Appendices

Appendix FEIR-1

Draft EIR Comment Letters

FORM GEN. 160 (Rev. 8-12)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: July 14, 2021

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

Attn: Paul Caporaso, City Planner
Department of City Planning

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

SUBJECT: OUR LADY OF MT. LEBANON PROJECT - NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT

This is in response to your May 13, 2021 Notice of Completion and Availability of Draft Environmental Impact Report for the proposed mixed-use project located at 331-333 S San Vicente Blvd and 8531-8555 W Burton Way, Los Angeles, CA 90048. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review, there were no changes to the project and the previous response is valid. Please notify our office in the instance that additional environmental review is necessary for this project.

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

CD/AP: ra

c: Shahram Kharaghani, LASAN
Michael Scaduto, LASAN
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Christopher DeMonbrun, LASAN

File Location: CEQA Review\FINAL CEQA Response LTRs\FINAL DRAFT\Our Lady of Mt. Lebanon Project - NOC and Availability of dEIR.docx

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June 28, 2021

Via Email and Overnight Mail

Paul Caporaso
City of Los Angeles, Department of City Planning
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Email: paul.caporaso@lacity.org

Re: Comments on Draft Environmental Impact Report for Our Lady of Mt. Lebanon Project (Case Number: ENV-2019-1857-EIR; SCH Number: 2019080173)

Dear Mr. Caporaso:

On behalf of the Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA" or "Commenters"), we submit these comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Los Angeles ("City") for the Our Lady of Mt. Lebanon Project ("Project") pursuant to the California Environmental Quality Act ("CEQA").[1] The Project is proposed by Bishop A. Elias Zaidan, Successor Trustee of Our Lady of Mt. Lebanon – St. Peter Maronite Catholic Cathedral – Los Angeles Real Estate Trust ("Applicant").[2] The Applicant proposes: 1) development of a 19-story, multi-family residential building with 153 residential units (including 17 Very Low Income units) with a maximum height of 225 feet; 2) deconstruction, off-site storage, reassembly, habilitation, and limited alteration of the existing cathedral of Our Lady of Mt. Lebanon – St. Peter Maronite Catholic Cathedral ("Cathedral"); and 3) removal of three existing ancillary church buildings, and their replacement with a new three-story building.[3] The Project also includes 16,800 square feet ("SF") of open space, including

[1] Pub. Res. Code §§ 21000 et seq.
[2] Notice of Completion and Availability of Draft Environmental Impact Report for the Our Lady of Mt. Lebanon Project, ENV-2019-1857-EIR, May 13, 2021.
[3] *Id.*

approximately 9,200 SF of common open space and 7,600 SF of private open space, and a total of 397 vehicle parking spaces, including 252 residential parking spaces and 145 church parking spaces, within a five-level subterranean parking structure.

The Project would be located at 331-333 S. San Vicente Boulevard and 8531-8555 W. Burton Way, Los Angeles, CA 90048 (Assessor's Parcel No. 4334-009-161. The Project is within the Wilshire Community Plan Area, under General Plan Designation High Medium Residential, and zoned [Q]R4-1-O. The Applicant requests a Density Bonus, a Zoning Administrator Determination, Site Plan Review, and Vesting Tentative Tract Map Review.

Based on our review of the DEIR, it is clear that the DEIR fails as an informational document under CEQA and lacks substantial evidence to support its conclusions that the Project's significant impacts would be mitigated to the greatest extent feasible. There is also substantial evidence demonstrating that the Project's potentially significant environmental impacts are far more extensive than disclosed in the DEIR. Commenters and their expert consultants have identified numerous potentially significant impacts that the DEIR either mischaracterizes, underestimates, or fails to identify. In particular, the DEIR fails to accurately analyze and mitigate the Project's construction and operational air quality, greenhouse gas ("GHG"), health risk, and hazardous materials impacts. Further, noise and vibration impacts were not accurately analyzed or mitigated.

We have reviewed the DEIR, its technical appendices, and reference documents with assistance of Commenters' expert consultants, whose comments and qualifications are attached. We prepared our comments on air quality, public health, GHG emissions, and hazardous materials with the assistance of air quality and GHG expert Paul E. Rosenfeld, Ph.D. and hazardous materials expert Matt Hagemann, P.G., C.Hg of Soil Water Air Protection Enterprises, whose comments are included in the SWAPE Comments ("SWAPE Comments"). The SWAPE Comments, Dr. Rosenfeld's and Mr. Hagemann's expert curriculum vitae ("CV") are attached hereto as **Exhibit A.** We have prepared our comments on noise and vibration with the assistance of Deborah Jue, acoustics, noise, and vibration expert of Wilson Ihrig. Ms. Jue's Comments ("Jue Comments") and Ms. Jue's CV are attached hereto as **Exhibit B.**

I. STATEMENT OF INTEREST

CREED LA is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential public and worker health and safety hazards, and the environmental and public service impacts of the Project. The coalition includes the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, along with their members, their families, and other individuals who live and work in the City of Los Angeles.

Individual members of CREED LA and its member organizations include Hak Kim, John P. Bustos, Gery Kennon, Chris S. Macias, and Robert E. Murphy. These individuals live, work, recreate, and raise their families in the City of Los Angeles and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. LEGAL BACKGROUND

CEQA requires that an agency analyze the potential environmental impacts of its proposed actions in an environmental impact report ("EIR") (except in certain limited circumstances).[4] The EIR is the very heart of CEQA.[5] "The foremost principle in interpreting CEQA is that the Legislature intended the act to be read so

[4] See, e.g., Pub. Res. Code §§ 21000 et seq.
[5] *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652.

as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[6]

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project.[7] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'"[8] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[9]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and all feasible mitigation measures.[10] The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced."[11] If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[12]

While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. *A clearly inadequate or unsupported study is entitled to no judicial deference*."[13] As the courts have explained, "a prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decisionmaking and informed public participation, thereby

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[6] *Comtys. for a Better Env' v. Cal. Res. Agency* (2002) 103 Cal. App.4th 98, 109 ("*CBE v. CRA*").
[7] 14 Cal. Code Regs. § 15002(a)(1).
[8] *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564.
[9] *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs*. (2001) 91 Cal. App. 4th 1344, 1354 ("*Berkeley Jets*"); *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.
[10] 14 CCR § 15002(a)(2) and (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at 564.
[11] 14 CCR §15002(a)(2).
[12] PRC § 21081; 14 CCR § 15092(b)(2)(A) & (B).
[13] *Berkeley Jets*, 91 Cal. App. 4th 1344, 1355 (emphasis added), *quoting, Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 391 409, fn. 12.

thwarting the statutory goals of the EIR process."[14] "The ultimate inquiry, as case law and the CEQA guidelines make clear, is whether the EIR includes enough detail 'to enable who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project.'"[15]

III. THE DEIR FAILS TO ADEQUATELY DISCLOSE AND MITIGATE POTENTIALLY SIGNIFICANT IMPACTS AND LACKS SUBSTANTIAL EVIDENCE TO SUPPORT ITS CONCLUSIONS REGARDING PROJECT IMPACTS

An EIR must fully disclose all potentially significant impacts of a Project and implement all feasible mitigation to reduce those impacts to less than significant levels. The lead agency's significance determination for each impact must be supported by substantial evidence, including accurate scientific and factual data.[16] The EIR should not rely on scientifically outdated information to assess the significance of impacts, and should result from "extensive research and information gathering," including consultation with state and federal agencies, local officials, and the interested public.[17] To be adequate, the EIR should evidence the lead agency's good faith effort at full disclosure.[18] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[19]

In this case, the DEIR fails to satisfy the basic purposes of CEQA. The DEIR lacks adequate information to inform the public of the full extent and severity of the Project's impacts. And the DEIR's conclusions regarding air quality, public health, GHG emissions, hazardous materials, and cultural resources are not supported by substantial evidence. An EIR may conclude that impacts are insignificant only after providing an adequate analysis of the magnitude of the impacts and the degree to which they will be mitigated. Thus, if the lead agency, here the City of

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[14] *Berkeley Jets*, 91 Cal.App.4th at 1355; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.
[15] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, *quoting Laurel Heights*, 47 Cal.3d at 405.
[16] 14 Cal. Code Regs. § 15064(b).
[17] *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm.* (2001) 91 Cal. App.4th 1344, 1367; *Schaeffer Land Trust v. San Jose City Council*, 215 Cal.App.3d 612, 620.
[18] CEQA Guidelines § 15151; *see also Laurel Heights I* (1998) 47 Cal.3d 376, 406.
[19] *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 732.

Los Angeles, fails to investigate a potential impact, its finding of insignificance will not withstand legal scrutiny.[20] The City must address these shortcomings and recirculate a revised DEIR for public review and comment.

A. The DEIR Underestimates the Project's Construction Emissions

According to the DEIR, the City used the California Emissions Estimator Model Version CalEEMod.2016.3.2 ("CalEEMod") to calculate the Project's construction and operational emissions. SWAPE explains in its comments that CalEEMod provides recommended default values based on site specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but CEQA requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated and "output files" are generated.

SWAPE explains that the CalEEMod output files for the Project disclose to the reader what parameters were utilized in calculating the Project's air pollutant emissions. SWAPE reviewed the Project's CalEEMod output files and found that several of the values inputted into the model are inconsistent with information disclosed in the DEIR. SWAPE also found that, when the correct input parameters are used, the Project would result in significant impacts to regional air quality.

Projects that exceed the recommended daily thresholds for project-specific impacts would cause individually significant impacts and a cumulatively considerable increase in emissions for those pollutants for which the air basin is in non-attainment.[21] The Project site is located in the South Coast Air Basin ("Air Basin"), which includes the City of Los Angeles and other geographic regions under the jurisdiction of the South Coast Air Quality Management District ("SCAQMD").[22] The Air Basin is in non-attainment under State Standards for: Ozone, MP10, PM2.5; and under Federal Standard for: Ozone (extreme non-attainment) and PM2.5 (Serious Non-attainment).[23] The DEIR states that the Project's construction-related daily maximum regional construction emissions would not exceed any of the

[20] Pub. Res. Code § 21081.6(b); 14 C.C.R. § 15126.4(a)(2).
[21] DEIR, p. IV.A-58.
[22] DEIR, p. IV.A-2.
[23] *Id.* at p. IV.A-3.

South Coast Air Quality Management District ("SCAQMD") daily significance thresholds.[24] However, based on SWAPE's analysis, this statement is not supported by substantial evidence.[25]

SWAPE determined that the DEIR contains unsubstantiated changes to the CalEEMod default values in several respects. First, the DEIR's CalEEMod modeling contains unsupported changes to the Project's construction phase length.[26] These unsubstantiated changes to the CalEEMod default phase lengths spread the emissions over a longer period of time for some phases, but not others, resulting in lower overall construction emissions without providing supporting evidence to substantiate the revised construction timelines.[27] For example, the Project's demolition phase length was increased by approximately 555%, from the default value of 20- to 131-days; the grading phase length was increased by approximately 545%, from the default value of 20- to 129-days; the mat foundation phase length was decreased by approximately 99%, from the default value of 230- to 2-days; the building foundation phase length was decreased by approximately 82%, from the default value of 230- to 41-days; the building construction phase length was increased by approximately 108%, from the default value of 230- to 478-days; the paving phase length was increased by 225%, from the default value of 20- to 65-days; and the architectural coating phase length was increased by 225%, from the default value of 20- to 65-days.[28] While it is not uncommon for construction timelines to vary from project to project, any changes to default air quality modeling values must be supported by project-specific evidence demonstrating that the changes are consistent with the project.[29] If not, air quality modeling could simply be altered to utilize longer timelines, thereby decreasing the significance of daily construction emissions without evidentiary support.

