

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 Environmental Impact Report (EIR). Section 15088(a) of the 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 provides responses to written comments on the Draft EIR, inclusive of four agency letters received during 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.

Subsection 2, *Responses to Comments*, below, presents the comment letters submitted during the public comment period for the Draft EIR. As indicated in Table 2-1, the comment letters are organized by agencies (AG) and organizations (ORG). Each letter/correspondence is assigned 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 the Los Angeles Department of Water and Power, and their correspondence is, therefore, designated Letter No. AG 1. The first comment received within Letter No. AG 1 is then labeled Comment No. AG 1-1. Each numbered comment is then followed by a corresponding numbered response, (i.e., Response to Comment No. AG 1-1). A copy of each comment letter is provided in Appendix A, Original Draft EIR Comment Letters, in this Final EIR.

As required by 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**

| | | Date Received | Project Description | Air Quality | Hazards and Hazardous Materials | Transportation | Utilities | Alternatives | Growth Inducing Impacts | Support |
|-----------------|--|-------------------|---------------------|-------------|---------------------------------|----------------|-----------|--------------|-------------------------|---------|
| Agencies | | | | | | | | | | |
| AG 1 | Los Angeles Department of Water and Power Charles C. Holloway, Manager of Environmental Planning and Assessment PO Box 51111 Los Angeles, CA 90051-0100 | January 26, 2022 | X | | | | X | | X | |
| AG 2 | South Coast Air Quality Management District Lijin Sun, J.D., Program Supervisor, CEQA IGR 21865 Copley Drive Diamond Bar, CA 91765 | February 8, 2022 | X | X | X | | | | | |
| AG 3 | California Department of Transportation - District 7 Miya Edmonson, IGR/CEQA Branch Chief 100 S. Main Street, MS 16 Los Angeles, CA 90012 | February 11, 2022 | | | | X | | | | |
| AG 4 | Los Angeles County Metropolitan Transportation Authority - Metro Development Review Shine Ling, AICP, Manager, Development Review Team, Transit Oriented Communities One Gateway Plaza MS 99-22-1 Los Angeles, CA 90012-2952 | February 14, 2022 | X | | X | X | | X | | |

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

| | | Date Received | Project Description | Air Quality | Hazards and Hazardous Materials | Transportation | Utilities | Alternatives | Growth Inducing Impacts | Support |
|----------------------|---|------------------|---------------------|-------------|---------------------------------|----------------|-----------|--------------|-------------------------|---------|
| Organizations | | | | | | | | | | |
| ORG 1 | Arts District & Little Tokyo Neighborhood Council Nancy Yap, ADLT President 307 E. First Street Los Angeles, CA 90012 | January 22, 2022 | | | | | | | | X |
| ORG 2 | Los Angeles River Artists & Business Association Randall Miller, President, LARABA Board Todd Terrazas, President, ADCCLA Board | February 7, 2022 | X | | | | | | | X |

2. Responses to Comments

Comment Letter No. AG 1

Los Angeles Department of Water and Power
Charles C. Holloway, Manager of Environmental Planning and Assessment
PO Box 51111
Los Angeles, CA 90051-0100
Received January 26, 2022

Comment No. AG 1-1

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to provide comments on the 670 Mesquit Project (Project) Draft Environmental Impact Report (DEIR). The mission of LADWP is to provide clean, reliable water and power to the City of Los Angeles. Based on our review of the Project Initial Study we respectfully submit the below comments.

Comments:

Joint:

- 1) The City of Los Angeles, herein referred to as City, shall pertain to its employees, agents, consultants, contractors, officers, patrons, or invitees of the City, or by any other of the City's affiliated entities.
- 2) This response shall not be construed as an approval for any project.

Response to Comment No. AG 1-1

The comment introduces LADWP comments on the Draft EIR. Responses to the referenced letter are provided below in Response to Comment Nos. AG 1-2 through AG 1-11.

Comment No. AG 1-2

Water System:

- 1) Water infrastructure improvements may change based on changes to water demands of the Project and the area. Please continue coordination with Central District, of the Water Distribution Division at LADWP. Any improvements to the system will be at the Project's expense.
- 2) LADWP requests that the CHSR Authority (Authority) work with the Central District Water Distribution Engineering Group to determine the extent of overlap between the HSR and LADWP's water facilities. Please contact: DWPWS.Central@ladwp.com.

Response to Comment No. AG 1-2

The comment provides information regarding the potential need to upgrade water infrastructure depending on changing water demand. The comment also provides specific LADWP contact information and discusses the need for further coordination with the LADWP prior to development. The provided information is understood and as acknowledged in the Draft EIR, future water infrastructure upgrades necessary for Project development would be performed at the owner's expense. The owner's participation in future upgrades is discussed in Section IV.N.2, *Utilities and Service Systems - Water Supply*, pages IV.N.2-24 and IV.N.2-25, of the Draft EIR. The comment regarding the overlap between the California High Speed Rail Authority (CHSR) and LADWP's water facilities does not apply to the Project and, as such, the commenter should reach out to the CHSR Authority directly for further information.

Comment No. AG 1-3

Power System:

- 1) The Standard Terms and Conditions of the Real Estate Group's License Agreement form shall apply. LADWP does not have a license with the developer of the proposed Project for the land around the LADWP transmission tower on the opposite side of Mesquit Street from the River Switching Station. The current license is with Rancho Cold Storage for employee parking, and will not be automatically carried over to the developer of the Project.
- 2) The latest Risk Management liability and insurance clauses shall apply to the current License Agreement with Rancho Cold Storage.

Response to Comment No. AG 1-3

These comments are noted and will be provided to the decision-makers. The referenced River Switching Station is outside the Project Site's boundaries. Should the applicant seek to use the property adjacent to or within the LADWP property for construction parking, the applicant will work directly with LADWP to lease such property. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 1-4

- 3) The information provided to date is inadequate for properly reviewing the Project adjacent and within LADWP's Transmission Line Right of Way (TLRW) and Facilities. We therefore reserve the right to comment until more detailed information is provided regarding the proposed Project. Provide plans illustrating the LADWP TLRW boundaries within the proposed Project. Include LADWP towers and set-backs from the proposed improvements. Also, provide grading plan and utility plans, including any other plans illustrating the impacts to LADWP's TLRW. The plans should include APNs, state plane coordinates, or use the Public Land Survey System to locate the developments impacting LADWP's TLRW.

Response to Comment No. AG 1-4

These comments are noted and will be provided to the decision-makers. The Project Applicant will provide LADWP with design plans as they are completed per LADWP's request and consistent with LADWP's encroachment review process that will confirm the Project will not adversely affect or disrupt current or future operations within LADWP's Transmission Line Right of Way (TLRW) and Facilities. The information provided in the Draft EIR is adequate for CEQA purposes regarding the description of the Project and the detail necessary to evaluate environmental impacts as they relate to utilities and adjacent infrastructure. Draft EIR Section IV.N.2, *Utilities and Service Systems – Water Supply*, and Draft EIR Section IV.N.4, *Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure*, analyzed whether the project would require or result in the relocation or construction of new or expanded water, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. As analyzed therein, with regard to existing electrical distribution lines, the Project Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. Any construction activities associated with electrical lines would be minimal and would occur within the envelope of construction activities and equipment assumed throughout the Draft EIR. As such, construction activities would not result in significant environmental impacts beyond those analyzed in the Draft EIR. In addition, as discussed on page IV.N.4-12, the Project would not require additional infrastructure (i.e., a substation) beyond proposed utilities installed on-site during construction. Therefore, during Project operations, it is expected that LADWP's existing infrastructure, planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand. Any further information, such as specific code-required plan check and other regulatory processes related to buildings adjacent to or within the TLRW would be provided to LADWP during pre-construction permitting. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 1-5

- 4) Due to Federal Energy Regulatory Commission (FERC) and North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection CIP 014 requirements, the City shall coordinate with LADWP Security Services to resolve any potential issues with the 32-floor, 378-foot tall hotel being proposed directly due east of the LADWP River Switching Station.
- 5) The Project DEIR, on Project Description Page II-4, mentions Proposed Street Vacation of Mesquit Street. This street provides a minimum of two points of access to the LADWP River Switching Station and Transmission Line No. 3. The City shall maintain continuous access for LADWP personnel at all times through Mesquit Street or provide LADWP with unfettered access for operations of aforementioned facilities.

Response to Comment No. AG 1-5

The Project proposes a full-width vacation/merger of Mesquit Street from the northerly right-of-way of 7th Street to the southerly right-of-way of Jesse Street, which is south of the property used by LADWP and will not interfere with access to LADWP infrastructure. The Project would not require street vacation along the LADWP properties to the north and south of Mesquit Street. Please refer to Figure II-4, *Proposed Street Vacation*, in Chapter II of the Draft EIR. The Project also proposes a half-width subsurface merger for the easterly half of Mesquit Street from the southerly right-of-way of Jesse Street to the southerly line of the LADWP property on the west side of Mesquit Street. The Project would be required to comply with all regulations related to access in and around the LADWP River Switching Station in accordance with CIP 014. These comments are noted and will be provided to the decision-makers. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 1-6

- 6) Figures II-5 and II-6 Conceptual Site Plan of the Project's DEIR illustrates multiple trees under the LADWP TLRW. No new trees shall be planted underneath the conductor drip lines per the LADWP Transmission Vegetation Management Program (TVMP).

Response to Comment No. AG 1-6

The Conceptual Site Plan is a preliminary, conceptual plan and will be further refined as the design plans are finalized. Consistent with this comment, no new trees will be planted underneath the conductor drip lines per the LADWP Transmission Vegetation Management Program (TVMP). Although landscaping is still conceptual, Figures II-5 and II-6, have been revised to depict the proposed trees outside of the power line easement area. Please refer to Chapter 3, *Revisions, Clarifications, and Corrections*, Revised Figure II-5, *City and Amtrak Easements*, and Revised Figure II-6, *Conceptual Site Plan*, in this Final EIR. Final design and landscaping plans will be reviewed by the City to confirm all new trees are planted consistent with this comment.

Comment No. AG 1-7

- 7) The River Balcony illustrated in Figure II-12 and elevated structures, including pertinent improvements within and adjacent to LADWP's transmission line right of way, shall require LADWP Overhead Transmission Engineering Group's review to ensure clearance requirements under California Public Utilities Commission, General Order No. 95 are met. Submission of a Conductor Survey will be required. See attached for instructions.

Response to Comment No. AG 1-7

This comment is noted and will be provided to the decision-makers. All applicable LADWP and CPUC requirements will be reviewed and complied with through review prior to the issuance of building permits. Revised Figure II-5, *City and Amtrak Easements*, and

Revised Figure II-6, *Conceptual Site Plan*, in Chapter 3, *Revisions, Clarifications and Corrections*, of this Final EIR, also illustrate the locations of the overhead power lines above the Project Site. As shown therein, no Project building structures would be located underneath the power lines. Because the comments are not related to an environmental impact or the environmental review and do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 1-8

- 8) LADWP is concerned that this Project will spur other growth (e.g. private development, transit infrastructure, etc.) in the immediate vicinity of LADWP's River Switching Station and adjacent transmission towers may require design and accessibility changes to LADWP facilities.

Response to Comment No. AG 1-8

The Draft EIR addressed grow-inducing impacts in Section VI, *Other CEQA Considerations*. Pursuant to CEQA Guidelines Section 15126.2(e), the Draft EIR determined that the Project would not directly or indirectly induce growth other than that already anticipated and that the Project's contribution to growth would also not be cumulatively considerable. Refer to pages VI-10 to VI-11 of the Draft EIR.

