest has otherwise become inactive.
 - **Enforcement Agency:** City of Los Angeles Department of Building and Safety
 - **Monitoring Agency:** City of Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Pre-construction; Construction
 - **Monitoring Frequency:** Once prior to issuance of building permit; Periodic field inspection during construction
 - **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; Field inspection sign-off

D. Cultural Resources

Mitigation Measures

CULT-MM-1: Prior to the issuance of a demolition permit, the Applicant shall retain a Qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (Qualified Archaeologist). The Qualified Archaeologist will oversee an archaeological monitor who shall be present during construction activities on the Project Site, including demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of higher sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), the depth of excavation, and, if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or may be ceased entirely, if determined adequate by the Qualified Archaeologist. Prior to commencement of excavation activities, Archaeological Sensitivity Training shall be given to construction personnel at the pre-construction meeting and thereafter when new staff are added to the Project. The training session shall be carried out by the Qualified Archaeologist, will focus on how to identify archaeological resources that may be

encountered during earthmoving activities, and will discuss the procedures to be followed in such an event.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of a demolition or grading permit; Periodically based on field inspections during construction, with quarterly reporting
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Field inspection sign-off

CULT-MM-2: In the event that historic-period (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work may continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If a resource is determined by the Qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with interested Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the Qualified Archaeologist in coordination with the City and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing, analysis, and reporting. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

CULT-MM-3: Prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources. The report and the Site Forms shall be submitted by the Project applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; South Central Coastal Information Center
- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, completion of grading/excavation activity
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

CULT-MM-4: Although Project disturbance planned for ingress and egress to the Project Site and ancillary construction for utilities and other infrastructure related to the Project would result in mainly surficial excavation, if the Zanja is located where mapped, such construction has the potential to encounter the Zanja. The following recommendations would reduce impacts to the Zanja. If Zanja-related infrastructure is unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate exclusion area that takes into account the linear nature of the resource shall be established by the Qualified Archaeologist. Construction activities shall not be allowed to continue within the exclusion area until directed by the Qualified Archaeologist in consultation with the City, but work shall be allowed to continue outside of the exclusion area. The Qualified Archaeologist shall coordinate with the Applicant and the City's Office of Historic Resources to develop a formal treatment plan for the resource that would serve to mitigate impacts to the resource. The treatment measures listed in California Code of Regulations Section 15126.4(b) shall be considered when determining appropriate treatment for the Zanja. As noted in California Code of Regulations Section 15126.4(b)(A), preservation in place (i.e., avoidance) is the preferred manner of mitigating impacts to archaeological sites. If, in coordination with the City, it is determined that preservation in place is not feasible, other treatment measures for the resource shall be developed by the Qualified Archaeologist in coordination with the Office of Historic Resources and with final approval by the City. Treatment would be designed to address the resource's eligibility under Criterion 1 (significant events), Criterion 2 (important persons), Criterion 3 (type, period, region or method of construction), and Criterion 4 (scientific data) and may include implementation of: (1) data recovery excavations to document and remove the resource, followed by subsequent laboratory processing, analysis, and reporting; (2) a commemoration program that includes the development of an interpretive exhibit/display or plaque at the Project Site; and/or (3) other public educational and/or interpretive treatment measures determined appropriate by the Qualified Archaeologist in consultation with the City's Office of Historic Resources. Any associated artifacts collected that are not made part of the interpretive collection shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the

material. If no institution accepts the materials, they shall be offered for donation to a local school or historical society for educational purposes.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

CULT-MM-5: The Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms for the Zanja resource. The report shall outline the treatment measures implemented, and shall include a description of the resource and the results of any artifact processing, analysis, and research that was conducted. The report and the Site Forms shall be submitted by the Qualified Archaeologist to the City and the South Central Coastal Information Center.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; South Central Coastal Information Center.
- **Monitoring Agency:** City of Los Angeles Department of City Planning
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, completion of grading/excavation activity
- **Action Indicating Compliance:** Compliance report by qualified archaeologist

E. Energy

Project Design Features

Refer to Project Design Features **AQ-PDF-1: Green Building Features**; and **WS-PDF-1: Water Conservation**.

F. Geology and Soils – Paleontological Resources

Mitigation Measures

GEOL-MM-1: A Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (SVP, 2010) (Qualified Paleontologist) shall be retained prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a regular basis, and shall report to the Project Site in the event potential paleontological resources are encountered.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety

- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit; Periodic during construction activities
- **Action Indicating Compliance:** Issuance of demolition or grading permit; Compliance report by qualified paleontologist

GEOL-MM-2: The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training at the Project kick-off meeting prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional training shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the Project Site and the procedures to be followed if they are found. Documentation shall be retained by the Qualified Paleontologist demonstrating that the appropriate construction personnel attended the training.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Prior to issuance of demolition or grading permit
- **Action Indicating Compliance:** Issuance of demolition or grading permit

GEOL-MM-3: Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP, 2010) under the direction of the Qualified Paleontologist. Paleontological resources monitoring shall be conducted for all ground disturbing activities that exceed 15 feet in depth in previously undisturbed older Alluvial sediments which have high sensitivity for encountering paleontological resources. However, depending on the conditions encountered, full-time monitoring within these sediments can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Paleontologist. The surficial Alluvium has low paleontological sensitivity and so work in the upper 15 feet of the Project Site does not require monitoring. The Qualified Paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring should be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