Here, by altering the individual construction phase lengths without proper justification, the DEIR's models' calculations were altered without evidentiary support, and underestimate emissions as a result.[30] Rather than provide

[24] *Id.* at p. IV.A-58.
[25] SWAPE Comments p. 14.
[26] SWAPE Comments, p. 6.
[27] SWAPE Comments, p. 6.
[28] SWAPE Comments, p. 6.
[29] SWAPE Comments, p. 7; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 732 (lead agency may deem a particular impact to be insignificant only if it produces rigorous analysis and concrete substantial evidence justifying the finding)..
[30] *Id.*

meaningful details about the Project's construction activities and phases, the DEIR simply points to a section of its own air quality analysis entitled "Air Quality Analysis Assumptions" to explain the values used in its modeling.[31] As SWAPE explains, simply providing the assumptions included in the Project's modeling does not provide substantial evidence to support the air quality analysis because assumptions do not justify assumptions.[32] SWAPE determined that, by including unsubstantiated changes to the default individual construction phase lengths, the DEIR's modeling may simply underestimate the Project's construction-related emissions and should not be relied upon to determine Project significance.[33] Therefore, the DEIR's conclusions regarding the Project's construction air quality emissions lack substantial evidence. The DEIR should be revised and recirculated to adequately analyze construction emissions and disclose the basis for the DEIR's modeling assumptions.

Further, the DEIR fails to provide substantial evidence to support its analysis of off-road construction equipment unit amounts and usage hours.[34] For example, the DEIR zeroed out at least seven (7) categories of standard off-road construction equipment values without explaining why that equipment would not be used for the Project.[35] By including unsubstantiated changes to the default off-road construction equipment unit amounts and usage hours, the DEIR underestimates the Project's construction related emissions without supporting evidence. SWAPE concluded that these models lack substantial evidence, and should not be relied on to determine the significance of air quality impacts.[36] The DEIR's analysis of off-road construction impacts to air quality lacks substantial evidence.

The DEIR lacks substantial evidence to support the revised construction trip analysis underlying the air quality impact analysis.[37] For example, the DEIR reduced the number of default construction worker trips to and from the Project site, without describing how many on-site workers would be required during each construction phase. SWAPE concluded that the DEIR includes unsubstantiated

[31] SWAPE Comments, p. 6-7.
[32] *Id.*
[33] *Id.*
[34] *Id.* at p. 8.
[35] *Id.*
[36] *Id.* at p. 9.
[37] *Id.* at p. 11.

changes to the default construction trip lengths and numbers.[38] This results in potentially underestimated construction-related emissions.[39] The DEIR's construction-related emissions analysis therefore is not supported by substantial evidence. The DEIR should be revised and recirculated to accurately analyze construction-related air quality impacts.

In order to accurately estimate Project's construction-related emissions, SWAPE prepared updated an CalEEMod model, using the Project-specific information provided by the DEIR. In particular, SWAPE corrected the CO2 intensity factor; proportionally increased the individual construction phase lengths to match the proposed construction duration of 2021 to 2024; and omitted the unsubstantiated changes to the off-road construction equipment unit amounts and usage hours, construction trip numbers.[40] SWAPE concluded that NOx emissions associated with Project construction would be approximately 226 pounds per day ("lbs/day"), exceeding the applicable SCAQMD significance threshold of 100 pounds per day.[41] SWAPE's updated modeling demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed in the DEIR.[42] Therefore, the DEIR's statement that construction emissions are less than significant is not supported by substantial evidence.[43] A revised EIR should be circulated to provide an adequate construction-related air quality analysis.

B. The DEIR Underestimates the Project's Operational Emissions

The DEIR concludes that the operational air quality impacts are less than significant.[44] This statement is not based on substantial evidence. The DEIR overestimates the size of the existing land uses that would be removed from the

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[38] *Id.*
[39] *Id.*
[40] *Id.* at p. 14.
[41] *Id.* at p. 14.
[42] SWAPE Comments, p. 14; *Comtys. for a Better Env't v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 110-111 (when impact exceeds CEQA significance threshold, agency must disclose in the EIR that the impact is significant); *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 960; *CBE v. SCAQMD*, 48 Cal.4th at 327 (impact is significant because exceeds "established significance threshold for NOx … constitute[ing] substantial evidence supporting a fair argument for a significant adverse impact").
[43] DEIR, p. I-14.
[44] DEIR, p. I-14.
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Project site.[45] By overestimating the floor surface area of the existing land uses, the DEIR overestimates the emissions associated with the existing land uses, resulting in an underestimation of the net change in operational emissions associated with the Project.[46] Therefore, the DEIR's analysis of operational air emissions is not supported by substantial evidence. A revised DEIR must be circulated to adequately analyze operational air emissions.

The DEIR states that the Project would support SCAQMD's 2016 Air Quality Management Plan ("AQMP") and Southern California Association of Governments ("SCAG") Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS") objectives by reducing vehicle miles travelled ("VMT") and the related vehicular air emissions and that the Project would be consistent with the goals and policies of the AQMP.[47] These statements, though, are not supported by substantial evidence. SWAPE determined that the DEIR relies on modeling which overestimates vehicle trips associated with existing land uses.[48] This causes the DEIR's model to underestimate new mobile source emissions associated with operation of the Project.[49] The Project therefore potentially conflicts with the AQMP and the RTP/SCS, and the DEIR lacks substantial evidence demonstrating that it does not. These conflicts must be analyzed as a potentially significant impact in a revised and recirculated EIR.

SWAPE determined that the DEIR's operational air emissions models incorporated mitigation measures to reduce emissions to less than significant levels.[50] But, the DEIR states that "Project-level impacts related to Threshold (b) during construction and operation of the Project were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant."[51] This statement is not supported by substantial evidence. SWAPE determined that the DEIR includes modeling including operational mitigation measures. The model includes energy-, area-, water-, and waste-related operational mitigation measures.[52] The DEIR includes the mitigation measures in order to reduce the impact to less-than-

[45] DEIR, p. IV.A-60.
[46] SWAPE Comments, p. 5.
[47] DEIR, p. IV.A-52.
[48] SWAPE Comments, p. 11.
[49] *Id.*
[50] *Id.* at 14.
[51] DEIR, p. IV.A-61.
[52] SWAPE Comments, p. 14.

significant, but fails to require such measures as binding mitigation, as required by CEQA.[53]

Further, the inclusion of the models may underestimate the Project's operational emissions, and underestimate the significance of the Project's emissions. The DEIR must be revised and recirculated to include the measures relied on in the models as binding mitigation measures. Or otherwise, exclude the measures from the models to detail the Project's impacts' true level of significance.

C. The DEIR Underestimates Potentially Significant Construction and Operational Health Risks from Diesel Particulate Matter Emissions

The DEIR fails as an informational document because it fails to explain why it was not feasible to provide an analysis that connected the Project's air quality effects to human health consequences.[54] "CEQA requires that an EIR make a reasonable effort to discuss relevant specifics regarding the connection between two segments of information already contained in the EIR, the general health effects associated with a particular pollutant and the estimated amount of that pollutant the project will likely produce." [55] Without an adequate analysis of health risk, the general public and its responsible officials cannot make an informed decision on whether to approve the project.[56] The DEIR should be revised and recirculated to include a quantified health risk analysis to connect the Project's impacts with human health consequences.

The DEIR concluded that the Health Risk from Toxic Air Contaminants ("TACs") is less than significant for both construction and operational emissions.[57] Further, the DEIR states that "regional, localized, and TAC emissions during construction and operation would not be cumulatively considerable."[58] But, the DEIR concludes that the Project would have less-than-significant health risk impact without conducting a quantified construction or operational health risk analysis. SWAPE concluded that the DEIR's qualitative analysis of health risk is flawed and

[53] 14 Cal. Code Regs. § 15126.4(a)(2).
[54] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 525.
[55] *Id.* at 521.
[56] *Santa Clarita Organization for Planning the Environment* 106 Cal.App.4th 715, 724.
[57] DEIR, p IV.A-66.
[58] DEIR, p. IV.A-67.

unsupported. The DEIR's conclusion that health risk impacts are less than significant is not based on substantial evidence, for three reasons.

First, the DEIR fails to quantitatively evaluate the Project's construction related and operational TACs or make a reasonable effort to connect these emissions to potential health risk impacts posed to nearby existing sensitive receptors.[59] The DEIR's Transportation Study indicates that the Project will generate approximately 764 average daily vehicle trips, which will generate additional exhaust emissions and continue to expose nearby sensitive receptors to diesel particulate matter ("DPM") emissions.[60] The DEIR fails to analyze the Project-generated TACs and or indicate the concentrations at which such pollutants would trigger adverse health effects. CEQA requires a Project DEIR to "analyze any significant environmental effects the project might cause by bringing development and people into the area affected."[61]

Second, the DEIR's failure to provide a health risk analysis is inconsistent with CEQA's requirement to analyze the human health impacts of a project, and with guidance from the Office of Environmental Health Hazard Assessment ("OEHHA"). OEHHA recommends a formal health risk assessment for construction exposures lasting longer than 2-months, and "[e]xposures from projects lasting more than 6 months should be evaluated for the duration of the project" and provides feasible methods to conduct this analysis.[62] Here, Project construction will last 36 months, well beyond the OEHHA 2-month threshold. The Project is likely to be in use for at least 30 years, well beyond the 6-month OEHHA threshold. Thus, OEHHA guidance specifies that cancer exposure from the Project should be evaluated for the duration of the Project.[63] The OEHHA guidance recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident.[64] In order to comply with CEQA, SWAPE

[59] SWAPE Comments, p. 16.
[60] DEIR, Appendix S, p. 32.
[61] 14 Cal. Code Regs. § 15126.2(a).
[62] Office of Environmental Health Hazard Assessment (OEHHA), Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015 (OEHHA 2015), Section 8.2.10: Cancer Risk Evaluation of Short Term Projects, pp. 8-17/18; https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.
[63] OEHHA 2015, p. 8-18.
[64] SWAPE Comments, p. 16.
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similarly recommends that an analysis of health risk impacts from Project construction and operation be included in a revised and recirculated EIR.[65]

The DEIR claims that an HRA is not required for the Project, because the Project will not have more than 100 truck trips per day or more than 40 trucks with operating transport refrigeration units.[66] This statement misses the point and fails to meet CEQA's legal standard for analyzing the Project's health risk. CEQA expressly requires that an EIR to discuss, inter alia, "health and safety problems caused by the physical changes" resulting from the project.[67] When a project results in exposure to toxic contaminants, this analysis requires a "human health risk assessment."[68]

This statement is also not supported by substantial evidence, because the DEIR fails to provide the total number of truck trips the Project will entail, or provide the baseline truck trips in its air quality analysis. The court in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* determined that a reader of the EIR could not reasonably be expected to ferret out an unreferenced discussion in an earlier document, interpret that discussion's unexplained figures without assistance, and spontaneously incorporate them into the EIR's own discussion.[69] The court held "[t]he data in the EIR must not only be sufficient in quantity, it must be presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project."[70] The DEIR is also inadequate as an informational document for failing to provide adequate analysis of the air quality and health impacts posed by the Project's truck trips

It is commonplace for lead agencies to prepare quantitative health risk analyses for construction and operational emissions posed by commercial and residential land use projects like this one. For example, a similar project in San

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[65] SWAPE Comments, p. 16.
[66] DEIR, p. IV.A-66.
[67] 14 CCR § 15126.2(a).
[68] *Sierra Club,* 6 Cal.5th at 520; *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* ("*Berkeley Jets*") (2001) 91 Cal.App.4th 1344, 1369; *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219–1220 (CEQA requires that there must be some analysis of the correlation between the project's emissions and human health impacts).
[69] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 442.
[70] *Id.*

Diego provided an HRA Study. There, the Project entailed conversion of a church space for use as a child care facility.[71] The Project required no exterior modification, yet a health risk assessment was conducted.[72] There is no reasonable question that an HRA should be conducted here, because the health risk to sensitive receptors is potentially significant and unmitigated.