Comment No. AG 1-9

- 9) The Project encompasses a wide area with various LADWP TLRWs, both overhead and underground transmission and distribution lines. LADWP advises the City to coordinate overhead or underground electrical distribution conflicts through the following email address: DWPPS.COORDINATION@LADWP.COM

Response to Comment No. AG 1-9

This comment is noted and will be provided to the decision-makers. As discussed in Draft EIR Section IV.N.4, *Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure*, with regard to existing electrical distribution lines, the Project Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. Any construction activities associated with electrical lines would be minimal and would occur within the envelope of construction activities and equipment assumed throughout the Draft EIR. All potential conflicts regarding overhead and underground lines will be reviewed prior to the issuance of building permits and would comply with all applicable regulatory processes. The Project Applicant and City, as appropriate, will coordinate with the cited email address regarding any overhead and underground transmission lines. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 1-10

Conditions:

- 1) The City shall acknowledge the LADWP TLRW and Facilities are an integral component of the transmission line system, which provides electric power to the City of Los Angeles and other local communities. Their use is under the jurisdiction of the North American Electric Reliability Corporation (NERC), an organization of the Federal Energy Regulatory Commission (FERC). Safety and protection of critical facilities are the primary factors used to evaluate secondary land use proposals. The rights of way serve as platforms for access, construction, maintenance, facility expansion and emergency operations. Therefore, the proposed use may from time to time be subject to temporary disruption caused by such operations.
- 2) The City shall be responsible for the maintenance of the Project areas and shall keep the area in a neat and clean condition within LADWP's facilities. It is our understanding that the City will assume responsibility for the maintenance of the Project improvements LADWP will not be liable for any damage to the proposed Project during LADWP's operation and maintenance activities.
- 3) LADWP TLRWs and Facilities contain high-voltage electrical equipment; therefore, the City shall utilize only such equipment, material, and construction techniques that are permitted under applicable safety ordinances and statutes, including the following: State of California Code of Regulations, Title 8, Industrial Relations, Chapter 4, Division of Industrial Safety, Subchapter 5, Electrical Safety Orders, and California Public Utilities Commission, General Order No. 95, Rules for Overhead Electric Line Construction.
- 4) California Code of Regulations, Title 8, Section 2700 defines "qualified electrical workers" as "a qualified person who by reason of a minimum of two years of training and experience with high-voltage circuits and equipment and who has demonstrated by performances familiarity with the work to be performed and the hazards involved." At all times during installation and/or maintenance of any improvement authorized within LADWP TLRW, the City shall have at least one qualified electrical worker on site to observe and ensure the said work complies with California Occupational Safety and Health Administration (OSHA) safety protocols.
- 5) No improvements or construction activities of any kind whatsoever will be allowed within the TLRW without the prior written approval of the LADWP.
- 6) No grading work or structures shall be constructed within the LADWP TLRW without prior written approval of the LADWP.
- 7) Grading activity resulting in a vertical clearance between the ground and the transmission line conductor elevation less than thirty-five (35) feet or as noted in the State of California, PUC, General Order No. 95 within the LADWP transmission line right of way is unacceptable.

- 8) If any excavations are required, utility agencies within the proposed excavation sites shall be notified of impending work. The City shall be responsible for coordinating the relocation of utilities, if any, within the Project boundaries. Before commencing any excavations, contact Underground Service Alert (a.k.a. DigAlert).
- 9) Additional conditions may be required following review of detailed site plans, grading/drainage plans, etc.

Response to Comment No. AG 1-10

These comments are noted and will be provided to the decision-makers. The Project would incorporate the suggested conditions as conditions of approval, as appropriate. Notably, regarding Condition No. 2, the City will be responsible for maintaining only City property or City easement areas, while areas within the Project Site not within a City easement area would be maintained by the Project. Regarding Condition No. 3, the Project would be required to implement construction techniques that are permitted under the stated safety ordinances and statutes, as applicable. As the comments do not raise a substantive issue on the content of the Draft EIR and no further response is warranted.

Comment No. AG 1-11

For any questions regarding the above comments, please contact Mr. Marshall Styers of my staff at (213) 367-3541 or Marshall.Styers@ladwp.com.

Response to Comment No. AG 1-11

The comment provides further contact information and is noted.

Comment Letter No. AG 2

South Coast Air Quality Management District
Lijin Sun, J.D., Program Supervisor, CEQA IGR
21865 Copley Drive
Diamond Bar, CA 91765
Received February 8, 2022

Comment No. AG 2-1

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Los Angeles is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments include recommended revisions to the CEQA regional air quality impacts analysis for cleanup activities during construction, health risk reduction strategies, and information about the South Coast AQMD permits that the Lead Agency should include in the Final EIR.

Response to Comment No. AG 2-1

The comment introduces South Coast AQMD comments on the Draft EIR and summarizes the specific concerns of the comments, including recommended revisions to the CEQA regional air quality impacts analysis for cleanup activities during construction, health risk reduction strategies, and information about the South Coast AQMD permits that the commenter recommends the Lead Agency include in the Final EIR. Responses to the referenced letter are provided below in Response to Comment Nos. AG 2-2 through AG 2-5.

Comment No. AG 2-2

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project consists of construction and operation of 208 residential units, 236 hotel rooms, and subterranean parking on a 5.45-acre site that is located immediately west of the existing railroad tracks in the designated AB 617 East Los Angeles, Boyle Heights, West Commerce community. Construction of the Proposed Project is anticipated to be completed in a single phase by 2026¹.

¹ Draft EIR. Page II-59.

Response to Comment No. AG 2-2

The comment summarizes the Project's primary development scale, parcel size, location relative to the railroad tracks, location within the broader community, and anticipated completion year. AB 617 applies to the reporting of emissions by the AQMD and is not pertinent to the actions, evaluation, or findings of an EIR. It is noted, also, that the comment misstates the number of residential units as "208," which is accurately cited as

“308” units in the Draft EIR. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 2-2

South Coast AQMD Staff’s Comments on the Draft EIR

CEQA Regional Air Quality Impacts Analysis for Cleanup Activities during Construction

Based on the Hazards and Hazardous Materials Section in the Draft EIR, the site investigation results indicated that methane mitigation systems may be required¹. If it is reasonably foreseeable at the time of the release of the Draft EIR that the Proposed Project would likely involve remediation of contaminated soil, the Lead Agency should use good faith, best efforts to provide information on the scope, types, and duration of any reasonably foreseeable soil remedial or mitigation activities, quantify emissions from those activities, and include those emissions in the Proposed Project’s regional construction emissions profile to be compared to South Coast AQMD’s regional air quality CEQA significance thresholds for construction to determine the level of significance in the Final EIR. If those emissions are not included in the Final EIR, the Lead Agency should provide reasons for not including them supported by substantial evidence in the record. If the reason for not including them in the Final EIR is because remedial or mitigation measures have not been fully developed or approved prior to the certification of the Final EIR, the Lead Agency should commit to evaluating the air quality impacts from those activities through a CEQA process when the measures become known and prior to allowing the commencement of any soil remedial or mitigation activities at the Proposed Project.

Response to Comment No. AG 2-2

As described in Section IV.F, *Hazards and Hazardous Materials*, of the Draft EIR, the northern portion of the Project Site is located within a City-designated methane buffer zone. The Draft EIR discloses the presence of methane on portion of the Project Site. Eleven soil gas samples were collected as part of the Methane Report, provided as Appendix G-3 of the Draft EIR. As discussed in the Draft EIR, in the deep soil gas samples (including replicates and confirmation samples) collected during the initial subsurface investigation, methane gas was detected above the laboratory reporting limit (RL) in 12 of the 30 deep soil gas samples. Sixteen additional deep soil gas samples (including replicates) were collected from two additional borings. Methane gas was detected above the laboratory RL in 14 of the 16 samples.

As described in Section IV.F, *Hazards and Hazardous Materials*, page IV.F-15, of the Draft EIR, the Los Angeles Municipal Code (LAMC) has established procedures for the collection and testing of methane as set forth in LAMC Chapter IX, Article 1, Division 71,

¹ Draft EIR. Page IV.F-24.

Section 91.7103, also known as the Los Angeles Methane Seepage Regulations. These regulations include management of methane removal during construction. Building permit application requirements for new construction within such zones include methane gas sampling and depending on the detected concentrations of methane and gas pressure at the site, the development and application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the Site Design Level, with more involved Code-required mitigation systems as determined at the higher Site Design Levels. Under the LAMC, mitigation systems can be active or passive, depending on the determination of methane levels. As discussed on page IV.F-24 of the Draft EIR, based on the site investigation results, as described above, some of the results exceeded the LABDS Level V criteria. According to the ordinance, LADBS requires a Level V site design methane mitigation system as part of the building permit application process when the design methane concentration results are greater than 12,500 parts per million by volume (ppmv). The following methane system components are typically required for a Level V site design:

- Passive System:
 - Sub-slab vent lines (perforated horizontal pipes) connected to vent risers routed through the roof of the structure;
 - An impervious gas membrane;
 - Gravel blanket surrounding perforated horizontal pipes and the under the impervious membrane;
- Active System:
 - Pressure sensors below the impervious gas membrane;
 - A mechanical extraction system;
 - A dewatering system if the proposed sub-slab vent lines are to be located within 1 foot of the historical high groundwater table;
 - A gas detection system located in the lowest occupied space; and
 - Mechanical ventilation, an alarm system and a control panel.

Typically, passive systems rely on the natural rising characteristics of methane and do not require mechanically active systems. Active systems comprise electrical mechanical systems such as blowers, pumps, and fans, as well as electric-powered sensors, alarm systems, and control panels. The electric-powered equipment would not generate any additional on-site criteria pollutant, ozone precursor, or toxic air contaminant emissions. Per SCAQMD Rule 219, passive and active systems may be exempt from SCAQMD permits under exemption criteria (c)(10), which states: “Passive and intermittently

operated active venting systems used at and around residential structures to prevent the accumulation of naturally occurring methane and associated gases in enclosed spaces.”²

Because methane removal is managed under existing LAMC regulations with which a Project must comply and which occurs at a higher design stage of building design than provided as standard practice in a Draft or Final EIR, implementation of this regulation is considered regulatory compliance and is not a CEQA-related mitigation measure. Until higher Site Design levels are developed and reviewed by the LADBS, and existing buildings removed from the Project Site to allow for broader testing, the determination of scope, types, and duration of any reasonably foreseeable soil remedial or mitigation activities, quantification of emissions from those activities, and inclusion of those emissions as regional construction emissions would be preliminary and speculative. As stated on page IV.F-33 of the Draft EIR, the Project would be subject to developmental regulations pertaining to ventilation and methane gas detection systems that are mandated by the City. Development would occur per the provisions of the LAMC, Division 71 Methane Mitigation Standards Ordinance (Ordinance No. 175,790). Prior to the issuance of a grading permit, the site conditions and protocols for the methane gas mitigation systems would need to be defined in conformance with Ordinance No. 175,790. With the implementation of required LAMC regulations to control methane emissions, which are enforced as a standard requirement of building permit issuance, impacts to the environment would be less than significant.

The Draft EIR also disclosed that other soil contaminants, including total petroleum hydrocarbons (TPH) in the form of diesel in the vicinity of a former underground storage tank (UST) were detected in soil samples. Volatile organic compounds (VOCs) were not detected. However, as disclosed in the Draft EIR, testing for undetected TPH and VOCs is currently impeded by existing buildings. In this regard, to ensure the proper management of contaminated soils and to reduce the risk of impacts to construction workers, the public, or the environment, the Project would implement Mitigation Measure HAZ-MM-1, which requires the preparation and implementation of a site-specific Health and Safety Plan (HASP) in accordance with federal and state OSHA regulations, and Mitigation Measure HAZ-MM-2, which requires the preparation and implementation of a Soil and Groundwater Management Plan (SGMP) prior to and during Project construction. The Draft EIR, pages IV.F-36 and IV.F-37 provide details discussion of these mitigation measures. HAZ-MM-1 and HAZ-MM-2 do not prescribe the use of specific types of equipment required. Rather, a site-specific Health and Safety Plan (HASP) and Soil and Groundwater Management Plan (SGMP), respectively, shall be prepared which shall include various provisions for hazard and risk identification, worker training, emergency procedures, and other provisions as outlined in the measures. The mitigation measures are based on substantial evidence and would reduce impacts to less than significant level. It is not known if any equipment and procedures would require SCAQMD permits.

² SCAQMD, Rule 219, Equipment Not Requiring a Written Permit Pursuant to Regulation II, Amended January 7, 2022. Available at <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/Rule-219.pdf?sfvrsn=15> (accessed Mary 20, 2022).

However, the Project would comply with SCAQMD required rules and regulations regarding permits as applicable.

Regarding any potential contamination of the Railway Properties, the Project does not have access to these properties for testing and, thus, assumed, the potential for previously unknown contamination could be encountered during construction, particularly during excavation activities. All feasible testing and analysis available at the time of the preparation of the Draft EIR was completed. The results of soil testing along the eastern boundary of the Project Site adjacent to the Railway Properties did not reveal levels exceeding applicable regulatory standards for TPH gasoline. such, the Draft EIR provided Mitigation Measure HAZ-MM-3 to require a soils analysis in accordance with standardized screening levels. In addition, Mitigation Measures HAZ-MM-1 and HAZ-MM-2 would be implemented and LAMC, Division 71 (the Methane Mitigation Standards Ordinance) would be enforced for all locations within the Project Site where applicable.

Comment No. AG 2-3

Health Risk Reduction Strategies

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants and include schools, daycare centers, nursing homes, elderly care facilities, hospitals, and residential dwelling units. The Proposed Project consists of a residential and mixed-use development with 208 residential units and will be located in close proximity to the existing railroad tracks. To facilitate the purpose of an EIR as an informational document, it is recommended that the Lead Agency perform a mobile source health risk assessment³ to disclose the potential health risks⁴ from rail operations on future residents living and/or working at the Proposed Project in the Final EIR.