GEOL-MM-4: Any significant fossils collected during project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage. The Qualified Paleontologist shall prepare a final monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries. If there are significant discoveries, fossil locality information and final disposition will be included with the final report which will be submitted to the appropriate repository and the City.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** At time of resource discovery, should it occur; end of excavation/grading activities
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

G. Greenhouse Gas Emissions

Project Design Features

Also refer to Project Design Features **AQ-PDF-1, Green Building Features;** and **WS-PDF-1 Water Conservation Features.**

GHG-PDF-1: GHG Emission Offsets: The Project will provide or obtain GHG emission offsets as required as described in the Project's Environmental Leadership Development Project certification and related documentation pursuant to the *Jobs and Economic Improvement Through Environmental Leadership Act*. Prior to issuance of any Certificate of Occupancy for the Project, the Applicant or its successor shall commit to entering into one or more contracts to purchase carbon credits from a recognized and reputable carbon registry (to be selected from an accredited registry), which contract, together with any previous contracts for the purchase of carbon credits, shall evidence the purchase of carbon credits in an amount sufficient to offset the Operational Emissions attributable to the Project, and shall be calculated on a net present value basis for a 30-year useful life.

- **Enforcement Agency:** City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of City Planning; California Air Resources Board
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once, prior to issuance to Certificate of Occupancy
- **Action Indicating Compliance:** Completion of purchase contract

H. Hazards and Hazardous Materials

Project Design Features

Refer to Project Design Feature **TRAF-PDF-1: Construction Management Plan.**

Mitigation Measures

HAZ-MM-1: Soil Management Plan: A Soil Management Plan (SMP) shall be prepared that would provide guidance to contractors for appropriate handling, screening, and management of potentially impacted or impacted soils from historical operations that may be encountered at the Project Site during grading and excavation activities. These procedures would include training for construction personnel on the appropriate procedures for identification of suspected impacted soils; requirements for testing and collection of potentially contaminated soils; segregation of potentially impacted soils; and applicable soil handling and disposal procedures. The SMP shall also contain procedures to be followed in the event that undocumented subsurface features of potential environmental concern (e.g., USTs, abandoned oil wells, sumps, hydraulic lifts, clarifiers, buried drums) are encountered during the excavation grading, and/or other earthmoving activities. These procedures would include safety training, testing protocols, decontamination and decommission standards, and notification to the appropriate relevant regulatory oversight agency or agencies.

The SMP would also include procedures for handling and transportation of soils with respect to nearby sensitive receptors, such as nearby residential uses, religious uses, and schools. In accordance with SCAQMD Rule 1166 requirements, impacted soil removed from the Project Site shall comply with the following:

- Be transported to an approved treatment/disposal facility.
- When loading into trucks is completed, and during transportation, no excavated material shall extend above the sides or rear of the truck or trailer.
- Prior to covering/tarping, loaded impacted soil shall be wetted by spraying with dust inhibitors.
- The trucks or trailers shall be completely covered/tarped prior to leaving the Project Site to prevent particulate emissions to the atmosphere.
- The exterior of the trucks (including the tires) shall be cleaned off prior to the trucks leaving the excavation location.
 - **Enforcement Agency:** City of Los Angeles Department of Building and Safety
 - **Monitoring Agency:** City of Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Pre-construction, Construction
 - **Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; Ongoing with periodic field inspections during construction if impacted material is discovered
 - **Action Indicating Compliance:** Issuance of grading permit; Field inspection signoff

HAZ-MM-2: USTs: For earthwork activities occurring within the sidewalk in the vicinity of West 11 Street and South Olive Street, potholing prior to construction is recommended to assess if a UST is present and to reduce the potential for construction delays. If a UST is identified, a tank removal permit and oversight of the removal shall be submitted to the Los Angeles Fire Department.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Fire Department

- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Fire Department
- **Monitoring Phase:** Pre-construction, Construction if tank removal is required
- **Monitoring Frequency:** Once at Project plan check prior to issuance of grading permit; Once at completion of tank removal should such be required
- **Action Indicating Compliance:** Issuance of grading permit; Field inspection signoff

I. Noise

Project Design Features

Also refer to Project Design Feature **AES-PDF-2: Parking Shielding.**

NOISE-PDF-1: The Project will not use impact pile drivers and will not allow blasting during construction activities.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

NOISE-PDF-2: Signs will be posted at Project truck loading areas prohibiting idling for more than 5 consecutive minutes.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-off

NOISE-PDF-3: Amplified sound in outdoor open space areas on the site shall be prohibited.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction; Operation
- **Monitoring Frequency:** Once during field inspection; Periodic if needed
- **Action Indicating Compliance:** Issuance of Certificate of Occupancy; Field inspection signoff

Mitigation Measures

Also Refer to Mitigation Measures **CULT-MM-4 through CULT-MM-5.**

NOISE-MM-1: The Project shall provide temporary ground-level construction fencing equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA between the Project Site and the ground-level noise sensitive receptors at sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site). These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptor during early Project construction phases (up to the start of framing) when the use of noisy heavy equipment such as concrete saws, crawler tractors, and drill rigs, is prevalent.