By claiming a less than significant impact without conducting a quantified construction or operational HRA for nearby, existing sensitive receptors, the DEIR fails to compare the Project's cumulative excess cancer risk to the applicable SCAQMD numeric threshold of 10 in one million, and lacks any quantitative evidence to support its conclusion that the health risk would be under the threshold.[73] Pursuant to CEQA, an analysis of the health risk posed to nearby existing sensitive receptors from Project construction and operation should have been conducted.[74] Absent such analysis, the DEIR's assertions that health impacts are less than significant is not based on substantial evidence. The DEIR must be revised and recirculated on this basis.

In order to estimate the health impacts posed to residential sensitive receptors as a result of the Project's construction-related and operational TAC emissions, SWAPE prepared a quantitative health risk analysis using the emissions values identified in the DEIR. SWAPE's calculations regarding health risk are shown in the figure below.[75]

[71] The City of San Diego, Report to the Hearing Officer, Re: C3 Church Child Care. Process Three, (April 6, 2016), available at: ho-16-025_c3_church_child_care.pdf (sandiego.gov).
[72] *Id.*
[73] *Id.* at 17; "South Coast AQMD Air Quality Significance Thresholds." SCAQMD, (April 2019), *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[74] SWAPE Comments, p. 17.
[75] *Id.* at p. 20.

The Maximum Exposed Individual at an Existing Residential Receptor (MEIR)

Activity	Duration (years)	Concentration (ug/m3)	Breathing Rate (L/kg-day)	Cancer Risk without ASFs*	ASF	Cancer Risk with ASFs*
Construction	0.25	1.44	361	2.0E-06	10	2.0E-05
3rd Trimester Duration	***0.25***			***2.0E-06***	***3rd Trimester Exposure***	***2.0E-05***
Construction	2.00	1.44	1090	4.7E-05	10	4.7E-04
Infant Exposure Duration	***2.00***			***4.7E-05***	***Infant Exposure***	***4.7E-04***
Construction	0.75	1.44	572	9.3E-06	3	2.8E-05
Operation	13.25	0.2544	572	2.9E-05	3	8.7E-05
Child Exposure Duration	***14.00***			***3.8E-05***	***Child Exposure***	***1.2E-04***
Operation	14.00	0.2544	261	1.0E-05	1	1.0E-05
Adult Exposure Duration	***14.00***			***1.0E-05***	***Adult Exposure***	***1.0E-05***
Lifetime Exposure Duration	**30.00**			**9.8E-05**	**Lifetime Exposure**	**6.2E-04**

* We, along with CARB and SCAQMD, recommend using the more updated and health protective 2015 OEHHA guidance, which includes ASFs.

As demonstrated in the table above, the excess cancer risk to adults, children, infants, and during the 3rd trimester of pregnancy at the MEIR located approximately 50 meters away, over the course of Project construction and operation, utilizing ASFs, is approximately 10, 120, 470, and 20 in one million, respectively.[76] The excess cancer risk over the course of a residential lifetime (30 years), utilizing ASFs, is approximately 620 in one million.[77] The 3rd trimester, infant, child, adult, and lifetime cancer risks exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or mitigated in the DEIR.[78] The excess cancer risk over the course of a residential lifetime (30 years), without ASFs, is approximately 98 in one million.[79] The infant, child, adult, and lifetime cancer risks, without ASFs, exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant

[76] SWAPE Comments, p. 20.
[77] *Id.*
[78] *Id.*
[79] *Id.*

impact not previously addressed or mitigated in the DEIR under multiple methods of analysis.[80]

Since SWAPE's screening-level HRA indicates a potentially significant impact, the City should prepare an updated EIR with an HRA which makes a reasonable effort to connect the Project's air quality emissions and the potential health risks posed to nearby receptors.[81] The City should prepare an updated, quantified air pollution model as well as an updated, quantified refined health risk analysis which adequately and accurately evaluates health risk impacts associated with both Project construction and operation.[82] The DEIR must be revised and recirculated to adequately analyze health risk impacts as detailed herein.

D. The DEIR Fails to Include All Feasible Measures to Reduce the Project's Significant Construction and Operational Emissions and Related Public Health Impacts to Less than Significant Levels

CEQA requires that an EIR describe feasible measure which could minimize significant adverse impacts.[83] Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments.[84] The DEIR provides only nonbinding project design features to reduce air quality, GHG and other Project impacts, rather than enforceable mitigation measures, as required by CEQA.

The project design features include various measures to be implemented by the Applicant to prevent the occurrence of, or to minimize, the significance of potential environmental effects. CEQA defines "mitigation" as "[a]voiding the impact altogether by not taking a certain action or parts of an action; [m]inimizing impacts by limiting the degree or magnitude of the action and its implementation; [r]ectifying the impact by repairing, rehabilitating, or restoring the impacted environment; [r]educing or eliminating the impact over time by preservation and maintenance operations during the life of the action; or [c]ompensating for the impact by replacing or providing substitute resources or environments."[85] The project design features are therefore not "mitigation" within the meaning of CEQA.

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[80] SWAPE Comments, p. 20.
[81] *Id.* at 21.
[82] *Id.*
[83] 14 Cal. Code Regs. § 15064(a)(1).
[84] *Id.* at § 15064(a)(2).
[85] 14 Cal. Code Regs. § 15370.

The DEIR fails to include the project design features as enforceable mitigation. CEQA requires that mitigation measure be enforceable through conditions of approval, contracts or other means that are legally binding.[86] This requirement is intended to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored.[87] A review of the DEIR demonstrates that no project design features related to air quality, GHGs, or public health have been incorporated as binding mitigation. The remaining project design features are not included as either mitigation measures or Conditions, and are therefore unenforceable. The DEIR states that "[t]he Project would incorporate project design features to support and promote environmental sustainability, as discussed in Section IV.C, Greenhouse Gas Emissions, to this Draft EIR. While these features are designed primarily to reduce greenhouse gas emissions, they would also *likely* serve to reduce criteria air pollutants discussed herein."[88] The DEIR states that the GHG reduction measures would *likely* reduce criteria air pollutants. But the project design features are neither enforceable, nor certain to be effective at reducing criteria air pollutants, in violation of CEQA.

The DEIR must be revised and recirculated to incorporate all project design features as binding mitigation measures. Without incorporating these project design features as binding mitigation measures or as Conditions of Approval, the City and the public lack a mechanism to enforce the project design features, and to require the Applicant to implement them in the first place. Because the project design features are currently unenforceable, the DEIR lacks substantial evidence to support its conclusion that application of the project design features will result in impacts being mitigated to less than significant levels or to the greatest extent feasible.

SWAPE's HRA determined that Project construction-related DPM emissions would result in significant, unmitigated health risk impacts. Therefore, the City must prepare a revised DEIR that includes measures to reduce these impacts to less than significant levels. SWAPE recommends and describes in detail a host of feasible mitigation measures that the City should require in order to reduce the Project's TAC emissions, including, but not limited to, the following:

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[86] Pub. Res. Code § 21081.6(b); 14 C.C.R. § 15126.4(a)(2); *Lotus v. Dep't of Transp.* (2014) 223 Cal. App. 4th 645, 651-52.
[87] *Fed'n of Hillside & Canyon Ass'n v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1261; *Anderson First Coal. v. City of Anderson* (2005) 130 Cal.4th 1173, 1186.
[88] DEIR, p. IV.A-59 (emphasis added).

- Utilizing diesel emission control technology for diesel on-road vehicles, diesel generators, and diesel nonroad construction equipment, and verifying compliance with EPA Tier 4 final emission standards or emission control technology;
- Ensuring diesel vehicles and generators are confined to designated zones that have the least impact on abutters, the general public, and sensitive receptors such as hospitals, schools, daycare facilities, elderly housing and convalescent facilities;
- Requiring reporting of all on-road diesel vehicles, nonroad construction equipment or generators;
- Utilizing electric boilers instead of gas fire boilers.[89]

SWAPE explains that, when combined, these measures would reduce the DPM emissions and associated health risks from Project construction and operation.[90] The DEIR should also include measures proposed by SCAQMD CEQA Air Quality Handbook. The Handbook contains numerous measures for controlling construction-related emissions that "should be considered for use as CEQA mitigation measures if not otherwise required."[91] Here, there is substantial evidence demonstrating that the Project has potentially significant health impacts that the DEIR does not mitigate. The DEIR should be revised and recirculated to include these cost-effective and feasible mitigation measures to minimize significant impacts from Project emissions.

E. The DEIR's Analysis of the Project's Greenhouse Gas Emissions is Unsupported

The DEIR's analysis regarding GHG emissions significance is not supported by substantial evidence for four reasons. First, SWAPE concluded that the DEIR provides an unsubstantiated reduction to the default CO2 intensity factor.[92] This unsubstantiated reduction underlies the DEIR's GHG modeling and causes the models to underestimate the GHG emissions of the Project.[93] Absent accurate modeling, the GHG analysis in the DEIR is not supported by substantial evidence.

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[89] SWAPE Comments, p. 25-26.
[90] SWAPE Comments, p. 26.
[91] South Coast Air Quality Management District, Air Quality Handbook, http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.
[92] SWAPE Comments, p. 4.
[93] *Id.*

A revised DEIR must be prepared which adequately analyzes the GHG impacts of the Project through correct modeling.

Second, SWAPE determined that the DEIR's quantitative GHG analysis relies upon an incorrect and unsubstantiated air model.[94] The DEIR estimates that the Project would generate net annual GHG emissions of 1,197- and 1,803-MT CO_2e/year, with and without GHG reduction measures, respectively.[95] However, the DEIR's quantitative GHG analysis is based on the same unsubstantiated construction and operational emissions parameters discussed above, thereby underestimating GHG emissions without supporting evidence.[96] SWAPE reviewed the Project's CalEEMod output files, provided in the Air Quality Worksheets and Modeling Output Files as Appendix B-2 to the DEIR, and found that several of the values inputted into the model are not consistent with information disclosed in the DEIR.[97] As a result, the model underestimates the Project's emissions, and the DEIR's quantitative GHG analysis should not be relied upon to determine Project significance.[98] An updated EIR should be prepared that adequately assesses the potential GHG impacts that construction and operation of the proposed Project may have on the surrounding environment.

Third, the Project relies on design features to reduce GHG emissions without including them as binding mitigation measures.[99] Design features do not constitute binding mitigation, as required by CEQA.[100] Design features that are not included as binding mitigation measures may be eliminated from the Project's design altogether. Thus, the DEIR's GHG models' reliance on area-, energy- and water/wastewater-related GHG reduction measures that are not formally included as mitigation measures, cannot be guaranteed that they will be implemented, monitored, and enforced on the Project.[101] The DEIR's reliance on these measures is therefore misplaced and not based on substantial evidence.