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with Minimum Efficiency Reporting Value (MERV) 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters⁵, a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Final EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space

areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Final EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

³ South Coast AQMD’s guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁴ Ibid.

⁵ This study evaluated filters rated MERV 13 or better. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also see 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

Response to Comment No. AG 2-3

The Draft EIR serves as an informational document by disclosing information associated with the proposed construction and operational activities, along with detailed analysis of the traffic, air quality, and greenhouse gas emissions expected to result from said activities. Note that the reference to “208” residential units should be “308” residential units, as stated in the Draft EIR. The commenter recommends the preparation of a mobile health risk assessment to address potential risks of siting residential uses near the adjacent railroad tracks. However, pursuant to *California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, “CEQA generally does not require an analysis of how existing environmental conditions will impact a project’s future users or residents.” (*Id.* at 386.) Implementation of the Project would not exacerbate an existing risk as the Project would not cause or result in an increase of locomotives traveling on the railroad, would not affect the engine technologies used for the locomotives, and would not otherwise alter or increase the maintenance operations at the railyards or on the locomotives. In addition, locomotives are subject to United States Environmental Protection Agency (USEPA) regulations, which would reduce particulate matter (PM) emissions from locomotive engines by as much as 90 percent and oxides of nitrogen (NOx) emissions by as much as 80 percent when fully implemented.³ As required in Title 40 Part 1033 of the Code of Federal Regulations (40 CFR Part 1033), all newly manufactured line-haul and switch locomotive engines must comply with the most stringent emissions standards referred to as Tier 4 standards.⁴ In its Regulatory Impact Analysis, the USEPA concluded that “[a]bsent new emissions standards, we expect overall emissions from these engines to remain relatively flat... but starting in about 2025,

³ USEPA. Regulations for Emissions from Locomotives. Available at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-emissions-locomotives> (accessed May 20, 2022).

⁴ 40 CFR Part 1033. Available at <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-U/part-1033> (accessed May 20, 2022).

emissions from these engines would begin to grow.”⁵ With the standards, the USEPA concluded that “these standards will reduce annual NOx emissions by about 800,000 tons and PM2.5 and 27,000 tons in 2030.”⁶ The Project would not conflict or interfere with the process by which locomotive operators phase-in new locomotive engines that meet the more stringent emissions standards.

The comment cites to SCAQMD’s *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (August 2003). As described on page one of this mobile source guidance document, it applies to “projects with mobile source diesel emissions” example of which are, but not limited to, “truck stops, warehouse/distribution centers or transit centers”, “ship hoteling at ports”, and “train idling.” As stated on page IV.A-77 of the Draft EIR, the Project would not include any truck stop or warehouse distribution uses. The Project also does not include ship hoteling or trains. Thus, the mobile source guidance document does not apply to the Project and the preparation of an HRA is not warranted based on the Project’s proposed uses and characteristics. In regard to the assertion relative to solid waste, since MERV 13 is a standard requirement, standard residential waste stream amounts and generation factors would also theoretically account for their periodic disposal and replacement.⁷ Furthermore, because the Project would not exacerbate an existing risk, an analysis of the impact of the environment on the Project is not required under CEQA and a health risk assessment is not required.

Furthermore, with respect to building filtration systems, as discussed in Chapter II, *Project Description*, of the Draft EIR (page II-57), the Project would install air filtration systems for occupied spaces that meet the minimum efficiency reporting (MERV) in the applicable Title 24 Part 6 building energy efficiency standards. The current 2019 Title 24 requirements include MERV 13 or equivalent filters for new residential spaces. No additional filtration systems or mitigation is required.

Building energy use was modeled using the California Emissions Estimator Model (CalEEMod). As stated in the CalEEMod User’s Guide, Appendix A, the program uses data collected during the Residential Appliance Saturation Survey (RASS) to develop energy intensity values for residential buildings.⁸ Residential heating, ventilation, and air conditioning (HVAC) equipment are electric powered; thus, even if the Project’s

⁵ USEPA, Regulatory Impact Analysis: Control of Emissions of Air Pollution from Locomotive Engines and Marine Compression Ignition Engines Less than 30 Liters Per Cylinder, EPA420-R-08-001, March 2008. Available at <https://nepis.epa.gov/Exe/ZyPDF.cgi/P10023S4.PDF?Dockey=P10023S4.PDF> (accessed May 20, 2022).

⁶ USEPA, Regulatory Impact Analysis: Control of Emissions of Air Pollution from Locomotive Engines and Marine Compression Ignition Engines Less than 30 Liters Per Cylinder, EPA420-R-08-001, March 2008. Available at <https://nepis.epa.gov/Exe/ZyPDF.cgi/P10023S4.PDF?Dockey=P10023S4.PDF> (accessed May 20, 2022).

⁷ Residential solid waste generation factors are based on CalRecycle’s Solid Waste Cleanup Program Weights and Volumes for Project Estimates, <https://www.calrecycle.ca.gov/SWFacilities/CDI/Tools/Calculations/>. Accessed July 16, 2021

⁸ California Air Pollution Control Officer’s Association, California Emissions Estimator Model User’s Guide, Appendix A, November 2017.

residential uses would use HVAC equipment to a greater degree than the RASS data incorporated into CalEEMod, the Project would not generate any additional on-site criteria pollutant emissions attributable to the Project. However, since the RASS is based on data from actual existing residential uses with HVAC equipment, it is speculative to assume that the Project's residential uses would use HVAC systems to a greater degree than the RASS data.

Comment No. AG 2-4

South Coast AQMD Permits and Responsible Agency

If implementation of the Proposed Project, including methane mitigation systems or any other soil remedial activities that may be needed, would require the use of stationary equipment, including but is not limited to emergency fire pump(s), permits from South Coast AQMD are required. The Final EIR should include a discussion on stationary equipment that will require South Coast AQMD permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project. Any assumptions used in the Final EIR will be used as the basis for permit conditions and limits for the Proposed Project. The 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology is being used by South Coast AQMD for determining operational health risks for permitting applications and also for all CEQA projects where South Coast AQMD is the Lead Agency. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions on permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

Response to Comment No. AG 2-4

As discussed in Response to Comment No. AG 2-2, for soil remedial activities, the Draft EIR requires implementation of Mitigation Measure HAZ-MM-1, which requires the preparation and implementation of a site-specific HASP in accordance with federal and state OSHA regulations, and Mitigation Measure HAZ-MM-2, which requires the preparation and implementation of a SGMP prior to and during Project construction. Pursuant to HAZ-MM-1 and HAZ-MM-2, the site-specific HASP and SGMP includes various provisions for hazard and risk identification, worker training, emergency procedures, and other provisions as outlined in the measures. It is not known if any equipment and procedures would require SCAQMD permits. As discussed in Response to Comment No. AG 2-2, passive systems for methane typically rely on the natural rising characteristics of methane and do not require mechanically active systems. Typically, active systems comprise electrical mechanical systems such as blowers, pumps, and fans, as well as electric-powered sensors, alarm systems, and control panels. The electric-powered equipment would not generate any additional on-site criteria pollutant, ozone precursor, or toxic air contaminant emissions. Per SCAQMD Rule 219, passive and active systems may be exempt from SCAQMD permits under exemption criteria (c)(10), which states: "Passive and intermittently operated active venting systems used at and around residential structures to prevent the accumulation of naturally occurring

methane and associated gases in enclosed spaces.”⁹ Nonetheless, the Project would comply with SCAQMD required rules and regulations regarding permits as applicable.

As described in Section IV.F, *Hazards and Hazardous Materials*, page IV.F-15, of the Draft EIR, the Los Angeles Municipal Code (LAMC) has established procedures for the collection and testing of methane as set forth in LAMC Chapter IX, Article 1, Division 71, Section 91.7103, also known as the Los Angeles Methane Seepage Regulations. These regulations include management of methane removal during construction. Building permit application requirements for new construction within such zones include methane gas sampling and depending on the detected concentrations of methane and gas pressure at the site, the development and application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the Site Design Level, with more involved Code-required mitigation systems as determined at the higher Site Design Levels. Under the LAMC, mitigation systems can be active or passive, depending on the determination of methane levels. Furthermore, in addition to HAZ-MM-1 and HAZ-MM-2 described above, the Draft EIR requires implementation of Mitigation Measure HAZ-MM-3, which requires methane/soil gas testing to be conducted.

In the event that methane gas is detected above the laboratory reporting limit, construction of the Project would occur per the provisions of the LAMC, Division 71 Methane Mitigation Standards Ordinance. It is not known if any equipment and procedures would require SCAQMD permits. However, as discussed above as well as in Response to Comment No. AG 2-2, the Project would comply with SCAQMD required rules and regulations regarding permits as applicable.

If equipment or procedures subject to SCAQMD permits are identified, information necessary for the permit applications will be made available to the SCAQMD and all mitigation systems would comply with SCAQMD permitting requirements as applicable. Until higher Site Design levels are developed and reviewed by the LADBS, and existing buildings removed from the Project Site to allow for broader testing, the determination of scope, types, and duration of any reasonably foreseeable soil remedial or mitigation activities, quantification of emissions from those activities, and inclusion of those emissions as regional construction emissions would be preliminary and speculative. However, with the implementation of LAMC regulations to control methane emissions and compliance with SCAQMD permitting requirements, impacts to the environment would be less than significant.

The comment also states that the 2015 revised Office of Environmental Health Hazard Assessment (OEHHA) methodology is being used by the SCAQMD for determining operational health risks for permitting applications. As indicated in the 2015 OEHHA Guidance Manual for Preparation of Health Risk Assessments (Guidance Manual), it is up to local air districts to determine whether construction-related Health Risk

⁹ SCAQMD, Rule 219, Equipment Not Requiring a Written Permit Pursuant to Regulation II, Amended January 7, 2022. Available at <http://www.aqmd.gov/docs/default-source/rule-book/reg-ii/Rule-219.pdf?sfvrsn=15> (accessed May 20, 2022).

Assessments are to be required.¹⁰ In comments presented to the SCAQMD Governing Board¹¹ relating to toxic air contaminant exposures and health risk impacts associated with Rules 1401, 1401.1, 1402 and 212 revisions, with regard to the use of the 2015 OEHHA Guidance Manual for projects subject to CEQA, SCAQMD staff reported that:

The Proposed Amended Rules are separate from the CEQA significance thresholds. Per the Response to Comments Staff Report PAR 1401, 1401.1, 1402, and 212 A—(8 June 2015), SCAQMD staff is currently evaluating how to implement the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will evaluate a variety of options on how to evaluate health risks under the Revised OEHHA Guidelines under CEQA. The SCAQMD staff will conduct public workshops to gather input before bringing recommendations to the Governing Board.

In 2014 and 2015, the SCAQMD acknowledged the need to develop a workplan to update health risk assessment guidance for implementation of the 2015 OEHHA Guidance Manual for permitting, AB2588, and CEQA purposes.¹² To date, the SCAQMD has not conducted public workshops nor developed policy relating to the applicability of applying the 2015 OEHHA Guidance Manual for projects prepared by other public/lead agencies subject to CEQA, for land use development projects, such as the Project. Therefore, in light of the lack of accepted guidance for assessing land use development projects from OEHHA and SCAQMD, the City does not require that a health risk assessment using the 2015 OEHHA Guidance Manual be prepared for the Project for the purposes of CEQA compliance.

Comment No. AG 2-5

Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, when the Lead Agency's position is at variance with recommendations raised in the comments, the issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not

¹⁰ OEHHA, Guidance Manual for Preparation of Health Risk Assessments, February 2015, page 1-3.

¹¹ SCAQMD, Board Meeting, Agenda No. 28, Proposed Amended Rules 1401 – New Source Review of Toxic Air Contaminants, 1401.1 – Requirements for New and Relocated Facilities Near Schools, Rule 1402 – Control of Toxic Air Contaminants from Existing Sources, and 212 – Standards for Approving Permits and Issuing Public Notice, June 5, 2015. Available at <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2015/2015-jun1-028.pdf?sfvrsn=9> (accessed May 20, 2022)

¹² See SCAQMD staff presentations to the Governing Board in 2014 and 2015 acknowledging the need to update guidelines, and in the interim directing lead agencies to use the 1993 CEQA Air Quality Analysis Handbook: (1) Presentation to Governing Board, Proposed Work Plan for Implementing OEHHA's Revised Air Toxics Hot Spots Program Risk Assessment Guidelines, pp. 10, 15 (March 6, 2015). Available at <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2015/2015-mar6-026.pdf?sfvrsn=6> (accessed on May 20, 2022); (2) Presentation to Governing Board, Potential Impacts of New OEHHA Risk Guidelines on SCAQMD Programs, pp. 9, 10 (May 2014). Available at <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2014/may-specsess-8b.pdf?sfvrsn=4> (accessed on May 20, 2022).

accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact me at lsun@aqmd.gov, should you have any questions.