Noise barriers shall be heavy-duty materials such as vinyl-coated polyester (VCP), at least 10 ounces per square yard and quilted for sound absorption, or other similarly effective materials. All noise barrier material types are equally effective, acoustically, if they have this density. The noise barrier shall have a minimum sound transmission class (STC) of 25 and noise reduction coefficient (NRC) of 0.75 or equivalent STC and NRC to achieve the 10 dBA reduction. STC is an integer rating of how well a wall attenuates airborne sound and NRC is a scalar representation of the amount of sound energy absorbed upon striking a wall.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Plan approval and issuance of applicable demolition or building permit; Field inspection sign-offs

NOISE-MM-2: During framing and vertical building construction, the Project shall provide temporary flexible noise curtains or noise blankets along the Project's vertical structures rated to achieve sound level reductions of at least 10 dBA to block the line-of-sight between noise producing equipment and the adjacent residential land uses at sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site), where the use of such noise curtains or noise blankets would not interfere with the safety, integrity, and necessary construction activities of framing and vertical building construction.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Plan approval and issuance of applicable demolition or building permit; Field inspection sign-offs

NOISE-MM-3: Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. The contractor shall use muffler systems (e.g. absorptive mufflers)

that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

NOISE-MM-4: The operation of construction equipment that generates high levels of vibration, such as large bulldozers and loaded trucks, shall be prohibited within 80 feet of the property lines of existing residential uses adjacent to the Project Site. Instead, rubber-tired equipment not exceeding 400 horsepower shall be used in these areas during demolition, grading, and excavation operations within 80 feet from the sensitive receptor locations R1 (mixed-use residential north of the Project Site) and R2 (mixed-use residential west of the Project Site).

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

NOISE-MM-5: To reduce potential construction noise impacts and vibration impacts regarding human annoyance, the Applicant shall designate a construction relations officer to serve as a liaison with the adjacent mixed-use developments (R1 and R2). The liaison shall be responsible for responding to concerns regarding construction noise and vibration within 24 hours of receiving a complaint. The liaison shall ensure that steps will be taken to reduce construction noise and vibration levels as deemed appropriate and safe by the on-site construction manager. Such steps could include the use of noise absorbing curtains or blankets, vibration absorbing barriers, substituting lower noise or vibration generating equipment or activity, rescheduling of high noise or vibration-generating construction activity, or other potential adjustments to the construction program to reduce noise or vibration levels at the adjacent mixed-use developments (sensitive receptor locations R1 [mixed-use residential north of the Project Site] and R2 [mixed-use residential west of the Project Site]).

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

NOISE-MM-6: The Project shall provide a construction site notice that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for

the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

J. Fire Protection

Project Design Features

Refer to Project Design Feature **TRAF-PDF-1: Construction Management Plan.**

K. Police Protection

Project Design Features

Also refer to Project Design Features **TRAF-PDF-1: Construction Management Plan; and TRAF-PDF-2: Pedestrian Safety Plan.**

POL-PDF-1: Construction Security Measures. During construction, on-site security measures will be incorporated, specifically: an eight-foot tall construction security fence, with gated and locked entry; controlled access, multiple security surveillance cameras, and 24-hour private construction security services.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Police Department
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Police Department
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

POL-PDF-2: Provision of Project Diagrams to LAPD: Prior to the issuance of a building permit, the Applicant will provide the Los Angeles Police Department (LAPD) Central Area Commanding Officer with a diagram of the Project Site, including access routes, gate access codes, and additional information, to facilitate potential LAPD responses once the Project is operating.

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Los Angeles Police Department
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Los Angeles Police Department
- **Monitoring Phase:** Pre-construction; Construction

- **Monitoring Frequency:** Once prior to issuance of building permit; Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Compliance documentation of diagram submittal to LAPD, and issuance of applicable demolition or building permit; Issuance of Certificate of Occupancy

POL-PDF-3: On-Site Operational Security Measures. On-site security measures during Project operation will incorporate strategies from Crime Prevention through Environmental Design (CPTED) and include:

- Secured building access/design to residential areas (electronic keys specific to each user);
- Lighting of building entryways and Plaza areas;
- Staff training in safety and sound security policies;
- 24-hour video surveillance;
- Trained 24-hour security personnel (providing assistance to residents and visitors with Site access; monitoring entrances and exits of the building; managing and monitoring fire/life/safety systems; and patrolling the Project Site, including parking areas).
- Installation and utilization of an extensive security camera network, with approximately 40-50 cameras throughout the underground and above-grade parking structure; the elevators; the common and amenity spaces; the lobby areas; and the rooftop and ground level outdoor open spaces;
- Maintaining all security camera footage for at least 30 days, and providing such footage to LAPD as needed; and
- Maintaining approximately 30-40 staff on-site, including 24 hours at the lobby concierge desk and within the car valet areas, with designated staffers dedicated to monitoring the Project's security cameras and directing staff to locations where any suspicious activity is viewed.
 - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Police Department
 - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Police Department
 - **Monitoring Phase:** Pre-Construction; Operations
 - **Monitoring Frequency:** Once prior to building permit approval; Periodically during operations
 - **Action Indicating Compliance:** Approval of Site Plan