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[94] SWAPE Comments, p. 21.
[95] DEIR, p. IV.C-75, Table IV.C-10
[96] SWAPE Comments, p. 22.
[97] *Id.*
[98] *Id.*
[99] *Id.*
[100] 14 Cal. Code Regs. §§ 15064(a)(2); 15091(d); *Lotus v. Dep't of Transp.* (2014) 223 Cal.App.4th 645, 651-52.
[101] *Id.*

Fourth, the DEIR's finding that the GHG impacts are less than significant is not supported by substantial evidence.[102] In particular, the DEIR's statement that the impact does not conflict with GHG reduction plans/policies/regulations is not supported by substantial evidence.[103] SWAPE determined, with quantitative modeling, that the Project indicates a potentially significant GHG impact.[104] SWAPE determined that the Project's net annual GHG emissions exceed SCAQMD 2035 efficiency target of 3.0 MT CO2e/year.[105] As recommended by SCAQMD, SWAPE divided the GHG emissions estimated in the DEIR (1,197 MT CO2e/year, including GHG reduction measures) by the Project's service population (351 people, as described in the DEIR). SWAPE found that the Project would emit approximately 3.4 MT CO2e/SP/year.[106] The exceedance of the GHG threshold constitutes a significant GHG impact that was not disclosed in the DEIR and which requires mitigation under CEQA. The DEIR's determination that the impact is less than significant is not based on substantial evidence. The DEIR must be revised and recirculated to analyze the significant GHG emissions of the Project and provide adequate and enforceable mitigation measures.

The City may assert that it was entitled to rely on the qualitative thresholds discussed in the DEIR to determine whether the Project would have significant GHG impacts. These include AB 32's 2008 Climate Change Scoping Plan and updates, SCAG's 2016-2040 and 2020-2045 RTP/SCS, and the City's Green New Deal.[107] However, the City's qualitative analysis is not supported by substantial evidence for two reasons. First, the thresholds are not supported by substantial evidence. Second, the DEIR fails to demonstrate that the Project is fully compliant with the selected plans.

First, the 3,000 MT CO2e threshold is not supported by substantial evidence. Given the gravity of the climate crisis, even small projects that cumulatively impact greenhouse gas emissions, should mitigate their GHG impacts. The 9th Circuit Court upheld the proposition that "we cannot afford to ignore even modest contributions to global warming. If global warming is the result of cumulative contributions of myriad sources, any one modest in itself, is there not a danger of

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[102] DEIR, p. I-14.
[103] *Id.*
[104] SWAPE Comments, p. 24.
[105] *Id.*
[106] SWAPE Comments, p. 24.
[107] DEIR, p. IV.C-44.

losing the forest by closing our eyes to the felling of the individual trees?"[108] The GHG threshold is neither effective at reducing GHG impacts, nor satisfied by the DEIR for this Project.

Second, the Project will not comply with the AB 32's 2008 Climate Change Scoping Plan and updates, SCAG's 2016-2040 and 2020-2045 RTP/SCS, and the City's Green New Deal thresholds. SWAPE determined that the Project will exceed 3.4 MT CO2e/SP/year.[109] But, the DEIR does not provide this figure, nor does the DEIR provide sufficient information to determine whether the Project complies with SCAG's 2016-2040 RTP/SCS. The Project does not comport with LA's Green New Deal which requires "all newly built parking structures to have solar."[110] The Project contains a newly built parking structure, but will not provide solar power. The DEIR states that the Project would be considered "solar ready."[111]

The DEIR's statement that the Project does not conflict with GHG Reduction Plans, Policies, and Regulations is not supported by substantial evidence. The DEIR must be revised and recirculated to adequately analyze the conflicts with the applicable GHG reduction policies.

F. The DEIR Fails to Require All Feasible Measures to Reduce the Project's Significant Greenhouse Gas Emissions

The DEIR fails to disclose potentially significant GHG impacts, and fails to adequately mitigate them. In order to ensure that the Project's GHG impacts are reduced to the greatest extent feasible, SWAPE explains that the DEIR must implement all design features, such as Project Design Features GHG-PDF-1 and GHG-PDF-2, as formal mitigation measures.[112] CEQA requires binding mitigation to minimize significant adverse Project impacts.[113] SWAPE determined that these mitigation measures are critical to reducing the Project's GHG emissions. Further, "[i]ncluding formal mitigation measures by properly committing to their implementation would result in verifiable emissions reductions that may help

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[108] *Center for Biological Diversity v. National Highway Traffic Safety Administration* (9th Cir. 2007) 508 F.3d 508, 550.
[109] SWAPE Comments, p. 24.
[110] L.A.'s Green New Deal, Sustainable City Plan (2019) p. 39 https://plan.lamayor.org/sites/default/files/pLAn_2019_final.pdf.
[111] DEIR, p. IV.C.56.
[112] DEIR, p. IV.C-44.
[113] 14 Cal. Code Regs. § 15064(a).

reduce emissions to less-than-significant levels." SWAPE's recommended mitigation measures to reduce diesel emissions, above, may also help reduce GHG emissions from the Project to less than significant levels. A revised EIR should be revised and recirculated to adequately mitigate GHG impacts from the Project.

G. The DEIR's Analysis of the Project's Impacts to Cultural Resources is Unsupported

CEQA requires that an EIR be prepared for projects that may cause a substantial adverse change in the significance of a historical resource.[114] "Historical resource" is broadly defined under CEQA. It includes all sites listed in, or determined to be eligible for listing in, the National Register of Historical Resources or California Register of Historical Resources.[115] Sites officially designated as historically significant in a local register of historical resources are also presumed to be historically or culturally significant under CEQA. Further, CEQA provides that "[t]he fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources…shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section."[116] Finally, under the CEQA Guidelines, historical resources are not limited to sites, buildings, or other structures; they can also include any object, area, place, record, or manuscript that is historically significant in the "cultural annals of California."[117]

A substantial adverse change in the significance of a historical resource is considered a significant impact under CEQA.[118] A "substantial adverse change" means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings resulting in the significance of the resource being materially impaired.[119] In particular, the significance of a resource is materially impaired when the physical characteristics that convey its historical significance

[114] Pub. Res. Code §21084.1.
[115] Pub. Res. Code §21084.1.
[116] Pub. Res. Code § 21084.1.
[117] 14 Cal. Code Regs. § 15064(a).
[118] Pub. Res. Code § 21084.1; 14 CCR § l5064.5(b).
[119] 14 Cal. Code Regs. § 15064.5(b)(1).

and that justify its designation as a historical resource are demolished or materially altered in an adverse manner.[120]

The DEIR states that the Cathedral building "retain[s] sufficient integrity for potential listing" as a Los Angeles Historic Cultural Monument ("HCM").[121] The Los Angeles Conservancy ("Conservancy"), in comments on the Notice of Preparation ("NOP") stated that the Cathedral is "historically significant."[122] There is substantial evidence to support the assertion that the Project's Cathedral is historically significant. CEQA provides that substantial evidence includes fact, a reasonable assumption predicate upon fact, or expert opinion supported by fact.[123] The Conservancy is a qualified expert on historical resources. They concluded, based on facts in the record, that the deconstruction and reconstruction of the Cathedral would cause a significant impact because the "substantial amount of new construction with historic fabric reassembled" could jeopardize the Cathedral's "historical integrity."[124] As such, the DEIR's conclusion that that the Project would not cause a substantial adverse change in the significance of an historical resource, and the Project's impacts on historical resources would be less than significant, is not based on substantial evidence.[125]

The Conservancy's comments constitute substantial evidence that the Project construction would constitute "significant adverse impacts" to the Cathedral.[126] "Relevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence in support of a fair argument; no special expertise is required on the topic."[127] Here, the Conservancy is well suited to conclude that the Project will result in significant adverse impacts to the Cathedral. The DEIR must be revised and recirculated to adequately analyze the potentially significant impacts to cultural resources.

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[120] 14 Cal. Code Regs. § 15064.5(b)(2); *Taxpayers for Accountable Sch. Bond Spending v San Diego Unified Sch. Dist.* (2013) 215 Cal. App. 4th 1013, 1043; *Eureka Citizens for Responsible Gov't v City of Eureka* (2007) 147 CA4th 357.
[121] DEIR, p. IV.B-30.
[122] Letter from Adrian Scott Fine, Dir. of Advocacy, Los Angeles Conservancy, to Mindy Nguyen, City of Los Angeles, Dep't of City Planning (Sept. 4, 2019) (on file with Commenters).
[123] Pub. Res. Code § 21082.2(c).
[124] *Id.*
[125] DEIR, p. IV.B-39.
[126] Letter from Adrian Scott Fine, Dir. of Advocacy, Los Angeles Conservancy, to Mindy Nguyen, City of Los Angeles, Dep't of City Planning (Sept. 4, 2019) (on file with Commenters).
[127] *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903,928.
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H. The City Must Include in a Revised DEIR All Feasible Measures to Reduce the Project's Potentially Significant Impacts to Cultural Resources

CEQA requires that a lead agency identify potentially feasible and enforceable measures to mitigate significant adverse impacts to an historical resource.[128] The Los Angeles Conservancy determined that "creative solutions should be explored through the draft EIR that can accomplish the project's objectives while reducing impacts to the historic St. Peter Cathedral."[129] The Conservancy recommended that one or more project alternatives should be evaluated that reconfigure the subterranean parking structure away from the Cathedral to "avoid significant adverse impacts to it."[130] Such mitigation measures were not considered or included in the DEIR to sufficiently mitigate the significant impacts to cultural resources on the Project site. The City must prepare a revised DEIR that includes measures to reduce impacts to cultural resources, including, but not limited to, the Cathedral of the Our Lady of Mt. Lebanon church.

I. The DEIR's Analysis of the Project's Impacts from Disturbing Hazards Materials is Unsupported

The DEIR states that the Phase II Environmental Site Assessment ("ESA") found trichloroethylene ("TCE") and tetrachloroethylene ("PCE") in soil vapor and groundwater beneath the Project site that exceed the applicable ESLs, stemming from an off-site dry cleaner.[131] The off-site dry cleaner operated until 2006 and contaminated the soil with PCE, TCE, and cis-1,2-dichloroethene, as shown in samples from 2019.[132] The DEIR states that the concentrations of TCE and PCE in the soil vapor and groundwater would not affect construction workers and future residents.[133] The DEIR thus concludes that a mat barrier would be sufficient to mitigate the risk of vapor intrusion to future residents.[134]

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[128] 14 Cal. Code Regs. § 15064.5(b)(4).
[129] *Id.*
[130] Letter from Adrian Scott Fine, Dir. of Advocacy, Los Angeles Conservancy, to Mindy Nguyen, City of Los Angeles, Dep't of City Planning (Sept. 4, 2019) (on file with Commenters).
[131] DEIR, p. IV.E-22, 30.
[132] Letter from S. Javad Masoudi, P.E., Project Manager, EnviroMonitoring Services, Inc. to Robert Ehe, California Regional Water Quality Control Board – Los Angeles Region (Oct. 28, 2019) (https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/9830468297/3Q19%20T12SC-2%20Rpt.pdf).
[133] *Id.* at p. IV.E-28 – 30.
[134] *Id.* at p. IV.E-33 – 34

The Project will disturb existing soil and groundwater contamination at the Project site, thus exacerbating existing hazardous materials conditions at the site. SWAPE determined that the DEIR's analysis of hazardous waste and hazardous materials was not based on substantial evidence because the DEIR's conclusions have been made without any regulatory review and certification.[135] SWAPE further determined that a regulatory review of the Phase II and the proposed vapor barrier is necessary to ensure protection of construction workers and future residents.[136] SWAPE concluded that the California Department of Toxics Substances Control should be engaged under the voluntary cleanup program to conduct a review of the proposed mat barrier to determine if it would be effective in protecting future residents.[137] Also, the Department of Toxics Substances Control should evaluate potential risks to construction workers who may be exposed to contaminated soil vapors.[138] As SWAPE explained in their comments, the mitigation measures for soil vapors that are included in the DEIR are insufficient to adequately mitigate the impacts to construction workers and future residents.[139] These mitigation measures must be included as binding mitigation in a supplemental EIR.