Response to Comment No. AG 2-5

The comment summarizes its request from prior comments that the Lead Agency provide written responses to all comments. The respective Responses to Comment Nos. AG 2-2 through AG 2-4 have been provided in good faith and include discussions of why any requested information would not have been provided in accordance with CEQA Guidelines Section 15088(c). The comment also provides South Coast AQMD contact information in the event further information regarding the comments is needed. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment Letter No. AG 3

California Department of Transportation - District 7
Miya Edmonson, IGR/CEQA Branch Chief
100 S. Main Street, MS 16
Los Angeles, CA 90012

Comment No. AG 3-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced environmental document. The 670 Mesquit Project (Project) proposes to construct a new mixed-use development totaling up to 1,792,103 square feet of floor area (the Project) on approximately 5.45 acres of land at 670 Mesquit Street (Project Site), along the southeastern edge of the Artists-in-Residence District within the Central City North Community Plan area of the City of Los Angeles (City).

The Project would have a floor area ratio (FAR) of up to 7.5:1, and would consist of the following primary components: creative office space totaling up to 994,055 square feet; a 236-room hotel; 208 multi-family residential housing units; an Arts District Central Market (food hall), a grocery store, and general retail uses totaling up to 136,152 square feet; restaurants totaling up to 89,577 square feet; studio/event/gallery space and a potential museum totaling up to 93,617 square feet; and a maximum 62,148-square-foot gym. The Project would provide parking for a total of up to 3,500 vehicles using a combination of automated parking systems, valet parking, or other efficiency parking methods and parking would be provided in below-grade, at-grade, and above-grade structured parking spanning the Project Site.

In addition, the Project may include a Deck Concept (Project with the Deck Concept) that would involve construction of a 132,000 square foot Deck that would extend over a portion of the freight and passenger rail lines and rail yards (Railway Properties) east of the Project Site.

Response to Comment No. AG 3-1

The comment summarizes the Project's location, development scale, and development components, as well as the potential Project with the Deck Option over a portion of the freight and passenger rail lines and rail yards. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 3-2

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and 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. You may reference the Governor's Office of Planning and Research (OPR) for more information:

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

As a reminder, VMT is the standard transportation analysis metric in CEQA for land use projects after July 1, 2020, which is the statewide implementation date.

Response to Comment No. AG 3-2

The comment introduces the mission of Caltrans in providing a safe and reliable transportation network and the CEQA mandated review of VMT in determining transportation impacts. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 3-3

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, this project 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. Overall, the environmental report should ensure all modes are served well by planning and development activities. This includes reducing single occupancy vehicle trips, ensuring safety, reducing vehicle miles traveled, supporting accessibility, and reducing greenhouse gas emissions.

Response to Comment No. AG 3-4

The comment discusses the challenges in identifying viable solutions to alleviating congestion on State and Local facilities and recommends the incorporation of multi-modal and complete streets transportation elements, including pedestrian safety. The Project's mix of land uses, location in a dense area of Los Angeles served by public transit, provision of new sidewalks on Mesquit Street along the Project frontage, provision of bicycle amenities (e.g., long- and short-term parking and showers), provision of a new signalized crosswalk across 7th Street, and creation of a pedestrian paseo with limited vehicle access on Mesquit Street from Jesse Street to 7th Street would promote alternatives to car use. The comment also cites FHWA road diet treatment as a safety counter measure as well as the importance of reducing single occupancy vehicle trips and greenhouse gas emissions. The Project will implement a transportation demand

management (TDM) program that will reduce single occupancy vehicle trips and vehicle miles traveled. As described on pages IV.L-41 and IV.L-42 in Section IV.L, Transportation, in the Draft EIR, required strategies for TRAF-MM-1, TDM Program, include, but are not necessarily limited to:

Parking

- Parking cost unbundled from leases for office and commercial tenants, coupled with employee parking cash-out and pricing workplace parking.
- Parking costs unbundled from rent for residential tenants.

Transit

- Tenants in the office and commercial uses and residents shall be provided with the opportunity to obtain subsidized/discounted daily or monthly public transit passes to use locally/regionally. These passes can be partially or wholly subsidized by the employer and residential management company, respectively.
- Public bus stop enhancements/amenities, such as curb cuts and continental crosswalks, at bus stops nearest to the Project Site:
 - Decatur Street & 7th Street: Metro Rapid 720
 - Alameda Street & 7th Street: Metro Rapid 760
 - Imperial Street & 7th Street: Metro 18, 60, 62
 - Molino Street & Palmetto Street: LADOT DASH A

Commute Trip Reduction

- Commute trip reduction program for office and commercial workers and residents including established performance standards, required implementation, monitoring, and reporting.

Shared Mobility

- A ride-sharing program shall be provided by designating a certain percentage of parking spaces for ride sharing vehicles, designing adequate passenger loading/unloading and waiting areas for ride-sharing vehicles, and providing a website or message board for coordinating rides.

Education & Encouragement

- TDM marketing and promotion (website and possible mobile app for transportation information specific to the Project).
- Mobility hub (car share, bike share, bike repair facilities, and real-time transit information).

This comment is noted and will be provided to the decision-makers. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 3-5

We 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. For the additional TDM options, please refer to the Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). This reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>

You can also refer to the 2010 Quantifying Greenhouse Gas Mitigation Measures report by the California Air Pollution Control Officers Association (CAPCOA), which is available online at:

<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

As a reminder, Caltrans has published the VMT-focused Transportation Impact Study Guide (TISG), dated May 20, 2020 and the Caltrans Interim Land Development and Intergovernmental Review (LD-IGR) Safety Review Practitioners Guidance, prepared on December 18, 2020. You can review these resources as a reference at the following links for this project:

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-05-20-approved-vmt-focused-tisg-a11y.pdf>.

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-12-22-updated-interim-ldigr-safety-review-guidance-a11y.pdf>.

Response to Comment No. AG 3-5

The comment encourages the lead agency to evaluate the potential of TDM strategies, ITS applications to manage the transportation network, as well as the importance of transit, bicycle, and pedestrian connectivity. The comment also provides further resource information regarding TDM options. The Draft EIR includes a TDM program as part of the project mitigation program (TRAF-MM-1 on pp. IV.L-41 and IV.L-42 of the DEIR). This comment is noted and will be provided to the decision-makers. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 3-6

When a potential safety impact is identified, Caltrans encourages lead agencies to prepare traffic safety impact analysis at the State facilities for this development in the California Environmental Quality Act (CEQA) review process so that, through partnerships and collaboration, California can reach zero fatalities and serious injuries by 2050.

Response to Comment No. AG 3-6

The comment encourages the lead agency to prepare a traffic safety impact analysis at State facilities (State highways and freeways) as part of the CEQA process and how such can be accomplished through partnerships and collaboration. The Draft EIR includes freeway off-ramp safety analysis on pages IV.L-45 through IV.L-47. As discussed therein, the addition of traffic generated by the Project is projected to increase the overflow onto the mainline lanes by six cars in the AM peak hour and two cars in the PM peak hour at the US-101 Southbound Off-ramp to 7th Street in both Future Base (2026 and 2040) plus Project scenarios. The queue lengths are not projected to exceed the ramp storage capacity at the I-10 Eastbound Off-ramp to Alameda Street or the I-10 Eastbound Off-ramp to Porter Street in either Future Base (2026 or 2040) or Future plus Project scenario. Therefore, potentially substantially increase geometric hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses and impacts on freeway safety would be potentially significant. The following mitigation measure was identified to address the potential impact for both the Project and the Project with the Deck Concept:

TRAF-MM-2: US-101 Southbound Off-ramp/7th Street Intersection Signalization. The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the US-101 Southbound Off-ramp and 7th Street. This would require complying with the Caltrans project development process as a local agency-sponsored project.

Peak hour signal warrants conducted at this intersection (included as Appendix M-1 of the Draft EIR) indicate that intersection signalization is warranted for both the AM and PM peak hours. Such intersection signalization is estimated to reduce the off-ramp queue such that it would no longer extend onto the freeway mainline and would mitigate the Project impact to less than significant levels in both Future Base (2026 and 2040) plus Project scenarios. This comment will be provided to the decision-makers. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 3-7

Transit

The Project site is served by several transit lines. The Project is located ¼-mile from the Metro Rapid 720 bus stop at Decatur Street & 7th Street and ½-mile from the Metro Rapid 760 bus stop at Alameda Street & 7th Street. Three Metro Local bus routes also run within

a ¼-mile of the Project Site. Metro Local Route 60 runs on 7th Street and Santa Fe Avenue, and Metro Local Routes 18 and 62 run on 7th Street and Whittier Boulevard. The LADOT Downtown Area Short Hop (DASH) A route has its nearest stop approximately 0.4 miles away from the Project at the corner of Molino Street & Palmetto Street. The various transit routes providing service within walking distance of the Project site. In addition, the Project site is one mile from the Metro Gold Line Pico/Aliso station and approximately two miles from the 7th Street/Metro Center Station and the Union Station transportation hub.

LADOT's Moving Forward Together project, which conducted a detailed transit service analysis of LADOT Transit's network, identified a potential route expansion for DASH Downtown Route F, which currently runs between the Financial District and Exposition Park. The potential expansion would connect Exposition Park to Union Station through the Arts District via 7th Street and Santa Fe Avenue.

The Regional Connector, currently under construction, will better link the Metro L (Gold) Line with the rest of the LA Metro network. As a result of the Regional Connector project, Intersection 4 (Alameda Street & 1st Street) will be reconfigured by 2022 when the Regional Connector project is forecasted to be completed. Future scenarios in this report assume the proposed intersection configuration as provided by LADOT. Potential future expansions to the transit network under study by Metro include the Red/Purple Line extension into the Arts District along the LA River (EIR under development by Metro) and the West Santa Ana Branch Transit Corridor along Alameda (currently in the Metro planning process). The potential Red/Purple Line extension would include a station at 6th Street, adjacent to the Project site.

Response to Comment No. AG 3-7

The Draft EIR addressed transportation in Section IV.L, *Transportation*, with supporting data provided in Appendix M of the Draft EIR. This comment repeats the information on existing transit service and planned transit projects in the vicinity of the Project that is described on pages IV.L-16 - IV.L-18 of Section IV.L, *Transportation*, and pages 17 - 20 of Appendix M-1, *Traffic Assessment*, of the Draft EIR. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 3-8

Bicycle and Pedestrian

The *Mobility Plan 2035* identifies corridors proposed to receive improved bicycle, pedestrian and vehicle infrastructure improvements. The Los Angeles River Revitalization Master Plan also outlines significant bicycle and pedestrian investment along the LA River in downtown (as indicated by the LA River Bike Path). If the river revitalization plan is approved and completed, the Project will be adjacent to the PARC which provides a connection to the facilities along the river and creates a new regional link.

The Arts District won an Active Transportation Program (ATP) grant in 2018 that will allow construction of facilities that improve mobility through bicycle and pedestrian infrastructure. The plans call for new bicycle lanes on Traction Avenue, Mateo Street, and other minor collectors in the Arts District. A protected bike lane is proposed for Santa Fe Avenue north of 1st Street. Pedestrian improvements as part of the ATP grant include new crosswalks at major intersections in the Arts District, including a raised crosswalk at Santa Fe Avenue & 6th Street. Pedestrian Activated Signals are proposed for several crossings along 4th Place, and over a dozen curb extensions/ADA ramps are proposed throughout the area. The Arts District Mobility Improvements will not result in the reconfiguration of any study intersections.

Response to Comment No. AG 3-8

This comment repeats information on planned capital bicycle and pedestrian projects in the vicinity of the Project that is described on page 23 of Appendix M-1, *Traffic Assessment*, of the Draft EIR. This comment is noted and will be provided to the decision-makers. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 3-9

VMT Analysis

The Project is estimated by the City of Los Angeles VMT Calculator to produce a total of 27,040 daily vehicle trips and a total daily VMT of 195,304. The Project with the Deck Concept is estimated by the Calculator to produce a total of 27,493 daily vehicle trips and a total daily VMT of 198,540. The daily residential VMT per capita is estimated at 4.0 for both Project options, below the threshold of 6.0 daily residential VMT per capita for the Central APC. Thus, neither Project option would have a significant impact on residential VMT per capita as estimated by the VMT Calculator. The daily work VMT per employee was estimated for both Project options and is estimated at 6.6, which is below the threshold of significance for the Central APC of 7.6 daily work VMT per employee. Thus, the Project and the Project with the Deck Concept would not have a significant impact on daily work VMT per employee as estimated by the VMT Calculator. In order to ensure this estimated outcome is accurate with reality condition in the future, a post-development VMT analysis with all mitigation measures should be prepared. Additional mitigation measure should be implemented when the post-development VMT analysis discloses any traffic significant impact.