L. Transportation and Traffic

Project Design Features

TRAF-PDF-1: Construction Management Plan: A Construction Traffic Management Plan shall be prepared for approval by the City prior to the issuance of any construction permits, to incorporate the measures identified below, as well as a Worksite Traffic Control Plan specifying the details of any sidewalk or lane closures. The Worksite Traffic Control Plan will be developed by the Applicant, and will identify all traffic control measures, signs, delineators, and work

instructions to be implemented by the construction contractor through the duration of demolition and construction activity. The Worksite Traffic Control Plan would minimize the potential conflicts between construction activities, street traffic, bicyclists and pedestrians. The plan will be reviewed and approved by LADOT prior to commencement of construction and will include, but not limited to, the following elements as appropriate:

- Maintain access for land uses in the vicinity of the Project site during construction.
- Schedule construction material deliveries to off-peak periods to the extent possible.
- Minimize obstruction of traffic lanes on Olive Street and 11th Street adjacent to the Project Site.
- Organize site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways,
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the site and impact roadway traffic. If needed, utilize an organized off-site staging area. Off-site staging areas shall be identified at an area that would avoid impacts to on-street parking or neighborhoods.
- Control truck and vehicle access to the Project Site with flagmen.
- Sidewalk access on Olive Street and 11th Street will be maintained during construction through the use of covered protective walkways. A Worksite Traffic Control Plan will be prepared for approval by the City, to facilitate pedestrian and traffic and movement, in order to minimize any potential conflicts.
- Coordinate with the City, emergency service providers, neighboring property management, and surrounding construction related project representatives (i.e., construction contractors) whose projects would potentially be under construction at around the same time as the Project to ensure adequate access is maintained to the Project Site and neighboring properties. Meetings shall be conducted bimonthly, or as otherwise determined appropriate by City Staff.
- Parking for construction workers will be provided off-site in off-street locations. Parking will not be allowed on streets in the vicinity of the Project.
 - **Enforcement Agency:** City of Los Angeles Department of Transportation
 - **Monitoring Agency:** City of Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Pre-construction; Construction
 - **Monitoring Frequency:** Once prior to issuance of demolition or grading permit; Periodic field inspections
 - **Action Indicating Compliance:** Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of demolition or grading permit; Field inspection sign-offs

TRAF-PDF-2: Pedestrian Safety Plan: The Applicant shall plan construction and construction staging so as to maintain pedestrian access, including Safe Routes to Schools, on adjacent sidewalks throughout all construction phases. The Applicant will maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to

sidewalk closure or blockage, at all times. Temporary pedestrian facilities will be adjacent to the Project Site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility. Covered walkways will be provided where pedestrians are exposed to potential injury from falling objects. The Applicant will keep sidewalks open during construction except when it is absolutely required to close or block the sidewalks for construction staging. Sidewalks will be reopened as soon as reasonably feasible, taking construction and construction staging into account. In the event that multiple projects are under construction in the area simultaneously that would affect the same sidewalk(s), the Applicant shall coordinate with LADOT to ensure pedestrian safety along the sidewalks is maintained in the immediate vicinity around the Project Site.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation; Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of demolition or grading permit; Periodic field inspections
- **Action Indicating Compliance:** Approval of Construction Pedestrian Safety Plan from the Los Angeles Department of Transportation prior to issuance of demolition or grading permit; Field inspection signoffs

Mitigation Measures

TRAF-MM-1: Transportation Demand Management (TDM) Program: The Project shall implement a TDM program to encourage the use of non-auto modes of transportation and reduce vehicle trips. A preliminary TDM program shall be prepared and provided for LADOT review prior to the issuance of the first building permit for the Project and a final TDM program shall be approved by DOT prior to the issuance of the first certificate of occupancy. The preliminary plan shall include, at a minimum, measures consistent with the City's Trip Reduction Ordinance. As recommended by the Project's Transportation Study, the TDM program shall include, but not be limited to the following strategies:

- Promotion and support of carpools and rideshares, including parking and transit incentives;
- Preferential parking for carpools and vanpools for employees;
- Provide on-site real-time information displays to make available real-time information on car-sharing, transit, vanpools, taxis;
- Transit Welcome Package – to all new residents/employees with info on alternate modes and walk to destination opportunities;
- Unbundling of residential parking;
- Participate in a Car-Share Program to provide vehicle spaces for car share vehicles;
- Provide access to collapsible shopping carts and/or cargo bike for ease of local shopping;
- Provide discounts for employees who utilize public transit to travel from the project site;
- On-site bicycle amenities such as access to free bicycles for residential guests, on-site repair station and bicycle racks, and lockers/showers for residents and employees;

- Provide a free bike share service for residents;
- Participate in the City's Bike Share Program by providing an area for bike share facility
- A one-time fixed-fee contribution of \$75,000 to be deposited into the City's Bicycle Plan Trust Fund prior to the issuance of any certificates of occupancy to be used to implement bicycle improvements within the Project area;
- Make a one-time financial contribution of \$75,000 to the City of Los Angeles Department of Transportation for the implementation of First and Last Mile transit access measures in the vicinity of the project site;
- Ridesharing Services Program which would match employees together to establish carpools and vanpools;
- Record a Covenant and Agreement to ensure that the TDM program will be maintained.