SWAPE further determined that the EIR failed to adequately analyze the potentially significant impacts related to the dewatering required onsite.[140] Dewatering will be required for construction of the five-level subterranean parking structure.[141] The DEIR only provides mitigation for groundwater containing methane.[142] Groundwater beneath the Project site is contaminated with PCE, TCE, and cis-1,2-DCE that exceed allowable environmental screening levels for drinking water.[143] SWAPE determined that the DEIR fails to adequately analyze and mitigate the handling and disposing of contaminated groundwater. The DEIR states that the dewatering, treatment, and disposal of groundwater encountered during construction activities would be conducted in accordance with LARWQCB's Waste Discharge Requirements for Discharge of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, "or any other appropriate WDR permit identified by the

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[135] SWAPE Comments, p. 2; 14 CCR § 15126.2(a).
[136] SWAPE Comments, p. 2.
[137] *Id.*
[138] SWAPE Comments, p.2.
[139] SWAPE Comments, p. 2.
[140] *Id.*
[141] DEIR, p. IV.E-33.
[142] *Id.*
[143] *Id.*

LARWQCB."[144] It is unclear based on the DEIR, whether the measures in another appropriate permit would sufficiently mitigate the contamination associated with dewatering. A revised EIR must be recirculated for public comment to adequately address and mitigate these impacts.

J. The DEIR's Analysis of the Project's Noise Impacts is Unsupported

On-site construction noise is potentially significant. The DEIR states that the estimated noise levels during all stages of Project construction combined "would exceed the significance criteria at all the representative offsite receptor locations, except at receptor location R4."[145] Ms. Jue determined that even with the mitigation measures proposed in the DEIR, "it may not be possible to reduce the construction noise below the level of significance."[146] The DEIR similarly states that on-site construction noise is expected to be significant and unavoidable.[147] But, Ms. Jue determined that additional feasible mitigation measures would reduce the on-site construction noise impacts to less than significant levels.[148] As such, the DEIR lacks substantial evidence to conclude that the on-site construction noise is significant and unavoidable.

The DEIR concluded that "there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from onsite construction associated with human annoyance to a less-than-significant level."[149] This statement is not supported by substantial evidence. Ms. Jue determined that feasible mitigation measures exist, as described more fully below, to mitigate on-site vibration impacts to a less than significant level.[150]

Additionally, the DEIR determined off-site vibration would be significant and unavoidable and exceed levels of human annoyance.[151] Ms. Jue concluded that reducing hauling truck speeds around the Project site, requiring truck controls as part of the transportation plan TR-PFD-1, would reduce noise to the surrounding

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[144] DEIR, p. IV.E-12.
[145] DEIR, p. IV.G.33.
[146] Jue Comments, p. 2.
[147] DEIR, p. I-14.
[148] Jue Comments, p. 2.
[149] DEIR, p. IV.G-55.
[150] Jue Comments, p. 2.
[151] DEIR, p. I-14; IV.G-54.

neighborhoods.[152] Additionally, reducing vehicle speeds from haul trucks would reduce vibration "by as much as 3 VdB."[153]

K. The City Must Include in a Revised DEIR All Feasible Measures to Reduce the Project's Potentially Significant Noise Impacts

The DEIR states that impacts from on-site construction noise are significant and unavoidable. Further, the DEIR states that "there are no other feasible mitigation measures that could be implemented to reduce temporary noise impacts from onsite construction…"[154] But, noise expert Ms. Jue determined that additional feasible mitigation measures may reduce impacts from on-site construction noise, and should be added to the DEIR's mitigation plan.[155] Ms. Jue determined that "[t]ime constraints and buffer distances can also be used effectively to reduce the noise impact at residential areas."[156] Ms. Jue further concluded that "limiting noisy operations such as heavy machinery, etc. cement trucks to the hours of 9 AM to 5 AM that are within, say 100 ft of residence or not otherwise sufficiently shielded by the sound barriers could also be another means to reduce noise impacts."[157] Additionally, Ms. Jue concluded that construction noise could be mitigated below the level of significance through the construction of sound walls. Sound walls, if constructed 20 feet high, along the north (R1) and west (R2) perimeters could reduce the noise by 15 to 19 decibels.[158]

The DEIR concluded that on-site construction vibration impacts are "significant and unavoidable."[159] The DEIR cites the FTA Transit Noise and Vibration Assessment Manual ("Manual"), but does not implement the mitigation measures provided in the Manual. Ms. Jue determined that implementing the measures identified in the FTA Manual could feasibly lessen the duration and magnitude of vibration. The DEIR should be revised and recirculated to provide a vibration control and monitoring plan that identifies on-site layout, truck access and speed limits for vibration control, buffer distances and other measures to

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[152] Jue Comments, p. 3.
[153] *Id.*
[154] DEIR, p. IV.G-48.
[155] Jue Comments, p. 2.
[156] *Id.*
[157] Jue Comments, p. 2.
[158] *Id.*
[159] DEIR, p. IV.G-55.

reduce vibration such as phasing and scheduling.[160] This plan should also include a description of the process by which complaints will be documented and resolved.[161]

As detailed in Ms. Jue's Comments, off-site construction noise and vibration can be mitigated to a less than significant level by feasible measures, including limiting heavy trucks in the immediate vicinity of neighbors, and reducing truck and vehicle speeds.[162] A revised DEIR should include a vibration control and monitoring plan that requires specified off-site truck access routes, speed limits, and other measures to reduce vibration such as phasing and scheduling.[163] The DEIR should be revised and recirculated to adequately mitigate impacts from off-site noise and vibration.

Finally, the DEIR should be revised and recirculated to include additional mitigation measures to reduce the impacts from noise stemming from the concurrent use of both loading docks.[164] Ms. Jue concluded that additional measures including raising the barrier above 6ft would "increase the acoustical noise reduction benefit of the dock-perimeter wall."[165] Ms. Jue concluded that such a measure could reduce the noise from the loading dock by approximately 3 decibels.[166]

The DEIR should also be revised and recirculated to include the measures provided in the SCAG 2016-2040 RTP/SCS, including:

- Install temporary noise barriers during construction.
- Include permanent noise barriers and sound-attenuating features as part of the project design.
- Schedule construction activities consistent with the allowable hours pursuant to applicable general plan noise element or noise ordinance where construction activities are authorized outside the limits established by the noise element of the general plan or noise ordinance; notify affected sensitive noise receptors and all parties who will experience noise levels in excess of the allowable limits for the

[160] Jue Comments, p. 3.
[161] *Id.*
[162] *Id.*.
[163] *Id.*
[164] Jue Comments, p. 4.
[165] Jue Comments, p. 4.
[166] Jue Comments, p. 4.

> specified land use, of the level of exceedance and duration of exceedance; and provide a list of protective measures that can be undertaken by the individual, including temporary relocation or use of hearing protective devices.[167]

Additional feasible mitigation measures exist to further reduce the Project's significant noise impacts, as detailed in Ms. Jue's Comments.[168] The DEIR should be revised and recirculated to adequately mitigate the potentially significant impact from Project noise and vibration.

IV. CONCLUSION

For the reasons discussed above, the DEIR for the Project remains wholly inadequate under CEQA. It must be thoroughly revised to provide a legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. The DEIR fails as an informational document under CEQA and lacks substantial evidence to support its conclusions that the Project's significant impacts would be mitigated to the greatest extent feasible. There is also substantial evidence demonstrating that the Project's potentially significant environmental impacts are far more extensive than disclosed in the DEIR.

Commenters and their expert consultants identified numerous potentially significant impacts that the DEIR either mischaracterizes, underestimates, or fails to identify, which require recirculation. The DEIR fails to accurately analyze and mitigate the Project's construction and operational air quality, GHG, health risk, and hazardous materials impacts. Further, noise and vibration impacts were not accurately analyzed or mitigated. These revisions will necessarily require that the DEIR be revised and recirculated for further public review. Until the DEIR has been revised and recirculated, as described herein, the City may not lawfully approve the Project.

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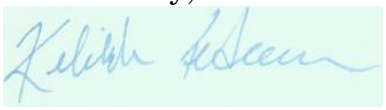
[167] SCAG RTP/SCS, p. 122, available here: Final 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy, Adopted April 2016 (ca.gov).
[168] Jue Comments, p. 4.

Thank you for your attention to these comments. Please include them in the record of proceedings for the Project.

Sincerely,



Kelilah D. Federman

KDF:acp

Enclosures

5301-001acp

EXHIBIT A

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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June 23, 2021

Kelilah D. Federman
Adams Broadwell Joseph & Cardozo
601 Gateway Blvd #1000
South San Francisco, CA 94080

Subject: Comments on the Our Lady of Mt. Lebanon Project (SCH No. 2019080173)

Dear Ms. Federman,

We have reviewed the May 2021 Draft Environmental Impact Report ("DEIR") for the Our Lady of Mt. Lebanon Project ("Project") located in the City of Los Angeles ("City"). The Project proposes the construction of a 153-unit multi-family residential building; the deconstruction, off-site storage, reassembly, rehabilitation and limited alteration of the existing Our Lady of Mt. Lebanon St. Peter Maronite Catholic Cathedral; and the removal of three existing ancillary church buildings and their replacement with a new three-story building with ancillary church uses, including offices, meeting rooms and a multi-purpose room, as well as 16,800-SF of open space and 397 vehicle parking spaces, on the 0.97-acre site.

Our review concludes that the DEIR fails to adequately evaluate the Project's hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An updated EIR should be prepared to adequately assess and mitigate the potential hazards and hazardous materials, air quality, health risk, and greenhouse gas impacts that the project may have on the surrounding environment.

Hazards and Hazardous Materials

A Phase II Environmental Site Assessment (Appendix H)) found trichloroethylene ("TCE") and tetrachloroethylene ("PCE") in soil vapor and groundwater beneath the Project site, stemming from an off-site dry cleaner. The DEIR states that the concentrations of TCE and PCE in the soil vapor and

groundwater would not affect construction workers and future residents (p. IV.E-29). The DEIR concludes that a mat barrier would protect residents from vapor intrusion (p. IV.E-34).

The DEIR's conclusions have been made without any regulatory review and certification. TCE is considered to be a carcinogen, according to the US EPA.[1] PCE is considered to be a likely carcinogen, according to the U.S. EPA.[2]

A regulatory review of the Phase II and the proposed vapor barrier is necessary to ensure protection of construction workers and the future residents. The California Department of Toxics Substances Control should be engaged under the voluntary cleanup program to conduct a review of the proposed mat barrier to determine if it would be effective in protecting future residents. Also, the Department of Toxics Substances Control should evaluate potential risks to construction workers who may be exposed to contaminated soil vapors.