Response to Comment No. AG 3-9

This comment summarizes the VMT analysis for the Project and Project with the Deck Concept described on pages IV.L-40 – IV.L-41 of Section IV.L, Transportation, and pages 35 – 38 of Appendix M-1, *Traffic Assessment*, of the Draft EIR. The comment acknowledges that the Project and Project with the Deck Concept would result in less than significant transportation impacts when measured by residential VMT per capita and daily work VMT per employee. The comment recommends that a “post-development VMT

analysis with all mitigation measures should be prepared” and that additional mitigation measures be implemented if any traffic significant impacts are found. The analysis requested in the comment is presented in Section IV.L, *Transportation*, of the Draft EIR on page IV.L-43 and page 40 of Draft EIR Appendix M-1. That analysis was conducted because a regional retail VMT impact was found. Mitigation is required that would also affect the metrics cited in this comment. With mitigation, the residential VMT per capita would be reduced from 4.0 to 3.3 and daily work VMT per employee would be reduced from 6.6 to 5.4 for the Project and Project with the Deck Concept. In each case, the impact would remain less than significant. Chapter 4 of this Final EIR presents the Mitigation Monitoring Plan (MMP) for the project, which includes TRAF-MM-1 Transportation Demand Management (TDM) Program. The City of Los Angeles, as the lead agency for this project, is responsible for monitoring the implementation of required mitigation measures. See also response to Comment AG 3-10 and AG 3-12.

Comment No. AG 3-10

Since the retail components of the Project are greater than 50,000 square feet, they were evaluated using the City’s travel demand forecasting model. The Project with the Deck Concept includes more land uses and programming and results in a higher VMT than the Project. Therefore, the Project with the Deck Concept’s results are presented to be conservative. The City’s model estimated a total daily VMT of 96,866,000 miles within a 12-mile radius of the Project TAZ when run without the retail components of the Project with the Deck Concept. With all the Project with the Deck Concept retail uses included, the model estimated a total daily VMT of 96,898,000 miles within a 12-mile radius of the Project TAZ. This is a net increase of 32,000 daily miles, or a 0.03% increase from the network before the retail was added. This increase in VMT is considered to be a significant impact, due to the significance criteria identifying an impact when any increase in VMT due to regional retail occurs.

Response to Comment No. AG 3-10

This comment summarizes the methodology and repeats the findings of the regional-serving retail VMT analysis for the Project and Project with the Deck Concept described on pages IV.L-40 – IV.L-41 of Section IV.L, *Transportation*, and page 36 of Appendix M-1, *Traffic Assessment*, of the Draft EIR. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 3-11

The Project proposes to implement a transportation demand management program as mitigation to reduce the VMT impacts and trip generation of the Project. A TDM program consists of strategies that are aimed at discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, such as carpooling, taking transit, walking, and biking. The Project as proposed includes compliance with regulatory requirements and site design elements that would be expected to enhance the usage of walking, biking, and transit modes as alternatives to the automobile.

Response to Comment No. AG 3-11

The comment notes that the Project EIR includes a TDM program to reduce VMT impacts and further notes that the TDM strategies would discourage single-occupancy vehicle trips. Mitigation Measure TRAF-MM-1 on pages IV.L-41 and IV.L-42 provides a detailed description of the proposed TDM program. The comment also notes that the Project would comply with regulatory requirements related to walking, biking, and transit modes as alternatives to the automobile. The comment does not raise a substantive issue on the content or adequacy of the Draft EIR in this regard and no further response is warranted.

Comment No. AG 3-12

Transportation Demand Management

The Project will provide long-term and short-term bicycle parking, bicycle showers, and secure bicycle parking in accordance with the requirements of the proposed Mesquit Specific Plan. The site will be designed to encourage walking, biking, and taking transit. Additional TDM program elements could include measures, such as unbundled parking and discounted transit passes.

The following potential TDM strategies would be applicable for employees working at the proposed Project office and commercial uses and residents living in the dwelling units:

- Commute trip reduction program for office and commercial workers and residents. Also includes TDM marketing and promotion (website and possible mobile app for transportation information specific to the Project).
- Parking cost unbundled from leases for office and commercial tenants, coupled with employee parking cash-out and pricing workplace parking.
- Parking costs unbundled from rent for residential tenants.
- Tenants in the office and commercial uses and residents would be provided with the opportunity to obtain subsidized/discounted daily or monthly public transit passes to use locally/regionally. These passes can be partially or wholly subsidized by the employer and residential management company, respectively.
- A ride-sharing program would be provided by designating a certain percentage of parking spaces for ride sharing vehicles, designing adequate passenger loading/unloading and waiting areas for ride-sharing vehicles, and providing a website or message board for coordinating rides.
- Enhancements/amenities, such as curb cuts and continental crosswalks, at bus stops nearest to Project site:
 - Decatur Street & 7th Street: Metro Rapid 720
 - Alameda Street & 7th Street: Metro Rapid 760
 - Imperial Street & 7th Street: Metro 18, 60, 62
 - Molino Street & Palmetto Street: LADOT DASH A

- Improved first-mile/last-mile connections to nearby bus stops
- Mobility hub (carshare, bikeshare, bike repair facilities, and real-time transit information)

With the TDM program, the estimated total daily vehicle trips are projected to be reduced from 27,040 to 24,484 for the Project and from 27,493 to 24,901 for the Project with the Deck Concept. The estimated total daily VMT is projected to be reduced from 195,304 to 176,517 for the Project and from 198,540 to 179,481 for the Project with the Deck Concept. The daily residential VMT per capita is projected to be reduced by 18% from 4.0 to 3.3 for both Project options, which would continue to not be a significant impact under the City's criteria. The daily work VMT per employee is projected to be reduced by 18% from 6.6 to 5.4 for both Project options, which would continue to not be a significant impact under the City's criteria. Nevertheless, the retail VMT impact would remain significant and unavoidable.

Response to Comment No. AG 3-12

This comment restates the reduction in daily vehicle trips and VMT due to the proposed TDM program (Mitigation Measure TRAF-MM-1) and the conclusion that the regional-serving retail VMT impact would remain significant and unavoidable. The comment also summarizes the transportation demand management (TDM) program and potential TDM strategies for the Project and Project with the Deck Concept described on pages IV.L-41 – IV.L-42 of Section IV.L, *Transportation*, and pages 39 – 40 of Appendix M-1, Traffic Assessment, of the Draft EIR. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted

Comment No. AG 3-13

Freeway Safety Analysis

For the freeway safety analysis, the Project is projected to add 25 or more trips to the following freeway off-ramps:

- Study Intersection 22: I-10 Eastbound Off-ramp to Alameda Street (AM PH)
- Study Intersection H: US-101 Southbound Off-ramp to 7th Street (AM PH)
- Study Intersection J: I-10 Eastbound Off-ramp to Porter Street (AM PH)

The above three freeway off ramps were analyzed and US-101 southbound off/ramp to 7th street has significant safety impact as it projected to add more than two car lengths (50 feet) to a queue that is extending past the ramp capacity with speed differential more than 30 mph from the mainline freeway US-101. Therefore, it results into significant impact at this location.

When applying City's interim guidance, only Intersection H is impacted. We concur that "the Project applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the US-101 Southbound Off-ramp & 7th Street. This would require

complying with the Caltrans project development process as a local agency-sponsored project.” Additional mitigation for the City’s considering would be improving ramp storage such as extending left turns and right turn pocket and striping for additional demand due to the project trips.

Response to Comment No. AG 3-13

This comment summarizes the freeway safety analysis that was conducted for three freeway off ramps described on pages IV.L-45 – IV.L-47 of Section IV.L, *Transportation*, and pages 42 – 46 of Appendix M-1, *Traffic Assessment*, of the Draft EIR. Restriping the US-101 Southbound Off-Ramp to 7th Street was considered but rejected because the off-ramp has limited space to adjust ramp storage, and because signalization with the existing lane configuration on the off-ramp would address the potential safety issue. TRAF-MM-2 on page IV.L-47 of the Draft EIR, signalization of the ramp termini intersection, if accepted by Caltrans, would mitigate the safety issue by reducing the off-ramp queue such that it would no longer extend onto the freeway mainline and would mitigate the Project impact in the Future (2026 and 2040) plus Project scenarios. The Traffic Assessment documents the proposed mitigation on page 43, and the LADOT Assessment Letter, found in Appendix M-2, documents the proposed mitigation with the recommendation for the applicant to work with Caltrans on implementing any proposed measures. This commenter’s support for the proposed mitigation to work with the City of Los Angeles and Caltrans to signalize the intersection of US-101 Southbound Off-Ramp & 7th Street is noted and will be provided to the decision-makers. This commenter’s recommendation to restripe the off-ramp is noted and will be provided to the decision-makers.

Comment No. AG 3-14

Caltrans concurs that 2 intersections meet signal warrants regardless of the Project volumes and are considered to be cumulatively impacted by Project trips:

- Intersection I: E 8th Street & I-10 Westbound Ramp
- Intersection J: I-10 Eastbound Ramps & Porter Street

The project should contribute a fair-share contribution (installation of signals) between 9% to 11% per Table 23 and 24 of the 670 Mesquit Transportation Assessment Draft prepare [sic] in April 2021. Caltrans recommends that both proposed signals be synchronized with the existing signals that are currently at 8th St./Santa Fe Ave. and Porter St./Santa Fe Ave. especially during AM and PM peak so that cars on the offramp are flushed and not queuing back onto the mainline which may increase rear end/sideswipe type accidents.

Response to Comment No. AG 3-14

This commenter’s support for the Project to contribute a fair-share contribution for the installation of signals at the I-10 Westbound Off-Ramp & E 8th Street and the I-10

Eastbound Off-ramp & Porter Street, as described on pages 102, 107, and 108 of Appendix M-1, *Traffic Assessment*, of the Draft EIR, is noted and will be provided to the decision-makers. This commenter's recommendation to synchronize the proposed signals with the existing signals at Santa Fe Avenue & 8th Street and Santa Fe Avenue & Porter Street is noted and will be provided to the decision-makers.

Comment No. AG 3-15

Others

Please be reminded that any work performed within the State Right-of-way will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods.

Response to Comment No. AG 3-15

The comment regarding Encroachment Permits and oversized trucks requiring a permit is noted. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 3-16

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator, at (213) 269-1124 and refer to GTS # LA-2017-03813AL-DEIR.

Response to Comment No. AG 3-16

The comment provides Caltrans contact information in the event additional information is needed. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment Letter No. AG 4

Los Angeles County Metropolitan Transportation Authority
Metro Development Review
Shine Ling, AICP, Manager, Development Review Team, Transit Oriented Communities
One Gateway Plaza
MS 99-22-1
Los Angeles, CA 90012-2952
Received February 14, 2022

Comment No. AG 4-1

Thank you for coordinating with the Los Angeles County Metropolitan Transportation Authority (Metro) regarding the proposed 670 Mesquit Project (Project) located at 606-694 S. Mesquit Street, 1494-1498 E. 6th Street, and 2119-2135 E. 7th Street in the City of Los Angeles (City).

Per Metro's area of statutory responsibility pursuant to sections 15082(b) and 15086(a) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA: Cal. Code of Regulations, Title 14, Ch. 3), the purpose of this letter is to provide the City with specific comments on the Project's Draft Environmental Impact Report (DEIR) for the Project. In particular, this letter outlines topics regarding the Project's potential proximity and/or impacts on Metro's facilities and services which should be analyzed in the Project's EIR and provides recommendations for mitigation measures as appropriate. Effects of a project on transit systems and infrastructure are within the scope of transportation impacts to be evaluated under CEQA.¹

Metro is engaged in the planning and implementation of a wide range of significant transportation investments in the Project's vicinity, and Metro appreciates the coordination to date with the City and RCS VE LLC (Applicant) regarding local and regional planning efforts in this area. Metro is committed to working with the City, developers, and other stakeholders on transit-supportive developments to grow ridership, reduce driving, and promote walkable neighborhoods. Transit Oriented Communities (TOCs) are places (such as corridors or neighborhoods) that, by their design, allow people to drive less and access transit more. TOCs maximize equitable access to a multi-modal transit network as a key organizing principle of land use planning and holistic community development.

In addition to the specific comments outlined below, Metro is providing the City and RCS VE LLC (Applicant) with the Metro Adjacent Development Handbook (attached), which provides an overview of common concerns for development adjacent to Metro right-of-way (ROW) and transit facilities, available at: <https://www.metro.net/devreview>.