In order to assess the Project's actual trip generation and any subsequent TDM Plan (if deemed necessary), a traffic monitoring plan shall be implemented once the Project is built and occupied to equilibrium (i.e., the level at which the owner/management deems maximum occupancy). The monitoring program shall be conducted annually to ensure compliance for a period of three years. If the Project is found to not conform to the trip reduction targets of 30 trips in the AM peak hour and 33 trips during the afternoon peak hour, the Project shall have an additional year to meet the trip reduction levels. If the Project continues to not meet the TDM goals, the City and Project staff shall cooperate on implementing further TDM Strategies. The final traffic monitoring plan and TDM Plan shall be prepared for and approved by the LADOT prior to the issuance of the first certificate of occupancy for the Project.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Transportation
- **Monitoring Phase:** Once prior to occupancy
- **Monitoring Frequency:** Once prior to issuance of building permit approval; Once prior to Certificate of Occupancy; and Annually for three years of operation.
- **Action Indicating Compliance:** Los Angeles Department of Transportation approval of TDM program; issuance of Certificate of Occupancy; and Approval of compliance reports

TRAF-MM-2: Transportation System Management (TSM) Improvements. The Project shall contribute up to \$100,000 toward TSM improvements to intersections within the vicinity of the Project that may be considered to better accommodate intersection operations and increase intersection capacity throughout the Project's Transportation Study area.

A final determination on how to implement the TSM improvements will be made by LADOT prior to the issuance of the first building permit. These TSM improvements shall be implemented either by the Applicant through the B-Permit process of the Bureau of Engineering (BOE), or through payment of a one-time fixed fee of \$100,000 to LADOT to fund the cost of the upgrades.

- If LADOT selects the payment option, then the Applicant shall pay \$100,000 to LADOT, and LADOT shall design and construct the upgrades.
- If the upgrades are implemented by the Applicant through the B-Permit process, then these TSM improvements shall be guaranteed prior to the issuance of any building permit and completed prior to the issuance of any certificate of occupancy. Temporary certificates of occupancy may be granted in the events of any delay through no fault of the Applicant, provided that, in each case, the Applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.
 - **Enforcement Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Bureau of Engineering.
 - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Transportation
 - **Monitoring Phase:** Pre-Construction, Construction
 - **Monitoring Frequency:** Once prior to issuance of building permit approval; Once prior to Certificate of Occupancy.
 - **Action Indicating Compliance:** Los Angeles Department of Transportation receipt of payment or Bureau of Engineering B-permit guarantee from Applicant; Issuance of Certificate of Occupancy

M. Wastewater

Project Design Features

Refer to Project Design Feature **WS-PDF-1: Water Conservation Features**.

N. Water Supply

Project Design Features

WS-PDF-1: Water Conservation Features: The Project shall implement the following water conservation features that are in addition to those required by codes and ordinances:

- High Efficiency Toilets with a flush volume of 1 gallon per flush, or less
- Urinal flush volumes of 1.0 gallons per minute, or less
- Showerheads with a flow rate of 1.2 gallons per minute, or less
- ENERGY STAR Certified Residential Clothes Washers - Front-loading or Top-loading with Integrated Water Factor of 3.2 or less and capacity of 4.5 cubic feet
- ENERGY STAR Certified Residential Dishwashers - compact with 3 gallons/cycle or less
- Domestic Water Heating System located close proximity to point(s) of use
- Individual metering and billing for water use for every residential dwelling unit and commercial unit
- Tankless and on-demand Water Heaters
- Water-Saving Pool Filter
- Pool/Spa recirculating filtration equipment

- Pool splash troughs around the perimeter that drain back into the pool
- Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
- Reuse pool backwash for irrigation
- Leak Detection System for swimming pools and Jacuzzi
- Drip/Subsurface Irrigation (Micro-Irrigation)
- Micro-Spray
- Proper Hydro-zoning/Zoned Irrigation - (groups, plants with similar water requirements together)
- Artificial Turf
- Drought Tolerant Plants - approximately 70 percent of landscaping
- Water Conserving turf - approximately 30 percent of total landscaping
 - **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Water and Power
 - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Pre-construction; Construction
 - **Monitoring Frequency:** Once at Project plan check prior to issuance of building permit; Once prior to issuance of final Certificate of Occupancy
 - **Action Indicating Compliance:** Approval of plans and issuance of applicable building permit; Issuance of Certificate of Occupancy

Appendix A

Original Comment Letters



Department of Toxic Substances Control

Jared Blumenfeld
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Acting Director
9211 Oakdale Avenue
Chatsworth, California 91311

Gavin Newsom
Governor

RECEIVED
CITY OF LOS ANGELES

OCT 29 2019

MAJOR PROJECTS
UNIT

October 8, 2019

Ms. Milena Zasadzien
City of Los Angeles
Department of City Planning
221 North Figueroa Street, Suite 1350
Los Angeles, California 90012

NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROJECT LOCATED AT 1045 OLIVE STREET, LOS ANGELES, CALIFORNIA 90015

Dear Ms. Zasadzien:

The Department of Toxic Substances Control (DTSC) has received the document for the above-mentioned project.