Additionally, dewatering that will be necessary for the construction of the five-level subterranean parking structure was not evaluated. Groundwater depth is approximately 20 feet and excavation is expected to extend to 72.5 feet (IS, p. 26). Groundwater beneath the Project site is known to be contaminated with TCE, PCE, and 1,2-DCE above drinking water standards (p. IV.E-29). The DEIR fails to identify how the groundwater contaminated with TCE, PCE and 1,2-DCE will be handled and disposed under Los Angeles Regional Water Quality Control Board requirements as prescribed in *Waste Discharge Requirements and General NPDES Permit for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles And Ventura Counties*.[3] Evaluation and disclosure that TCE-, PCE- and 1,2-DCE-contaminated groundwater will need to be treated prior to discharge is necessary in a revised DEIR.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR's air quality analysis relies on emissions calculated with CalEEMod.2016.3.2 (p. IV.A-32).[4] CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act ("CEQA") requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are utilized in calculating the Project's air pollutant

[1] https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=172&toxid=30,
[2] https://wwwn.cdc.gov/TSP/ToxFAQs/ToxFAQsDetails.aspx?faqid=264&toxid=48
[3] https://www.waterboards.ca.gov/rwqcb4/board_decisions/tentative_orders/general/npdes/cag994004/index.html
[4] CAPCOA (November 2017) CalEEMod User's Guide, http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4.

emissions and make known which default values are changed as well as provide justification for the values selected.

When reviewing the Project's CalEEMod output files, provided in the Air Quality Worksheets and Modeling Output Files as Appendix B-2 to the DEIR, we found that several model inputs were not consistent with information disclosed in the DEIR. As a result, the Project's construction and operational emissions may be underestimated.

Unsubstantiated CO_2 Intensity Factor

Review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project - Existing Uses (Buildout Year)," "Mt. Lebanon Project (No TDM)," "Mt. Lebanon Project - Construction Onsite," "Mt. Lebanon Project (No TDM or MXD Reductions)," and "Mt. Lebanon Project" models include a manual reduction to the default CO_2 intensity factor (see excerpt below) (Appendix B-1, pp. 25, 31, 36, 57, 78, 86, 94, 118).

Table Name	Column Name	Default Value	New Value
tblProjectCharacteristics	CO2IntensityFactor	1227.89	647

As you can see in the excerpt above, the CO_2 intensity factor was manually reduced by approximately 47%, from the default value of 1,227.89- to 647-pounds per megawatt hour ("lbs/MWh"). As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[5] According to the "User Entered Comments and Non-Default Data" table, the justification provided for these changes is: "LADWP SB100 Carbon Intensity (2024) - 647 lbs/MWh" (Appendix B-2, pp. 30, 35, 56, 85, 93, 117). Furthermore, regarding the Project's anticipated utility company and intensity factors, the Air Quality and Greenhouse Gas Emissions ("AQ & GHG Study"), provided as Appendix B to the DEIR, states:

> "GHG emissions from electricity use are directly dependent on the electricity utility provider. The Los Angeles Department of Water and Power (LADWP) provides electric service to the Project Site. Thus, GHG intensity factors for LADWP were selected in CalEEMod. Intensity factors for GHGs due to electrical generation to serve the electrical demands of the existing condition were obtained from the LADWP 2017 Power Integrated Resource Plan, which provides a CO2 intensity of 801 pounds of CO2 per MWh for 2019. By 2030, at least 50 percent of electricity shall be obtained from renewable sources. The 2016 Power Integrated Resource Plan estimates that the LADWP CO2 intensity would be 500 pounds of CO2 per MWh by Year 2026.5 *As year-by-year data is currently not available*, the CO2 intensity factor for the Project buildout was determined based on straight line interpolation based on current and Year 2026 data points (801 pounds of CO2 per MWh for Year 2019 and 647 pounds of CO2 per MWh for Year 2024)" (emphasis added) (Appendix B, p. 9).

However, this change remains unsupported, as the AQ & GHG Study lacks evidence to support its assumption that the CO_2 intensity factor can be calculated based on a straight-line interpolation from LADWP's predicted 2026 CO_2 intensity factor of 500 lbs/MWh. Without a source or additional

[5] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 2, 9

information to support this conclusion, we cannot verify the revised CO_2 intensity factor. Furthermore, according to the CalEEMod User's Guide:

> "CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, *provided that the information is supported by substantial evidence as required by CEQA*" (emphasis added).[6]

As year-by-year data is currently not available, and the AQ & GHG Study fails to provide substantial evidence to support a linear interpolation from LADWP's predicted 2026 CO_2 intensity factor of 500 lbs/MWh, we cannot verify the change.

This unsubstantiated reduction presents an issue, as CalEEMod uses the CO_2 intensity factor to calculate the Project's greenhouse gas ("GHG") emissions associated with electricity use.[7] Thus, by including an unsubstantiated reduction to the default CO_2 intensity factor, the models may underestimate the Project's GHG emissions and should not be relied upon to determine Project significance.

Overestimated Existing Land Use Size

Review of the DEIR demonstrates that the operational emissions associated with the existing land uses were subtracted from the operational emission associated with the proposed land uses in order to determine the significance of the Project's air quality impact (see excerpt below) (p. IV.A-60, Table IV.A-7).

Table IV.A-7
Estimate of Maximum Regional Project Daily Operational Emissions—At Project Buildout (2024)[a]

Emission Source	Pollutant Emissions (pounds per day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Project						
Area	4	2	14	<1	<1	<1
Energy (Natural Gas)	<1	<1	<1	<1	<1	<1
Mobile	1	5	12	<1	4	1
Stationary	<1	1	1	<1	<1	<1
Total Proposed Uses Emissions	6	9	28	<1	5	2
SCAQMD Significance Threshold	55	55	550	150	150	55
Over/(Under)	(49)	(46)	(522)	(150)	(145)	(53)
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Numbers may not add up exactly due to rounding.

[a] *The CalEEMod model printout sheets and/or calculation worksheets are presented in Appendix B (CalEEMod Output) to this Draft EIR. The table reflects net emissions (i.e., Project emissions less existing emissions).*

[6] CalEEMod Model 2013.2.2 User's Guide, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/usersguideSept2016.pdf?sfvrsn=6, p. 12.
[7] "CalEEMod User's Guide." CAPCOA, November 2017, *available at:* http://www.caleemod.com/, p. 17.

However, the DEIR's analysis is incorrect, as the size of the existing land uses to be removed from the Project site was overestimated in the Project's modeling. Specifically, review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project - Existing Uses" and "Mt. Lebanon Project - Existing Uses (Buildout Year)" models include 19,218-SF of floor area (see excerpt below) (Appendix B-1, pp. 24, 30, 77, 85).

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area
User Defined Commercial	1.00	User Defined Unit	0.00	0.00
Place of Worship	19.22	1000sqft	0.97	19,218.00

However, this is incorrect, as only 12,370-SF of existing floor area would be removed as a result of the proposed Project, indicating that 6,848-SF of existing floor area would remain operational (see excerpt below) (p. 11-9, Table II-1).

Land Use	Existing Development	Existing to be Removed	Proposed Development	Net New Floor Area	Total Floor Area On Project Site
Residential—Apartment	—	—	148,641 sf (153 du)	148,641 sf (153 du)	148,641 sf (153 du)
Church/Institutional					
Cathedral	6,848 sf		942 sf	942 sf	7,790 sf
Parish Rectory/ Meeting Rooms	2,520 sf	(2,520 sf)	7,649 sf	5,129 sf	7,649 sf
Social Hall/Multi-Purpose Room	5,426 sf (Social Hall)	(5,426 sf)	12,600 sf (Multi-Purpose Room)	7,174 sf	12,600 sf
Offices	4,424 sf	(4,424 sf)	3,400 sf	(1,024) sf	3,400 sf
Total	**19,218 sf**	**12,370 sf**	**173,232 sf**	**160,862 sf**	**180,080 sf**

Thus, the existing floor area to be removed as a result of the proposed Project is overestimated by 6,848-SF in the Project's modeling. This overestimation presents an issue, as the land use size feature is used throughout CalEEMod to determine default variable and emission factors that go into the model's calculations. The square footage of a land use is used for certain calculations such as determining the wall space to be painted (i.e., VOC emissions from architectural coatings) and volume that is heated or cooled (i.e., energy impacts).[8] By overestimating the floor surface areas of the existing land uses, the models overestimate the emissions associated with the existing land uses, *resulting in an underestimation of the net change in operational emissions associated with the proposed Project*. As a result, the models should not be relied upon to determine Project significance.

Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project (No TDM)," "Mt. Lebanon Project - Construction Onsite," "Mt. Lebanon Project (No TDM or MXD Reductions)," and "Mt.

[8] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 28

Lebanon Project" models include several manual changes to the default individual construction phase lengths (see excerpt below) (Appendix B-2, pp. 36, 57, 94, 118).

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	20.00	65.00
tblConstructionPhase	NumDays	230.00	2.00
tblConstructionPhase	NumDays	230.00	41.00
tblConstructionPhase	NumDays	230.00	478.00
tblConstructionPhase	NumDays	20.00	131.00
tblConstructionPhase	NumDays	20.00	129.00
tblConstructionPhase	NumDays	20.00	65.00

As a result, the models include a construction schedule as follows (Appendix B-2, pp. 39, 60, 97, 121):

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days
1	Demolition	Demolition	4/1/2021	9/30/2021	5	131
2	Grading	Grading	10/1/2021	3/30/2022	5	129
3	Mat Foundation	Building Construction	4/1/2022	4/4/2022	5	2
4	Building Foundation	Building Construction	4/5/2022	5/31/2022	5	41
5	Building Construction	Building Construction	6/1/2022	3/31/2024	5	478
6	Paving	Paving	1/1/2024	3/31/2024	5	65
7	Architectural Coating	Architectural Coating	1/1/2024	3/31/2024	5	65

As you can see in the excerpt above, the demolition phase length was increased by approximately 555%, from the default value of 20- to 131-days; the grading phase length was increased by approximately 545%, from the default value of 20- to 129-days; the mat foundation phase length was decreased by approximately 99%, from the default value of 230- to 2-days; the building foundation phase length was decreased by approximately 82%, from the default value of 230- to 41-days; the building construction phase length was increased by approximately 108%, from the default value of 230- to 478-days; the paving phase length was increased by 225%, from the default value of 20- to 65-days; and the architectural coating phase length was increased by 225%, from the default value of 20- to 65-days. As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[9] According to the "User Entered Comments and Non-Default Data" table, the justification provided for this change is: "see assumptions" (Appendix B-2, pp. 35, 56, 93, 117). Furthermore, the AQ & GHG Analysis includes "Air Quality Analysis Assumptions," which include the construction schedule inputted into the model (Appendix B, pp. 23).

[9] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 2, 9

However, these changes remain unsupported. Simply providing the assumptions included in the Project's modeling does not inherently justify the assumptions. Rather, as previously stated, according to the CalEEMod User's Guide:

> "CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, *provided that the information is supported by substantial evidence as required by CEQA*" (emphasis added).[10]

Here, however, the AQ & GHG Study fails to provide substantial evidence to support the revised individual construction phase lengths. Furthermore, the DEIR fails to mention or justify the revised individual construction phase lengths whatsoever. As a result, we cannot verify the changes.

These unsubstantiated changes present an issue, as they spread out construction emissions over a longer period of time for some phases, but not others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).[11]

> *Demolition* involves removing buildings or structures.
>
> *Site Preparation* involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.
>
> *Grading* involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.
>
> *Building Construction* involves the construction of the foundation, structures and buildings.
>
> *Architectural Coating* involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.
>
> *Paving* involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

As such, by disproportionately altering the individual construction phase lengths without proper justification, the models' calculations are altered and underestimate emissions. Thus, by including unsubstantiated changes to the default individual construction phase lengths, the models may underestimate the Project's construction-related emissions and should not be relied upon to determine Project significance.