Project Description

The Project includes the construction of a new mixed-use development in five new interconnected buildings above subterranean and podium parking. In addition, the project may include a Deck Concept that would involve construction of a 132,000 square foot Deck that would extend over a portion of the freight and passenger rail lines and rail yards east of the Project Site (“Deck Concept”).

¹ See CEQA Guidelines section 15064.3(a); Governor’s Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts In CEQA, December 2018, p. 19.

Response to Comment No. AG 4-1

The comment briefly summarizes the Project’s primary development scale and deck construction. The comment also provides a reference to CEQA Guidelines Section 15064.3(a); Governor’s Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts, dated December 2018. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-2

Comments

Bus Transit Service

In December 2021, Metro completed implementation of the NextGen Bus Plan, a major update to Metro’s bus service network, service frequencies, and stop locations. This includes modifications to bus lines in the vicinity of the Project site such as Lines 18 and 720. Information and analyses in the DEIR regarding existing bus transit service should therefore be updated to reflect current conditions. For more information, please visit <https://www.metro.net/projects/nextgen/> and <https://www.metro.net/riding/schedules/>.

Response to Comment No. AG 4-2

The Draft EIR addressed transportation in Section IV.L, *Transportation*, with supporting data provided in Appendix B and Appendix M of the Draft EIR. The information on public transit service found in Appendix B, Transit Priority Area Memorandum, on page IV.L-16 of Section IV.L, Transportation, and pages 17 to 23 of Appendix M-1, Traffic Assessment, of the Draft EIR reflects transit service at the time of preparing the Draft EIR. Metro Lines 18, 60, and 62 were analyzed in Appendix B, Transit Priority Area Memorandum, in the Draft EIR which identified the Project site as being located within a Transit Priority Area (TPA). The final phase of Metro’s NextGen Bus Plan transit service update was implemented in December 2021. This update provided six minute headways for Line 18, five minute headways for Line 60, 20 to 40 minute headways for Line 62, and 10 minute headways for Line 720 during peak periods (6-9 AM/3-7 PM); Metro Route 760 was

eliminated and merged with Line 60 to provide more frequent service¹³. Subsequent to implementation of the NextGen service changes, Metro adjusted service levels in February 2022 to operate more reliably each day, reduce missed service, and create shorter wait times and more room on each bus for transit riders. The adjusted service provides 7.5 minute headways for Line 18, six to eight minute headways for Line 60, 30 to 60 minute headways for Line 62, and five to six minute headways for Line 720 during peak periods¹⁴. The service changes implemented as part of the NextGen Bus Plan and the latest service changes do not change the conclusions reached in the Transit Priority Area analysis documented in the memorandum found in Appendix B. Because this comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 4-3

Metro West Santa Ana Branch Transit Corridor Project

The West Santa Ana Branch Transit Corridor (WSAB) project is a 19.3-mile corridor that Metro is evaluating for a new light rail transit (LRT) line that would connect southeast LA County to downtown Los Angeles. This new LRT line would traverse through or be immediately adjacent to the cities and communities of Artesia, Cerritos, Bellflower, Paramount, Downey, South Gate, Cudahy, Bell, Huntington Park, Vernon, unincorporated Florence-Firestone, and Downtown Los Angeles.

On January 27, 2022, the Metro Board of Directors approved Los Angeles Union Station as the northern terminus of the WSAB project. The latest project timeline and schedule can be found in the Board Report at <https://boardagendas.metro.net/board-report/2021-0724/>. Additional information on the WSAB project can be found on the WSAB Project webpage at <https://www.metro.net/wsab>.

Section II.2.d of the DEIR (“Future Transit Programs”) should be revised to reflect the updated status of the WSAB project.

Response to Comment No. AG 4-3

The comment provides information regarding the WSAB and Metro new LRT line that would connect southeast LA County to downtown Los Angeles. The comment also discusses the approval of the Los Angeles Union Station as the northern terminus of the WSAB with references to the WSAB timeline and schedule. It also states that Section II.2.d of the Draft EIR should be revised to reflect the updated status of the WSAB project. Additional information regarding the use of Union Station as the northern terminus for the

¹³ Los Angeles Metro. “Explore the NextGen Bus Plan!” *ArcGIS*, <https://la-metro.maps.arcgis.com/apps/MapSeries/index.html?appid=8decc337ba35474ba28d0b4e9ad71647>. Accessed 9 May 2022.

¹⁴ Los Angeles Metro. “Metro has made service changes.” *Github*, <https://lacmta.github.io/mybus-dev/all-changes.html>. Accessed 9 May 2022.

WSAB is provided in Chapter III, *Revisions, Clarifications, and Corrections*, of this Final EIR.

Comment No. AG 4-4

Arts District/6th Street Station Project

Metro is currently preparing a Draft Environmental Impact Report for the Arts District/6th Street Station Project, which would construct a new Metro D Line (Purple) and/or B Line (Red) station to provide regional and local transit connections to and from the Arts District, Boyle Heights, and surrounding communities. The station would be located south of Metro's Division 20 Rail Yard, and adjacent to existing tracks utilized by Southern California Regional Rail Authority (SCRRA), National Railroad Passenger Corporation (Amtrak), and Burlington Northern Santa Fe Railway (BNSF) Company. The site for the proposed station is generally bounded to the north by the 6th Street Bridge, to the south by 7th Street, to the east by the Los Angeles River, and to the west by Mesquit Street. The 670 Mesquit Project is adjacent to this area under study.

A Notice of Preparation of an Environmental Impact Report for the Arts District/6th Street Station Project was issued on March 29, 2021. Additional information on this project may be found at <https://www.metro.net/projects/arts-dist-6th-station/>.

Metro appreciates the coordination to date with the Applicant to ensure compatibility of these respective projects, including without limitation regarding the following specific issues:

- a. Coordination with Metro regarding the utilization of the space between Building 1 and the Northern Landscaped Area as a potential connection to the Arts District/6th St Station (DEIR p. II-45).
- b. Coordination of potential station designs with the design of the Project's Deck Concept to ensure that both projects can be successfully implemented.

Metro looks forward to continued coordination with the City and Applicant on these issues.

Response to Comment No. AG 4-4

These comments are noted and will be provided to the decision-makers. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. AG 4-5

Los Angeles River Path Project

Funded by Measure M, Metro is evaluating a new bicycle and pedestrian path along an approximately eight-mile stretch of the Los Angeles River from Elysian Valley through Downtown Los Angeles to the City of Maywood. Metro released a Notice of Preparation

for this project in October 2019 with a target operation date by 2028. The project is currently in the Environmental Phase with anticipated selection of a locally preferred alternative (LPA) by 2023. More information may be found online at: <https://www.metro.net/projects/lariverpath/>.

This project will be in the vicinity of the 670 Mesquit Project site. Metro appreciates the coordination to date with the Applicant to ensure compatibility of these respective projects. With respect to the Project's DEIR, Metro has the following comments:

- a. P. II-18 (Project Objectives): The Project should coordinate with Metro and the County of Los Angeles regarding standards for design and installation of wayfinding and signage relating to the LA River Path.
- b. P. II-18 (Project Objectives): The Project's Deck Concept must not preclude a future LA River Path access point within public right-of-way at the 7th Street Bridge.
- c. Section IV.K.4 (Public Services - Parks and Recreation): Please replace references to LA River Bike Path Gap Closure project with "LA River Path" and be consistent in its usage throughout the DEIR.
- d. Section IV.F (Hazards and Hazardous Materials): Please inform Metro of any potentially significant issues and/or new findings that may arise as a result of remediation activities.

Response to Comment No. AG 4-5

The comments related to the Project Objectives are noted and will be provided to the decision-makers. The City and the applicant would be open to considering all of the above recommendations as Conditions of Approval for the Project. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted. References to the LA River Bike Path Gap Closure project have been updated to "LA River Path." Refer to Chapter III. Revisions, Clarifications, and Revisions, of this Draft EIR.

Comment regarding Hazards and Hazardous Materials is noted. The Draft EIR addressed hazardous materials in Section IV.F, *Hazards and Hazardous Materials*, with supporting data provided in Appendix G of the Draft EIR.

Comment No. AG 4-6

Metro Heavy Rail Adjacency

1. Operations: The Project site is adjacent to tracks for Metro's Division 20, which is the rail yard for heavy rail subway cars servicing the B Line (Red) and D Line (Purple). Trains run 24 hours a day, seven days a week.
2. Impact Analysis: Due to the Project's proximity to Division 20 tail tracks, the Project's EIR must analyze potential effects on operations and identify mitigation measures as appropriate. Critical impacts that should be studied include (without limitation):

impacts of Project construction and operation on the structural and systems integrity of train tracks; damage to infrastructure, including tracks; and disruption to heavy rail service.

The following provisions should be used to develop a mitigation measure that addresses these potential impacts:

- a. **Technical Review:** The Applicant shall submit architectural plans, engineering drawings and calculations, and construction work plans and methods, including any crane placement and radius, to evaluate any impacts to Division 20 infrastructure in relationship to the Project. Before issuance of any building permit for the Project, the Applicant shall obtain Metro's approval of final construction plans.
- b. **Construction Safety:** The construction and operation of the Project shall not disrupt the operation and maintenance activities of Division 20. Not later than two months before Project construction, the Applicant shall contact Metro to schedule a pre-construction meeting with all Project construction personnel and Metro Real Estate, Construction Management, and Construction Safety staff. During Project construction, the Applicant shall:
 - i. Work in close coordination with Metro to ensure that Division 20 tracks and structural integrity are not compromised by construction activities or permanent build conditions;
 - ii. Notify Metro of any changes to construction activities that may impact the use of the ROW;
 - iii. Permit Metro staff to monitor construction activity to ascertain any impact to Division 20.

Response to Comment No. AG 4-6

The Draft EIR analyzed all environmental impacts pursuant to CEQA and incorporated all feasible mitigation measures. The Draft EIR addressed traffic in Section IV.L, *Transportation*, with supporting data provided in Appendix M of the Draft EIR.

The Applicant will comply with all applicable requirements for construction and operation adjacent to and above Metro rail right-of-way. Through the building permit process, the Project will comply with City of Los Angeles ZI No. 1117, which requires consultation with Metro prior to construction within 100 feet of Metro-owned right-of-way, and through that consultation the Project will demonstrate consistency with Metro's Adjacent Development Handbook and Metro's Adjacent Construction Design Manual. The applicant would also comply with all additional Conditions of Approval as determined by the City of Los Angeles and with any other regulatory requirements. It is noted, however, that the Draft EIR is fully compliant with CEQA and that Metro's requests will be addressed through mandatory review prior to issuance of building permits. For informational purposes, **Figure II-11a, Railway Properties Ownership - Project with Deck Concept**, has been included in this Final EIR which illustrates the Amtrak, Metro, and BNSF ownership within the Railway

Properties in relationship to the proposed 132,000 sf deck proposed by the Project. Figure II-11a is included in in Chapter 3, *Revisions, Clarifications, and Corrections*, of this Final EIR. Figure II-11a illustrates the proximity of Metro property relative to the Project Site, and shows that Project development would not occur immediately adjacent to Metro's property. However, as shown in the figure, the deck would extend over a portion of Metro's property. Development of the deck would occur over portions of the underlying railroad properties. The Project would acquire development rights over a portion of this property to allow development of the deck

Comment No. AG 4-7

3. **Advisories to Applicant:** The Applicant is encouraged to contact the Metro Development Review Team early in the design development process to address potential impacts. The Applicant should also be advised of the following:
 - a. **Occupational Safety and Health Administration (OSHA) Requirements:** Demolition, construction and/or excavation work in proximity to Metro right-of-way (ROW) with potential to damage subway tracks and related infrastructure may be subject to additional OSHA safety requirements.
 - b. **Technical Review:** Metro charges for staff time spent on engineering review and construction monitoring.
 - c. **Right of Way (ROW) Entry Permit:** For temporary or ongoing access to Metro ROW for demolition, construction, and/or maintenance activities, the Applicant shall complete Metro's Track Allocation process with Metro Rail Operations and obtain a Right of Entry Permit from Metro Real Estate. Approval for single tracking or a power shutdown, while possible, is highly discouraged; if sought, the Applicant shall apply for and obtain such approval not later than two months before the start of Project construction. The Applicant shall apply for and obtain approval for any special operations, including the use of a pile driver or any other equipment that could come in close proximity or encroach on the tunnels or related structures, not later than two months before the start of Project construction.
 - d. **Cost of Impacts:** The Applicant will be responsible for costs incurred by Metro resulting from Project construction/operation issues that cause delay or harm to Metro service delivery or infrastructure, including single-tracking or bus bridging around closures. The Applicant will also bear all costs for any noise mitigation required for the Project.