Based on the review of the document, the DTSC comments are as follows:

- 1) The document needs to identify and determine whether current or historic uses at the project site have resulted in any release of hazardous wastes/substances at the project area.
- 2) The document needs to identify any known or potentially contaminated site within the proposed project area. For all identified sites, the document needs to evaluate whether conditions at the site pose a threat to human health or the environment.
- 3) The document should identify the mechanism to initiate any required investigation and/or remediation for any site that may require remediation, and which government agency will provide appropriate regulatory oversight.
- 4) If during construction of the project, soil contamination is suspected, construction in the area should stop and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil exists, the document should identify how any required investigation or remediation will be conducted, and which government agency will provide appropriate regulatory oversight.

1-1

1-2

Ms. Milena Zasadzien
October 8, 2019
Page 2

DTSC provides guidance for Preliminary Endangerment Assessment (PEA) preparation, and cleanup oversight through the Standard Voluntary Agreement (SVA). For additional information on the SVA, please visit DTSC's web site at www.dtsc.ca.gov. If you would like to meet and discuss this matter further, please contact me at (818) 717-6545 or e-mail at Fatima.carrera@dtsc.ca.gov.

1-3

Sincerely,



Fatima Carrera
Site Mitigation and Restoration Program - Chatsworth Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Dave Kereazis
Hazardous Waste Management Program, Permitting Division
CEQA Tracking
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

DEPARTMENT OF TRANSPORTATION

DISTRICT 7
100 S. MAIN STREET, MS16
LOS ANGELES, CA 90012
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www.dot.ca.gov



Making Conservation
a California Way of Life.

November 6, 2019

Ms. Milena Zasadzien
Department of City Planning
City of Los Angeles
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012

RE: 1045 Olive Project
Vic. LA-110/PM 22.283
SCH # 2017121047
Ref. GTS # LA-2018-01277-NOP
GTS # LA-2018-02843-DEIR

Dear Ms. Zasadzien:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Project involves the construction and operation of a 70 story mixed-use high rise development with up to 751,777 square feet of floor area on a 0.96-acre site. The Project would include up to 794 residential units, 12,504 sf of ground-floor commercial uses, a ground-floor public plaza, and residential open space amenities. Five existing single-story commercial building containing 35,651 sf of floor area would be removed from the Project Site.

2-1

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. For future project, you may reference to The Governor's Office of Planning and Research (OPR) for more information.

2-2

http://opr.ca.gov/ceqa/updates/guidelines/

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, future development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

2-3

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway

Ms. Milena Zasadzien
 November 6, 2019
 Page 2

Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We encourage the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions by facilitating the provision of more proximate goods and services to shorten trip lengths, and achieve a high level of non-motorized travel and transit use. We also encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements.

2-3
 cont.

After reviewing the Draft Environmental Impact Report for this project based on Level of Service (LOS), Caltrans has the following comments:

1. From the Transportation Study prepared in August 2018 by The Mobility Group, it was stated that the project would generate net 2,227 daily trips and 196/200 AM/PM peak hour trips per Table 3.1 Trip Generation Estimates. There are 193 related projects in the project vicinity. Many of the project and related trips would be traveling on the State facilities once the projects are built. Cumulative project trips assigning to the State facilities would contribute potential cumulative traffic impacts on the State facilities. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate potential cumulative traffic impacts.
2. On Table 3.1 1045 Olive-Trip Generation Estimates, please clarify and provide reference on how Apartment ITE 222 daily trip, 1,644 trips, 167/151 AM/PM peak hour trip were calculated per notes #2 (trip rate reductions were applied per LADOT's Transportation Impact Study Guidelines, December 2016) and note #6 (apartments analyzed as ITE 222-Multifamily Housing (High Rise) Used trip rates for Dense Multi-Use Urban). Please provide the page number from the 10th Edition of the Trip Generation Manual and formula to arrive the project trip estimates. This would clarify the low volume on the trip estimates for such a large project.
3. As a reminder, the Agreement Between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedure was expired in December 2016. Any meaningful verbal agreement needs to be followed by a signed legal binding agreement acceptable to both agencies. The Lead Agency has the ultimate responsibility to disclose the traffic impact on the State facilities.

2-4

2-5

2-6

Ms. Milena Zasadzien
November 6, 2019
Page 3

- 4. Table D-10 Existing With Project-Freeway On-Ramp Analysis-AM Peak Hour and Table D-12 Future With Project-Freeway On Ramp Analysis-AM Peak Hour show 900 trips ramp capacity for the Northbound I-110 on-ramp at 11th Street. For both scenarios, the project trips would exceed the available storage length which would create potential traffic conflict (rear end accident) at the entrance of this on-ramp. We recommend the City to make traffic signal adjustment at this intersection or work with Caltrans to modify the on-ramp configuration to make safety improvement. 2-7
 - 5. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan. 2-8
 - 6. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods. 2-9
 - 7. As a reminder, in the event that the project proponent finds a significant impact to an intersection including safety traffic issue, an Intersection Control Evaluation (ICE) should be prepared as an initial step of an intersection improvement project. 2-10
- If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2018-02843AL-DEIR. 2-11

Sincerely,



MIYA EDMONSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: October 7, 2019

TO: Vincent P Bertoni, Director of Planning
Department of City Planning

Attn: Milena Zasadzien, City Planner
Department of City Planning

FROM: Ali Poosti, Division Manager
Wastewater Engineering Services Division
LA Sanitation and Environment

SUBJECT: **1045 OLIVE PROJECT - NOTICE OF COMPLETION AND
AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT**

RECEIVED
CITY OF LOS ANGELES

OCT 08 2019

MAJOR PROJECTS
UNIT



This is in response to your September 26, 2019 Notice of Completion and Availability of Final Environmental Impact Report for the proposed residential units, retail area, lobby of retail area, office building, and swimming pool located at 1033-1057 S. Olive Street, Los Angeles, CA, 90015. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review, there were no changes to the project and the previous response is valid. Please notify our office in the instance that additional environmental review is necessary for this project.