Unsubstantiated Changes to Off-Road Equipment Unit Amounts and Usage Hours

Review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project (No TDM)," "Mt. Lebanon Project - Construction Onsite," "Mt. Lebanon Project (No TDM or MXD Reductions)," and "Mt. Lebanon Project" models include several manual changes to the default off-road construction equipment unit amounts and usage hours (see excerpt below) (Appendix B-2, pp. 36, 57, 94, 118).

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[10] CalEEMod Model 2013.2.2 User's Guide, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/usersguideSept2016.pdf?sfvrsn=6, p. 12.

[11] "CalEEMod User's Guide." CAPCOA, November 2017, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 31.

Table Name	Column Name	Default Value	New Value
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	2.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	2.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	7.00	6.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	8.00	7.00

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[12] According to the "User Entered Comments and Non-Default Data" table, the justification provided for this change is: "see assumptions" (Appendix B-2, pp. 35, 56, 93, 117). Furthermore, the "Air Quality Analysis Assumptions" include the off-road construction equipment unit amounts and usage hours inputted into the model (Appendix B, pp. 23).

However, these changes remain unsupported. As discussed above, simply providing the assumptions included in the Project's modeling does not inherently justify the assumptions. Rather, as previously stated, according to the CalEEMod User's Guide:

[12] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 2, 9

> "CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, *provided that the information is supported by substantial evidence as required by CEQA*" (emphasis added).[13]

Here, however, the AQ & GHG Study fails to provide substantial evidence to support the revised off-road construction equipment unit amounts and usage hours. Furthermore, the DEIR fails to mention or justify the revised off-road construction equipment unit amounts and usage hours whatsoever. As a result, we cannot verify the changes.

By including unsubstantiated changes to the default off-road construction equipment unit amounts and usage hours, the models may underestimate the Project's construction-related emissions and should not be relied upon to determine the significance of air quality impacts.

Unsubstantiated to Construction Trip Numbers and Lengths

Review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project (No TDM)," "Mt. Lebanon Project (No TDM or MXD Reductions)," and "Mt. Lebanon Project" models include several manual changes to the default construction trip numbers (see excerpt below) (Appendix B-2, pp. 36-37, 94-95, 119).

Table Name	Column Name	Default Value	New Value
tblTripsAndVMT	HaulingTripNumber	56.00	2,620.00
tblTripsAndVMT	HaulingTripNumber	13,750.00	8,127.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	46.00	348.00
tblTripsAndVMT	VendorTripNumber	46.00	64.00
tblTripsAndVMT	VendorTripNumber	46.00	20.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	WorkerTripNumber	8.00	50.00
tblTripsAndVMT	WorkerTripNumber	25.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	350.00
tblTripsAndVMT	WorkerTripNumber	8.00	20.00
tblTripsAndVMT	WorkerTripNumber	37.00	0.00

Similarly, the "Mt. Lebanon Project - Construction Onsite" model includes the following manual changes to the default construction trip numbers and lengths (see excerpt below) (Appendix B-2, pp. 57-58):

[13] CalEEMod Model 2013.2.2 User's Guide, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/usersguideSept2016.pdf?sfvrsn=6, p. 12.

Table Name	Column Name	Default Value	New Value
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripLength	20.00	0.10
tblTripsAndVMT	HaulingTripNumber	56.00	2,620.00
tblTripsAndVMT	HaulingTripNumber	13,750.00	8,127.00
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripLength	6.90	0.10
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorTripNumber	46.00	348.00
tblTripsAndVMT	VendorTripNumber	46.00	64.00
tblTripsAndVMT	VendorTripNumber	46.00	20.00
tblTripsAndVMT	VendorTripNumber	0.00	5.00
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripLength	14.70	0.00
tblTripsAndVMT	WorkerTripNumber	8.00	50.00
tblTripsAndVMT	WorkerTripNumber	25.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	60.00
tblTripsAndVMT	WorkerTripNumber	187.00	350.00
tblTripsAndVMT	WorkerTripNumber	8.00	20.00
tblTripsAndVMT	WorkerTripNumber	37.00	0.00

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[14] According to the "User Entered Comments and Non-Default Data" table, the justification provided for this change is: "Demolition and Haul trucks would be travelling to the Vulcan Sun Valley Landfill (~20 miles one-way) or Sunshine Canyon Landfill (~26 miles one-way)" (Appendix B-2, pp. 35, 56,

[14] CalEEMod User Guide, *available at:* http://www.caleemod.com/, p. 2, 9

93, 117). Furthermore, the "Air Quality Analysis Assumptions" include the construction trip numbers inputted into the models (Appendix B, pp. 23).

However, these changes remain unsupported for two reasons.

First, the revised construction trip lengths in the "Mt. Lebanon Project - Construction Onsite" model do not reflect the construction trip lengths indicated by the "User Entered Comments & Non-Default Data" table. As a result, we cannot verify the revised construction trip lengths in the "Mt. Lebanon Project - Construction Onsite" model.

Second, simply providing the assumptions included in the Project's modeling does not inherently justify the assumptions. Rather, as previously stated, according to the CalEEMod User's Guide:

> "CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, *provided that the information is supported by substantial evidence as required by CEQA*" (emphasis added).[15]

Here, however, the AQ & GHG Study fails to provide substantial evidence to support the revised construction trip numbers. Furthermore, the DEIR fails to mention or justify the revised construction trip numbers whatsoever. As a result, we cannot verify the changes.

By including unsubstantiated changes to the default construction trip lengths and numbers, the models may underestimate the Project's construction-related emissions and should not be relied upon to determine the significance of air quality impacts.

Overestimated Existing Operational Vehicle Trip Rates

According to the Transportation Addendum ("Transportation Analysis"), provided as Appendix T to the DEIR, the existing land uses generate approximately 114 daily vehicle trips (see excerpt below) (Appendix T, Table 1).

PROJECT TRIP GENERATION [1]

30-Jan-20

LAND USE	SIZE	DAILY TRIP ENDS [2] VOLUMES	AM PEAK HOUR VOLUMES [2] IN	AM PEAK HOUR VOLUMES [2] OUT	AM PEAK HOUR VOLUMES [2] TOTAL	PM PEAK HOUR VOLUMES [2] IN	PM PEAK HOUR VOLUMES [2] OUT	PM PEAK HOUR VOLUMES [2] TOTAL
Existing Site								
Church [4]	(19,218) SF	(134)	(4)	(2)	(6)	(4)	(5)	(9)
Transit Trips [5]								
Church (15%)		20	1	0	1	1	1	2
Subtotal Existing Driveway Trips		**(114)**	**(3)**	**(2)**	**(5)**	**(3)**	**(4)**	**(7)**

As such, the Project's emissions modeling should have included trip rates that reflect the estimated number of average existing daily vehicle trips. However, review of the CalEEMod output files

[15] CalEEMod Model 2013.2.2 User's Guide, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/usersguideSept2016.pdf?sfvrsn=6, p. 12.

demonstrates that the "Mt. Lebanon Project - Existing Uses" and "Mt. Lebanon Project - Existing Uses (Buildout Year)" models include 273.24 Saturday and Saturday vehicle trips (see excerpt below) (Appendix B-2, pp. 26, 32, 79, 87).

	Average Daily Trip Rate		
Land Use	Weekday	Saturday	Sunday
Place of Worship	0.00	0.00	0.00
User Defined Commercial	69.00	273.24	273.24
Total	69.00	273.24	273.24

As you can see in the excerpt above, the average Saturday and Sunday vehicle trip numbers for the existing land uses are overestimated by approximately 159.24-trips, respectively. As such, the trip rates inputted into the model are overestimated and inconsistent with the information provided in the Transportation Analysis.

These inconsistencies present an issue, as CalEEMod uses the operational vehicle trip rates to calculate the emissions associated with the operational on-road vehicles.[16] By including overestimated operational vehicle trip rates, the models overestimate the mobile-source operational emissions associated with the existing land uses, resulting in an *underestimation of the net change in emissions associated with the proposed Project*. As a result, the models should not be relied upon to determine Project significance.

Incorrect Application of Operational Mitigation Measures

Review of the CalEEMod output files demonstrates that the "Mt. Lebanon Project (No TDM)" and "Mt. Lebanon Project (No TDM or MXD Reductions)" models include the following energy-, water-, and waste-related operational mitigation measures (see excerpt below) (Appendix B-2, pp. 52, 54, 110, 113, 114, 134, 137, 138):

Energy-Related:

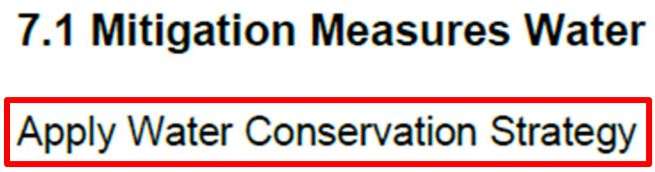
5.1 Mitigation Measures Energy

Exceed Title 24

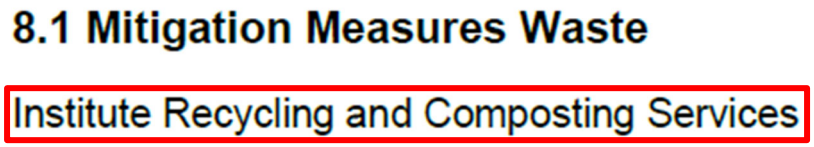
Install High Efficiency Lighting

[16] "CalEEMod User Guide." CAPCOA, November 2017, *available at:* http://www.caleemod.com/, p. 35.

Water-Related:

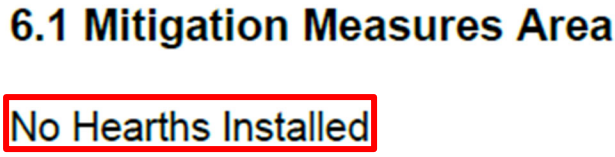


Waste-Related:



Furthermore, the "Mt. Lebanon Project" model includes the following area-related operational mitigation measure (see excerpt below) (Appendix B-2, pp. 136):

Area-Related:



As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[17] According to the "User Entered Comments and Non-Default Data" table, the justifications provided for the inclusion of the energy-, water-, and waste-related operational mitigation measures are:

- "Install high efficiency lighting,"
- "Consistent with CalGreen for water conservation (20%)," and
- "Current City of LA Diversion Rates," respectively (Appendix C.1, pp. 37, 73, 109; Appendix E, pp. 27, 74).

However, the inclusion of the above-mentioned operational mitigation measures remains unsubstantiated for three reasons.

First, the "User Entered Comments and Non-Default Data" table fails to provide a justification for the inclusion of the above-mentioned area-related mitigation measure.

Second, simply because the "User Entered Comments and Non-Default Data" table states that the Project would comply with CalGreen and the City's current waste diversion rates does not justify the inclusion of the above-mentioned water- and waste-related operational mitigation measures in the

[17] CalEEMod User Guide, *available at:* http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 2, 9.

model. According to the Association of Environmental Professionals' ("AEP") *CEQA Portal Topic Paper* on mitigation measures:

> "By definition, *mitigation measures are not part of the original project design*. Rather, mitigation measures are actions taken by the lead agency to reduce impacts to the environment resulting from the original project design. Mitigation measures are identified by the lead agency after the project has undergone environmental review and are *above-and-beyond existing laws, regulations, and requirements* that would reduce environmental impacts" (emphasis added).[18]

As you can see in the excerpt above, mitigation measures "are not part of the original project design" and are intended to go "above-and-beyond" existing regulatory requirements. Thus, the inclusion of the above-mentioned water- and waste-related operational mitigation measures remains unsupported, despite the Project's purported compliance with CalGreen and the City's waste diversion rates.