Response to Comment No. AG 4-7

The Applicant will comply with all applicable requirements for construction and operation adjacent to Metro rail right-of-way. Through the building permit process, the Project will comply with City of Los Angeles ZI No. 1117, which requires consultation with Metro prior to construction within 100 feet of Metro-owned right-of-way, and through that consultation the Project will demonstrate consistency with Metro's Adjacent Development Handbook and Metro's Adjacent Construction Design Manual.

Comment No. AG 4-8

Metrolink Adjacency

1. Operations: As described in the DEIR, the Project's Deck Concept is adjacent to Metro-owned ROW operated and maintained by the Southern California Regional Rail Authority (SCRRA) to run the Metrolink commuter rail service. Amtrak intercity passenger trains and other freight trains may also operate on these tracks. The Applicant is advised that trains may operate 24 hours a day, seven days a week, in the ROW adjacent to the Deck Concept.
2. Impact Analysis: Due to the Project's proximity to Metrolink ROW, the EIR must analyze potential effects on rail operations and identify mitigation measures as appropriate. Critical impacts to be studied should include (without limitation): impacts of Project construction and operation on and potential damage to the structural and systems integrity of tracks and related infrastructure; and disruption to rail service. The following provisions should be used to develop a mitigation measure that addresses these potential impacts:
 - a. Technical Review: The Applicant shall submit engineering drawings and calculations, as well as construction work plans and methods including any crane placement and radius, to evaluate any impacts to Metrolink infrastructure in relationship to the Project. Before issuance of any building permit for the Project, the Applicant shall obtain SCRRA's approval of final construction drawings.
 - b. Access: Any access to railroad property is strictly at the discretion of Metro and
 - c. SCRRA. The Applicant shall obtain specific Right-of-Entry temporary access permits from SCRRA for any work performed on the Project's structures or property requiring access to the railroad ROW. Where feasible, the Applicant shall maintain fencing and walls at or near property lines from the private property side.
 - d. Construction Monitoring: The Applicant shall permit Metro and/or SCRRA staff to monitor construction activity to ascertain any impact to the ROW. During construction, the Applicant shall construct a protection barrier to prevent objects, material, or debris from falling onto the ROW. The Applicant shall notify Metro and SCRRA of any changes to the construction/building plans that may or may not impact the ROW.

Response to Comment No. AG 4-8

The Draft EIR analyzed all environmental impacts pursuant to CEQA and incorporated all feasible mitigation measures. The Draft EIR addressed traffic in Section IV.L, *Transportation*, with supporting data provided in Appendix M of the Draft EIR.

The Applicant will comply with all applicable requirements for construction and operation adjacent to the Southern California Regional Rail Authority (SCRRA) Metrolink right-of-way. Through the building permit process, the Project will comply with City of Los Angeles ZI No. 1117, which requires consultation with Metro prior to construction within 100 feet of Metro-owned right-of-way, and through that consultation the Project will demonstrate

consistency with Metro's Adjacent Development Handbook and Metro's Adjacent Construction Design Manual. Because the Metrolink right-of-way is owned by Metro (per Metro's Comments AG 4-7 and AG 4-8), ZI No. 1117 would be similarly applicable to this agency as under the Project.

Comment No. AG 4-9

3. **Advisories to Applicant:** The Applicant is encouraged to contact Metro Development Review and Metrolink staff early in the design development process to plan for potential impacts. The Applicant should also be advised of the following:
 - a. **Occupational Safety and Health Administration (OSHA) Requirements:** Demolition, construction and/or excavation work in proximity to Metrolink ROW with potential to damage rail tracks and related infrastructure may be subject to additional OSHA safety requirements.
 - b. **Technical Review:** Metro and Metrolink charge for staff time spent on engineering review and construction monitoring.
 - c. **ROW Access:** The Applicant should contact SCRRRA for Right-of Entry requirements. Information can be found at www.metrolinktrains.com. Other requirements may include permits for construction of buildings and any future repairs, painting, graffiti removal, etc., including the use of overhead cranes or any other equipment that could potentially impact railroad operations and safety. Frequent access for maintenance tasks such as graffiti removal, will necessitate an active license agreement. This agreement will include an annual license fee and other requirements that meet safety standards for access to a ROW with active rail operations.
 - d. **Cost of Impacts:** The Applicant will be responsible for costs incurred by Metro and/or SCRRRA due to Project construction/operation issues that cause delay or harm to Metrolink service delivery or infrastructure. The Applicant will also bear all costs for any noise mitigation required for the Project.

Response to Comment No. AG 4-9

The Applicant will comply with all applicable requirements for construction and operation adjacent to Metro/Metrolink rail right-of-way. Through the building permit process, the Project will comply with City of Los Angeles ZI No. 1117, which requires consultation with Metro prior to construction within 100 feet of Metro-owned right-of-way, and through that consultation the Project will demonstrate consistency with Metro's Adjacent Development Handbook and Metro's Adjacent Construction Design Manual. As discussed above, because the Metrolink right-of-way is owned by Metro (per Metro's Comments AG 4-7 and AG 4-8), ZI No. 1117 would be similarly applicable to this agency as under the Project.

Comment No. AG 4-10

4. Link US Project and California High-Speed Rail: The Deck Concept may impact future plans for reconfiguration of Metrolink and BNSF tracks in support of Metro's Link Union Station project ("Link US"). Further coordination with Metro is recommended as the design of the Deck Concept is refined. Consultation with the California High Speed Rail Authority is also recommended for coordination on the Los Angeles to Anaheim segment of their project.

Response to Comment No. AG 4-10

The comment expresses concern that the Project with the Deck Option could impact future plans for reconfiguration of the Metrolink and BNSF tracks in support of Metro's "Link US" project. The comment recommends further coordination with Metro prior to the final refinement of the Deck Concept and further recommends consultation with the California High Speed Rail Authority to coordinate the Los Angeles to Anaheim segment of Metro's project. If the Project with the Deck Option is implemented, the Applicant will coordinate with Metro regarding the reconfiguration of the Metrolink and BNSF prior to the final design of the deck. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-11

5. Project Alternatives: In DEIR Chapter V, four Alternatives to the Project are described and analyzed. The Deck Concept is reduced in size from 132,000 square feet to either 75,000 square feet (for Alternatives 2 and 3) or eliminated completely (for Alternatives 1 and 2). Should the footprint of the Deck Concept be reduced to eliminate its adjacency to Metrolink tracks, the comments in this Metrolink Adjacency section would not be applicable. Metro recommends that the Project's DEIR include a site plan to show the extent of the reduced Deck Concept proposed in Alternatives 2 and 3.

Response to Comment No. AG 4-11

This comment is noted and will be provided to the decision-makers. The comment does not raise a substantive comment on the Draft EIR. For informational purposes, **Figure V-1, Railway Properties Ownership – Alternatives 2 and 3**, has been included in Chapter 3, *Revisions, Clarifications, and Corrections*, of this Final EIR. Figure V-1 illustrates the Amtrak, Metro, and BNSF ownership within the Railway Properties in relationship to the proposed 75,000 sf deck proposed by Alternatives 2 and 3.

Comment No. AG 4-12

Transit Supportive Planning: Recommendations and Resources

Considering the Project's proximity to the potential 6th Street/Arts District Station and Metro Bus services, Metro would like to identify the potential synergies associated with transit-oriented development:

1. Transit Supportive Planning Toolkit: Metro strongly recommends that the Applicant review the Transit Supportive Planning Toolkit which identifies 10 elements of transit-supportive places and, applied collectively, has been shown to reduce vehicle miles traveled by establishing community-scaled density, diverse land use mix, combination of affordable housing, and infrastructure projects for pedestrians, bicyclists, and people of all ages and abilities. This resource is available at <https://www.metro.net/about/funding-resources/>.

Response to Comment No. AG 4-12

The comment recommends that the Applicant review the Transit Supportive Planning Toolkit to reduce vehicle miles and provides information as to the availability of this resource. The Project includes features that support transit and reduce vehicle miles traveled, such as its location in a dense area of Los Angeles served by public transit, diverse mix of land uses (including affordable housing), provision of new sidewalks on Mesquit Street along the Project frontage, provision of bicycle amenities (e.g. long- and short-term parking and showers), and creation of a pedestrian paseo with limited vehicle access on Mesquit Street from Jesse Street to 7th Street. TRAF-MM-1, Transportation Demand Management (TDM) Program, which is described on pages IV.L-41 and IV.L-42 in the Draft EIR, would also help reduce vehicle trips and encourage transit use, particularly with the TDM strategy that provides tenants in the office and commercial uses and residents with the opportunity to obtain subsidized/discounted daily or monthly public transit passes that are partially or wholly subsidized by the employer and residential management company, respectively. The Applicant will review and take into consideration recommendations of the toolkit prior to final building design. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-13

2. Transit Connections and Access: Metro strongly encourages the Applicant to install Project features that help facilitate safe and convenient connections for pedestrians, people riding bicycles, and transit users to/from the Project site and nearby destinations. The City should consider requiring the installation of such features as part of the conditions of approval for the Project, including:
 - a. Walkability: The provision of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities along all public street frontages of the development site to improve pedestrian safety and comfort to access the nearby bus stops and potential rail

station. In particular, a level/raised crossing is recommended for pedestrians at vehicle entrance points along 7th Street, which would prioritize safe connections for transit riders accessing the potential Arts District/6th Street Station on foot.

- b. **Bicycle Use and Micromobility Devices:** The provision of adequate short-term bicycle parking, such as ground-level bicycle racks, and secure, access-controlled, enclosed long-term bicycle parking for residents, employees, and guests. Bicycle parking facilities should be designed with best practices in mind, including highly visible siting, effective surveillance, ease to locate, and equipment installation with preferred spacing dimensions, so bicycle parking can be safely and conveniently accessed. Similar provisions for micro-mobility devices are also encouraged. The Applicant should also coordinate with the Metro Bike Share program for a potential Bike Share station at this development.

Response to Comment No. AG 4-13

The comment recommends that the Applicant implement a range of specific features related to transit connections and access, walkability, and bicycle use and micromobility devices. As provided in Chapter II, *Project Description*, page II-20 of the Draft EIR, the Project would provide a total of approximately 141,876 square feet of open space for use by Project residents, hotel guests, employees, and visitors. Proposed open space features include at-grade landscaped areas, pedestrian passageways and walkways, balconies offering views of the Los Angeles River, and above-grade landscaped terraces and pool amenity decks, and the potential Deck Concept extending over a portion of the adjacent rail lines east of the Project Site. The Project would contribute to walkability through the provision of wide sidewalks, pedestrian lighting, and a continuous canopy of shade trees. The Project's design provides numerous access points to allow for convenient pedestrian and bicycle access to the Project's various uses. The Project would take into consideration a level/raised crossing for pedestrians at vehicle entrance points along 7th Street, which would prioritize safe connections for transit riders accessing the potential Arts District/6th Street Station on foot. That is, the Project will explore safe pedestrian crossings with its traffic consultant, Fehr & Peers, in coordination with LADOT, also including pedestrian signals and other potential crosswalk enhancements. The Project includes provision of a new signalized crosswalk across 7th Street. The Project Site is conveniently located adjacent to the planned bicycle and pedestrian pathways along the Los Angeles River and provides connections to the bicycle lanes throughout the Arts District. As described on page III-2 of the DEIR and page 22 of Appendix M-1, Traffic Assessment, the rebuild of the Sixth Street Viaduct includes the development of public park space (called PARC), which includes accessible ramps and stairs, along the future bridge, which is adjacent to the Project site. In addition, as described on page 23 of Appendix M-1, Traffic Assessment, *Mobility Plan 2035* identifies the planned Los Angeles River Bike Path, which would connect Elysian Park to Maywood via Downtown/Arts District, as part of the Bicycle Enhanced Network. The Los Angeles River Revitalization Master Plan also outlines significant bicycle and pedestrian investment along the Los Angeles River in downtown Los Angeles. The Project would provide approximately 930 bicycle parking spaces on-site to facilitate use of the existing and

proposed bicycle amenities by residents, employees, and visitors, with 654 spaces for long-term parking and 276 for short-term. The Applicant would also accept a Condition of Approval to coordinate with the Metro Bike Share program for a potential Bike Share station prior to the final Project design. Note that Mitigation Measure TRAF-MM-1 as part of the Project's TDM program includes a mobility hub, which includes a bike share component. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-14

3. Parking: Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies such as the reduction or removal of minimum parking requirements and the exploration of shared parking opportunities. These strategies can be pursued to reduce automobile-orientation in design and travel demand.