3-1

If you have any questions, please call Christopher DeMonbrun at (323) 342-1567 or email at chris.demonbrun@lacity.org

3-2

CD/AP: yg

c: Kosta Kaporis, LASAN
Cyrus Gilani, LASAN
Christopher DeMonbrun, LASAN

JOHN AND ENID NILSSON
TEN50 #1201
1050 S. GRAND AVE.
LOS ANGELES, CA 90015
dtlanow@gmail.com
213-266-2224

RECEIVED
CITY OF LOS ANGELES
OCT 24 2019
MAJOR PROJECTS
UNIT

October 14, 2019

Ms. Milena Zasadzien
City of Los Angeles
Dept. of City Planning
221 N. Figueroa St.
Los Angeles, CA 90015

RE: Draft EIR, 1045 Olive Project

Dear Ms. Zasadzien:

I have just completed my review of the subject property Draft EIR and have the following comments to submit for consideration.

4-1

THE PROJECT AS PROPOSED IS TOO BIG.

This massive structure housing 795 residential units will exceed the height of all but two existing buildings in downtown Los Angeles. The building will tower above all other buildings in the surrounding 6 block area and promises to more than double the population of the block on which it will sit with resulting negative impacts on traffic congestion, air, and quality of life in the neighborhood. The proposed design of 70 stories pushes the envelope on practicality all aspects of design and living criteria. An example: Based on the average number

4-2

of pets per unit currently in the area, the project may bring over 500 new dogs to the block – an impact that I hope is being provided for.

4-2 cont.

THE PROPOSED USE OF THE ALLEYWAY AS THE MAJOR ACCESS TO PARKING IS UNTENABLE.

The proposed building plan provides for two entry/exit access points in the alleyway behind the building as well as a loading area for move-ins and move-outs and only one access point from Hill Street. There are currently two large apartment buildings and a 22 story condominium complex which total approximately 650 residential units that use this alleyway for parking and move-in/move out access. Currently this alleyway is impassable on many instances throughout the day. The doubling of traffic in this alleyway, which would be the result of adding 795 units to the mix will cause extreme problems for all residents on the block. There should be at least two entrance/exit portals on Hill and/or 12th Ave and only one secondary portal in the alleyway. The traffic disaster that will result from the proposed 70 story design will negatively affect tenants of the new building as much as the surrounding neighbors.

4-3

THE MORE VIABLE DESIGN ALTERNATIVES ARE ALTERNATIVES 2 AND 3 IN THE EIR: MID RISE RESIDENTIAL WITH 300 AND 325 UNITS RESPECTIVELY AND ONE LEVEL OF PARKING.

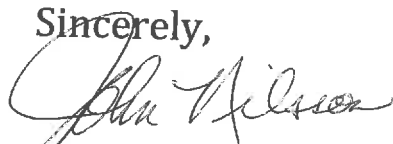
These design concepts will be more in keeping with the current neighborhood scale and keep negative impacts to an acceptable level. While not keeping with the City’s goal of providing maximum rental units in the area please consider the following:

4-4

The developer is proposing to build rental units to the luxury rental market. These units will not offer affordable alternatives to the majority of the local employment population. Most units added to the rental pool in the downtown area over the last few years are for luxury renters and there is currently a glut of such high end rentals in the neighborhood. Is there a market to absorb an additional 795 luxury units over the next 10 year period? Wouldn't the area be better served by a 300 unit fully occupied building than a ½ occupied 795 unit building?

4-4 cont.

Sincerely,



John Nilsson



Enid Nilsson



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

November 13, 2019

Milena Zasadzien
Los Angeles, City of
221 N. Figueroa Street, Room 1350
Los Angeles, CA 90012

RECEIVED
CITY OF LOS ANGELES

NOV 20 2019

MAJOR PROJECTS
UNIT

Subject: 1045 Olive Project
SCH#: 2017121047

Dear Milena Zasadzien:

The State Clearinghouse submitted the above named EIR to selected state agencies for review. The review period closed on 11/12/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

5-1

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2017121047/3> . Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

5-2

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

Appendix B

First Amendment to the Agreement between LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures

**First Amendment to the Agreement between
LADOT and Caltrans District 7 on Freeway Impact Analysis Procedures**

This first amendment to the agreement between the City of Los Angeles and Caltrans District 7 on freeway impact analysis procedures ("**Agreement**") is entered into by, between, and among the State of California, acting by and through its Department of Transportation ("**Caltrans**") and the City of Los Angeles, acting by and through its Department of Transportation ("**City**"). Caltrans and City are collectively referred to as the Parties.

RECITALS

- A. WHEREAS, the Parties entered into the Agreement in October 2013.
- B. WHEREAS, the Agreement will expire two years from the date of execution.
- C. WHEREAS, the Parties desire to amend and renew the Agreement pursuant to Section 2 of the same.

IT IS THEREFORE MUTUALLY AGREED:

- 1. That Section 3.1 of the Agreement be amended to read as follows:


3.1 City will require Project applicants to work with Caltrans and prepare a Freeway Impact Analysis, utilizing Caltrans' "Guide for the Preparation of Traffic Impact Studies" ("TIS Guide"), for land use proposals that meet any of the following criteria:

- The project's peak hour trips would result in a 1-percent or more increase to the freeway mainline capacity of a freeway segment operating at level-of-service (LOS) E or F (based on an assumed capacity of 2,000 vehicles per hour per lane); or
- The project's peak hour trips would result in a 2-percent or more increase to the freeway mainline capacity of a freeway segment operating at LOS D (based on an assumed capacity of 2,000 vehicles per hour per lane); or
- The project's peak hour trips would result in a 1-percent or more increase to the capacity of a freeway off-ramp operating at LOS E or F (based on an assumed ramp capacity of 850 vehicles per hour per lane); or

- The project's peak hour trips would result in a 2-percent or more increase to the capacity of a freeway off-ramp operating at LOS D (based on an assumed ramp capacity of 850 vehicles per hour per lane).
2. This Agreement will be extended for a period of one year after execution, or when the revisions to the California Environmental Quality Act are adopted relative to how transportation impacts are determined pursuant to Senate Bill 743, whichever occurs first.
 3. All other terms and conditions of the Agreement are herein incorporated by reference and reaffirmed by the Parties.

In Witness Whereof, the Parties hereto have executed this Amendment as set forth below.

CALIFORNIA DEPARTMENT OF TRANSPORTATION

By: 
for Carrie Bowen, District 7 Director

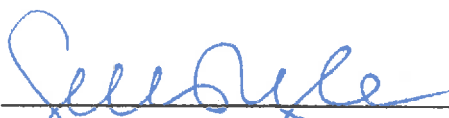
Date: 12/15/15

Approved as to Form and Procedure

By: 
Elizabeth Pollock, Deputy Attorney III
Brandon S. Walker, Acting Assistant Chief Counsel

Date: 12-15-2015

CITY OF LOS ANGELES DEPARTMENT OF TRANSPORTATION

By: 
Seleta J. Reynolds, General Manager

Date: 12.2.15

Approved as to Form and Procedure

By: 
Michal Nagle, Deputy City Attorney

Date: 11/2/15

Appendix C

Letter on Dissolution of the Congestion Management Program in Los Angeles County



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

August 28, 2019

Seleta Reynolds
General Manager
Attn: Tomas Carranza
City of Los Angeles Department of Transportation
100 Main St., 10th Floor
Los Angeles, CA 90012

RE: Dissolution of the Congestion Management Program in Los Angeles County

Dear Seleta Reynolds:

The purpose of this letter is to notify you that the County of Los Angeles and a majority of cities in the county, which in total represent a majority of the population in the county, have elected to be exempt from the Congestion Management Program (CMP), which means the provisions of the CMP no longer apply to any of the 39 local jurisdictions in Los Angeles County.

On June 28, 2018 the Metro Board approved a staff recommendation to initiate the process for Metro and all Los Angeles County local jurisdictions to opt out of the CMP in accordance with state law. Over the following year staff conducted outreach meetings directly with cities, through and with, Councils of Governments and at city council hearings. The outreach revealed a strong preference among cities to opt out of the CMP

Fifty-seven local jurisdictions, which in total represent 8.5 million in population have now adopted resolutions electing to be exempt from the Congestion Management Program (CMP). California Government Code §65088.3 provides that jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of a county's population adopt resolutions requesting to opt out of the program. With the Los Angeles County region now having reached and exceeded this statutorily required threshold, the provisions of the CMP are no longer applicable to the region. Metro staff has communicated this information to our Board and have also sent notification to the State Controller, the California Transportation Commission and the Office of Planning and Research.

For your local jurisdiction that means you are:

- No longer required to prepare CMP biennial Highway Monitoring Reports
- No longer required to prepare CMP annual Local Development Reports
- Conformance with the CMP is no longer an eligibility requirement to participate in the Metro Call for Projects or any other discretionary funding program

- Transportation Demand Management Ordinances that local jurisdictions adopted to conform with the CMP remain your local ordinance to retain or augment to meet your local needs
- CMP Traffic Impact Analysis (TIA) is no longer required in Environmental Impact Reports (EIR)
- Local jurisdictions will continue to receive Section 2105 gas tax funds

There are a number of cities that are in various stages of preparing to take a CMP opt-out resolution to their governing body. Metro welcomes the continued adoption of resolutions for our records but please note that any future resolutions are not necessary at this point.

The collective majority decision to opt out of the CMP applies to all 89 jurisdictions in Los Angeles County regardless of whether or not a jurisdiction adopted an opt-out resolution. Similarly, as noted above, all local jurisdictions will continue to receive Section 2105 gas tax funds regardless of whether their jurisdiction adopted an opt-out resolution.

Metro staff remain available to respond to any inquiries you may have in regards to this matter. Should you have any questions please contact Paul Backstrom by email backstromp@metro.net or by phone at 213.922.2183.

Sincerely,



Kalieh Honish
Executive Officer