Response to Comment No. AG 4-14

The Project is located within 0.5 miles of a bus stop on the corner of 7th Street and Santa Fe Avenue which provides service for Metro Lines 18, 60, and 62, and a bus stop on the corner of 7th Street and Imperial Street which provides service for Metro Lines 18, 60, and 62. Metro Lines 18 and 60 have average headways of less than 15 minutes in each direction during the morning and afternoon peak periods. As of February 20, 2022, Line 18 has 7.5 minute headways and Line 60 has six to eight minute headways during peak periods¹⁵. Thus, the Project is located within a Transit Priority Area. Pursuant to Public Resources Code Section 21099, because the property is an eligible mixed-use residential development located within a Transit Priority Area, any impact to parking shall not be considered a significant impact on the environment. Also, consistent with Metro's comment, it is noted that the Project is required to develop a Travel Demand Management (TDM) Plan (see Mitigation Measure TRAF-MM-1). Among its planned elements is unbundled parking, which separates the cost of parking from the cost of leased commercial or residential space. While shared parking for on-site uses is not specifically identified among the preliminary set of strategies for optimizing on-site parking supply listed in TRAF-MM-1, it would be considered by LADOT for inclusion in the final version of the TDM Plan that is required prior to issuance of the first certificate of occupancy for the Project. This comment is noted and will be provided to the decision-makers.

Comment No. AG 4-15

4. Wayfinding: Any temporary or permanent wayfinding signage with content referencing Metro services or featuring the Metro brand and/or associated graphics (such as Metro Bus or Rail pictograms) requires review and approval by Metro Signage and Environmental Graphic Design.

¹⁵ Los Angeles Metro. "Metro has made service changes." *Github*, <https://lacmta.github.io/mybus-dev/all-changes.html>. Accessed 9 May 2022.

Response to Comment No. AG 4-16

The comment states that any wayfinding signage must be review and approved by the Metro Signage and Environmental Graphic Design agency. The Applicant would submit any temporary or permanent wayfinding signage referencing Metro services to this agency prior to final signage design. This comment is noted and will be provided to the decision-makers. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-17

5. Art: Metro encourages the thoughtful integration of art and culture into public spaces and will need to review any proposals for public art and/or placemaking facing a Metro ROW. Please contact Metro Arts & Design staff for additional information.

Response to Comment No. AG 4-17

The comment encourages any public art facing a Metro ROW to be reviewed by Metro Arts & Design staff. The Applicant would submit any designs for public art facing a Metro ROW to the Arts & Design staff prior to final art design and installation. This comment is noted and will be provided to the decision-makers. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-18

6. Transit Pass Programs: Metro would like to inform the Applicant of Metro's employer transit pass programs, including the Annual Transit Access Pass (A-TAP), the Employer Pass Program (E-Pass), and Small Employer Pass (SEP) Program. These programs offer efficiencies and group rates that businesses can offer employees as an incentive to utilize public transit. The A-TAP can also be used for residential projects. For more information on these programs, please visit the programs' website at <https://www.metro.net/riding/eapp/>.

Response to Comment No. AG 4-18

The comment provides information regarding Metro's employer transit pass programs, including the A-TAP, the E-Pass, and SEP Program. The Applicant will review and take into consideration these programs before finalization of the Project's TDM program. As described on pages IV.L-41 and IV.L-42 in Section IV.L, *Transportation*, in the Draft EIR, the Project will implement TRAF-MM-1, Transportation Demand Management (TDM) Program, aimed at discouraging single-occupancy vehicle trips and encouraging alternatives modes of transportation, such as carpooling, taking transit, walking, and biking. One of the required strategies in the TDM program is the provision of subsidized/discounted public transit passes for tenants in the office and commercial uses and residents that are partially or wholly subsidized by employers and the residential management company, respectively. The TDM program will be documented in a plan that will be prepared prior to the issuance of building permits, with the final TDM plan to be

reviewed and approved by LADOT prior to the City's issuance of the certificate of occupancy for the Project. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. AG 4-19

If you have any questions regarding this letter, please contact me by phone at 213.547.4326, by email at DevReview@metro.net, or by mail at the following address:

Metro Development Review One Gateway Plaza
MS 99-22-1
Los Angeles, CA 90012-2952

Response to Comment No. AG 4-19

The comment provides Metro's contact information in the event additional information regarding the comments is needed. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment Letter No. ORG 1

Arts District & Little Tokyo Neighborhood Council
Nancy Yap, ADLT President
307 E. First Street
Los Angeles, CA 90012
Received January 22, 2022

Comment No. ORG 1-1

This letter is to inform you that the Arts District & Little Tokyo (ADLT) Neighborhood Council has recently reviewed the application from local business owner, RCS VE LLC/Vella Group, and has determined that this application is well within the interest of the community.

Given the applicant's long-term interest in the project, long history in the neighborhood, and their terrific standing within the community, the ADLT strongly supports this request to develop the 670 Mesquit Project, located at 606-694 S. Mesquit Street, 1494-1498 E. 6th Street, and 2119-2135 E. 7th Street.

If you need any further information, please do not hesitate to contact me at Nancy@hcnc-adlt.org.

Response to Comment No. ORG 1-1

The comment provides general support for the Project and contact information. This comment is noted and will be provided to the decision-makers. As the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment Letter No. ORG 2

Los Angeles River Artists & Business Association
Randall Miller, President, LARABA Board
Todd Terrazas, President, ADCCLA Board
Received February 7, 2022

Comment No. ORG 2-1

The Board of LARABA and the Board of ADCCLA voted to support the above referenced project with specific conditions. These conditions are listed below the project description.

Project Description:

RCS VE LLC (the Applicant) proposes to construct a new mixed-use development totaling up to 1,792,103 square feet of floor area (the Project) on approximately 5.45 acres of land at 670 Mesquit Street in the Arts District area of the City of Los Angeles.

The Project would have a floor area ratio (FAR) of up to 7.5:1 , and would consist of the following primary components:

- Creative office space totaling up to 944,055 square feet;
- A 236-room hotel;
- 308 multi-family residential housing units;
- An Arts District Central Market, a grocery store, and general retail uses totaling up to 136,152 square feet;
- Restaurants totaling up to 89,576 square feet;
- Studio/event/gallery space and a potential museum totaling up to 93,617 square feet; and,
- A maximum 62,148-square-foot gym.
- The Project would provide a minimum of 2,000 traditional vehicle parking spaces, with parking for up to 3,500 vehicles using a combination of automated parking systems, valet parking, or other efficiency parking methods. Parking would be provided in below-grade, at-grade, and above-grade structured parking spanning the Project Site.
- The Project would provide a total of approximately 141,876 square feet of open space for use by Project residents, hotel guests, employees, and visitors. Proposed open space features include at-grade landscaped areas, pedestrian passageways and walkways, balconies offering views of the Los Angeles River, and above-grade landscaped terraces and pool amenity decks.
- In addition, the Project will include a Deck Concept (Project with the Deck Concept) that would involve construction of a up to 132,000 square foot Deck

(81,000 (Amtrak RW) that would extend over a portion of the freight and passenger rail lines and rail yards east of the Project Site.

Response to Comment No. ORG 2-1

The comment states that the LARABA and the Board of ADCCLA have voted to support the Project under certain conditions. The comment also provides a detailed summary of the components of the Project. This comment is noted and will be provided to the decision-makers. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. ORG 2-2

Community Conditions:

Height Offsets and Amtrak Deck

The Arts District Leadership, thru LARABA, Arts District Community Council LA, previous incarnations of the Neighborhood Council and individual advocacy have worked diligently to help create a project that minimizes harm to the LA River and serves the community with substantive public space.

In 2017 the attached letter was submitted into the record by attorney John Given and our boards supports the comments he placed into the record. Attachment A

As a high-level re-cap, the Community is vehemently opposed to heights at the edge of the LA River. It is our position that any and all developments must have a stepped approach. It is also critical that community members and patrons have meaningful access to the river and that the view shed remains unimpaired to every extent possible to avoid casting shadows and impacting wildlife as the LA River restoration continues.

The community reached a compromise on the height with the developer due to the following:

- The proximity of the project to the 6th street Bridge,
- The diligent, logical and continued pursuits to establish a train stop at the location
- And most importantly, the implementation of an 85,000 square foot Deck (Amtrak RW) that would extend over a portion of the freight and passenger rail lines and rail yards east of the Project Site. The deck would mirror the highline in NY on a smaller scale decreasing the amount of reflective concrete on the project.

Response to Comment No. ORG 2-2

The comment expresses general opposition to an increase in height at the edge of the LA River. The comment supports meaningful access to the river and protection of the view shed to avoid shadows and impacts to wildlife. The Project meets some of these interests in that it would present a stepped concrete deck near the river and the Project's

buildings are separated from the Los Angeles River by the main line railroad property and tracks. It is noted, however, that building height and shading are not CEQA issues under SB 743 and need not be evaluated in the Draft EIR. As discussed in the Initial Study, which was included as Appendix A of the Draft EIR, the Project Site does not contain any riparian habitat, or other sensitive natural communities as indicated in the City or regional plans or in regulations by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS). The Project Site is not located in or adjacent to a Significant Ecological Area (SEA) as defined by the City of Los Angeles. The Project Site does not contain any drainages or federally protected wetland and is not located within a habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. The Project would not conflict with the provisions of any adopted conservation plan. The proposed deck would provide greater proximity to the river, as well as introduce trees near the river and the Project's buildings would be landscaped along the varied building roof heights, with exterior building walls setback from an open, exterior frame that softens the visual aspect of the walls relative to the river channel. The comment also listed areas of acceptable compromise related to structure height, including proximity of the Project Site to the 6th Street Bridge, the continued pursuit of a train stop at the location, and the provision of the Deck in the Amtrak right-of-way. This comment is noted and will be provided to the decision-makers. However, as the comment does not raise any specific issues regarding the content or adequacy of the Draft EIR, no further response is warranted.

Comment No. ORG 2-3

Master CUP's

The Boards have established a protocol that we do not approve Master CUP's. We understand that this is a tool for planning to assign permitted alcohol sales without specifying vendors. To offset that discrepancy, the community requires that each applicant come to the LARABA/ADCCLA Land Use Committee to vet each of the applicants.

As a reminder, to maintain the uniqueness of the community, there are no national chains allowed, no California chains allowed. Each applicant will come before the land use committee and comply with all protocols provided in attachment B.

Response to Comment No. ORG 2-3

These comments are noted and will be provided to the decision-makers. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. ORG 2-4

Position

Under these conditions, the LARABA and ADCCLA support the project.

This letter of support is 100% conditional on the usable 85,000 square foot deck being implemented. Should the applicants fail to meet this requirement, LARABA, ADCCLA and the Community and or its representatives reserve the right to challenge the project in court as it would no longer meet the exceptioned requirements that offset the damage to the river due to height. Our community stands by a graded approach to all developments along the river and we need to be clear that this project is an exception based on this unique offering. The community will work with the applicant to ensure its success in procuring this unique use.

Response to Comment No. ORG 2-4

These comments are noted and will be provided to the decision-makers. Note, however, that building height is not a CEQA issue within a TPA (as is the Project Site) in accordance with SB 743. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.

Comment No. ORG 2-5

Attachment B

Alcohol Conditions:

1. Hours of operation inside the premises shall be limited to 10:00 a.m. to 11 p.m. daily. 8:00am for special events
2. Amplified music shall not be audible beyond that part of the property that is under the control of the applicant.
3. At no time will the premises host raves, a dance club, or other similar events.
4. Adult entertainment type uses are not permitted at the establishment.
5. There shall be no coin---operated games or video machines.
6. No pool or billiard table shall be maintained on the premises.
7. Exterior lighting shall be directed onto the property and shielded such that the light source does not disturb adjacent properties.
8. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
9. The subject facility, including any associated parking, shall be maintained and be kept free of trash and debris.

10. The operator shall be responsible for mitigating the potential negative impacts of its operation on surrounding uses, especially noise derived from patron entry and exiting.
11. All guests and operators shall comply with smoking regulations set forth by the State of California and the City of Los Angeles.
12. The applicant shall fully comply with all Department of Alcoholic Beverage Control regulations governing the sale of alcoholic beverages.
13. The operators, managers, and all employees selling alcohol to patrons shall enroll in and complete a certified training program for the responsible selling of alcohol, which is recognized by the State Department of Alcoholic Beverage Control or LAPD (i.e., "STAR"). This training shall be completed by all employees selling alcohol within six months of the commencement of the sale of alcohol.
14. The applicant, owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control.
15. The business operator shall install and maintain surveillance cameras that cover all common areas of such business, including all high-risk areas and entrances or exits.
16. Applicant's approval from this body shall not cover any new operator/ owners. Any future operator of the subject establishment must file a new Plan Approval in conformance with LAMC 12.24 W 1
17. No music on any non-soundproofed areas including but not limited to patio, rooftop and outdoor areas.
18. Outdoor patio and rooftops must close by 11:00 pm

Response to Comment No. ORG 2-5

These comments are noted and will be provided to the decision-makers. Because the comments do not raise a substantive issue on the content of the Draft EIR, no further response is warranted.