Third, regarding the Project's air quality impact, the DEIR states:

> "Project-level impacts related to Threshold (b) would be less than significant during construction and operation of the Project. Therefore, no mitigation measures are required" (p. IV.A-61).

As demonstrated above, the DEIR claims that *no* mitigation measures would be required. However, while the DEIR concludes that *no* mitigation measures would be required to reduce emissions to less-than-significant levels, the DEIR's modeling incorporates mitigation measures to reduce emissions to less-than-significant levels. If the DEIR's conclusion was correct, the above-mentioned operational mitigation measures should not have been included in the model. Thus, by incorrectly including energy-, area-, water-, and waste-related operational mitigation measures without properly committing to their implementation, the models may underestimate the Project's operational emissions and should not be relied upon to determine Project significance.

Updated Analysis Indicates a Potentially Significant Air Quality Impact

In an effort to more accurately estimate Project's construction-related emissions, we prepared updated an CalEEMod model, using the Project-specific information provided by the DEIR. In our updated models, we corrected the CO_2 intensity factor; proportionally increased the individual construction phase lengths to match the proposed construction duration of 2021 to 2024; as well as omitted the unsubstantiated changes to the off-road construction equipment unit amounts and usage hours, construction trip numbers (see Attachment B).

Our updated analysis estimates that the NO_X emissions associated with Project construction exceed the applicable SCAQMD threshold of 100 pounds per day ("lbs/day") (see tables below).[19]

[18] "CEQA Portal Topic Paper Mitigation Measures." AEP, February 2020, *available at:* https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf, p. 5.
[19] "South Coast AQMD Air Quality Significance Thresholds." SCAQMD, April 2019, *available at*: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.

Model	NO_X (lbs/day)
DEIR Construction	88
SWAPE Construction	226
% Increase	157%
SCAQMD Regional Threshold (lbs/day)	**100**
Threshold Exceeded?	***Yes***

As you can see in the excerpt above, the NO_X emissions associated with Project construction, as estimated by SWAPE, increase by approximately 157% and exceed the applicable SCAQMD significance threshold. Thus, our updated modeling demonstrates that the Project would result in a potentially significant air quality impact that was not previously identified or addressed in the DEIR. As a result, an updated EIR should be prepared to adequately assess and mitigate the potential air quality impacts that the Project may have on the surrounding environment.

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would have a less-than-significant health risk impact without conducting a quantified construction or operational health risk analysis ("HRA") (p. IV.A-63, IV.A-66). Specifically, regarding potential health risk impacts associated with Project construction, the DEIR states:

> "The greatest potential for TAC emissions during construction would be from diesel particulate emissions associated with heavy equipment operations. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk, "Individual Cancer Risk" is the likelihood that a person continuously exposed to concentrations of TACs over a 70-year lifetime will contract cancer based on the use of standard risk assessment methodology. Given the short-term construction schedule of approximately 36 months, the Project would not result in a longterm (i.e., 70-year) source of TAC emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment (HRA) for short-term construction emissions. It is, therefore, not necessary to evaluate long-term cancer impacts from construction activities which occur over a relatively short duration. In addition, there would be no residual emissions or corresponding individual cancer risk after construction. As such, Project-related TAC impacts during construction would be less than significant" (p. IV.A-62 - IV.A-63).

As demonstrated above, the DEIR concludes that the Project would result in a less-than-significant construction-related health risk impact because the short-term construction schedule would not result in a long-term substantial source of toxic air contaminant ("TAC") emissions, as well as because the SCAQMD CEQA guidance does not require an HRA for construction emissions. Furthermore, regarding potential health risk impacts associated with Project operation, the DEIR states:

> "**As the Project would not contain substantial TAC sources and is consistent with the CARB and SCAQMD guidelines, the Project would not result in the exposure of off-site sensitive receptors to carcinogenic or toxic air contaminants that exceed the maximum incremental**

cancer risk of 10 in one million or an acute or chronic hazard index of 1.0, and potential TAC impacts would be less than significant. Based on the above, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant" (p. IV.A-66).

As demonstrated above, the DEIR concludes that the Project would result in a less-than-significant operational health risk impact because the Project would not contain substantial sources of TAC emissions. However, the DEIR's evaluation of the Project's potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for three reasons.

First, the DEIR fails to quantitatively evaluate the Project's construction-related and operational TACs or make a reasonable effort to connect these emissions to potential health risk impacts posed to nearby existing sensitive receptors. This is incorrect, as construction of the proposed Project will produce emissions of DPM through the exhaust stacks of construction equipment over a potential construction duration of three years (p. II-26). Furthermore, the Transportation Study, provided as Appendix S to the DEIR, indicates that the proposed land uses are expected to generate approximately 764 average daily vehicle trips, which will generate additional exhaust emissions and continue to expose nearby sensitive receptors to diesel particulate matter ("DPM") emissions (Appendix S, p. 32, Table 7-1). However, the DEIR fails to evaluate the potential Project-generated TACs or indicate the concentrations at which such pollutants would trigger adverse health effects. Thus, without making a reasonable effort to connect the Project's construction-related and operational TAC emissions to the potential health risks posed to nearby receptors, the DEIR is inconsistent with CEQA's requirement to correlate the increase in emissions generated by the Project with the potential adverse impacts on human health.

Second, the DEIR's conclusion is inconsistent with guidance from the Office of Environmental Health Hazard Assessment ("OEHHA"), the organization responsible for providing guidance on conducting HRAs in California, as well as local air district guidelines. OEHHA released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* in February 2015. This guidance document describes the types of projects that warrant the preparation of an HRA. The OEHHA document recommends that all short-term projects lasting at least two months be evaluated for cancer risks to nearby sensitive receptors. As the Project's construction duration vastly exceeds the 2-month requirement set forth by OEHHA, it is clear that the Project meets the threshold warranting a quantified HRA under OEHHA guidance. Furthermore, the OEHHA document recommends that exposure from projects lasting more than 6 months be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident ("MEIR"). Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, we recommend that health risk impacts from Project operation also be evaluated, as a 30-year exposure duration vastly exceeds the 6-month requirement set forth by OEHHA. These recommendations reflect the most recent state health risk policies, and as such, we recommend that an analysis of health risk impacts posed to nearby sensitive receptors from Project-generated DPM emissions be included in an updated EIR for the Project.

Third, by claiming a less than significant impact without conducting a quantified construction or operational HRA for nearby, existing sensitive receptors, the DEIR fails to compare the Project's cumulative excess cancer risk to the applicable SCAQMD numeric threshold of 10 in one million, and lacks evidence to support its conclusion that the health risk would be under the threshold.[20] Thus, pursuant to CEQA and SCAQMD guidance, an analysis of the health risk posed to nearby, existing receptors from Project construction and operation should have been conducted.

Screening-Level Analysis Indicates a Potentially Significant Health Risk Impact

In order to conduct our screening-level risk analysis we relied upon AERSCREEN, which is a screening level air quality dispersion model.[21] The model replaced SCREEN3, and AERSCREEN is included in the OEHHA[22] and the California Air Pollution Control Officers Associated ("CAPCOA")[23] guidance as the appropriate air dispersion model for Level 2 health risk screening analyses ("HRSAs"). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

In order to estimate the health risk impacts posed to residential sensitive receptors as a result of the Project's construction-related and operational TAC emissions, we prepared a preliminary HRA using the annual PM_{10} exhaust estimates from the DEIR's CalEEMod output files. Consistent with recommendations set forth by OEHHA, we assumed residential exposure begins during the third trimester stage of life. The DEIR's CalEEMod model indicates that construction activities will generate approximately 687 pounds of DPM over the 1,095-day construction period (Appendix B-2, pp. 120). The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in equipment usage and truck trips over Project construction, we calculated an average DPM emission rate by the following equation:

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{686.6\ lbs}{1{,}095\ days} \times \frac{453.6\ grams}{lbs} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.00329\ g/s}$$

Using this equation, we estimated a construction emission rate of 0.00329 grams per second ("g/s"). Subtracting the 1,095-day construction period from the total residential duration of 30 years, we assumed that after Project construction, the sensitive receptor would be exposed to the Project's operational DPM for an additional 27 years, approximately. The DEIR's operational CalEEMod emissions indicate that operational activities will generate approximately 40 pounds of DPM per year throughout

[20] "South Coast AQMD Air Quality Significance Thresholds." SCAQMD, April 2019, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[21] U.S. EPA (April 2011) AERSCREEN Released as the EPA Recommended Screening Model, http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf
[22] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf
[23] CAPCOA (July 2009) Health Risk Assessments for Proposed Land Use Projects, http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf.

operation (Appendix B-2, pp. 121). Applying the same equation used to estimate the construction DPM rate, we estimated the following emission rate for Project operation:

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{40.4\ lbs}{365\ days} \times \frac{453.6\ grams}{lbs} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.000581\ g/s}$$

Using this equation, we estimated an operational emission rate of 0.000581 g/s. Construction and operational activity was simulated as a 0.97-acre rectangular area source in AERSCREEN with dimensions of 89- by 44-meters. A release height of three meters was selected to represent the height of exhaust stacks on operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project site. EPA guidance suggests that in screening procedures, the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10%.[24] According to the DEIR, the nearest sensitive receptors are located immediately north of the Project Site (p. IV.A-29). However, review of the AERSCREEN output files demonstrates that the *maximally exposed* individual resident ("MEIR") is located approximately 50 meters from the Project site. Thus, the single-hour concentration estimated by AERSCREEN for Project construction is approximately 14.4 µg/m^3 DPM at approximately 50 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 1.44 µg/m^3 for Project construction at the MEIR. For Project operation, the single-hour concentration estimated by AERSCREEN is 2.544 µg/m^3 DPM at approximately 50 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.2544 µg/m^3 for Project operation at the MEIR.

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA. Consistent with the 1,095-day construction schedule included in the Project's CalEEMod output files, the annualized average concentration for Project construction was used for the entire third trimester of pregnancy (0.25 years), infantile stage of life (0 – 2 years), and the first 0.75 year of the child stage of life (2 – 16 years); and the annualized averaged concentration for operation was used for the remainder of the 30-year exposure period, which makes up the remaining 13.25 years of the child stage of life and the entire the adult stage of life (16 – 30 years).

Consistent with OEHHA guidance and recommended by the SCAQMD, BAAQMD, and SJVAPCD guidance, we used Age Sensitivity Factors ("ASF") to account for the heightened susceptibility of young children to

[24] "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised." EPA, 1992, *available at*: http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf; *see also* "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf p. 4-36.

the carcinogenic toxicity of air pollution.[25, 26, 27] According to this guidance, the quantified cancer risk should be multiplied by a factor of ten during the third trimester of pregnancy and during the first two years of life (infant), as well as multiplied by a factor of three during the child stage of life (2 – 16 years). We also included the quantified cancer risk without adjusting for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution in accordance with older OEHHA guidance from 2003. This guidance utilizes a less health protective scenario than what is currently recommended by SCAQMD, the air quality district with jurisdiction over the City, and several other air districts in the state. Furthermore, in accordance with the guidance set forth by OEHHA, we used the 95th percentile breathing rates for infants.[28] Finally, according to SCAQMD guidance, we used a Fraction of Time At Home ("FAH") Value of 1 for the 3rd trimester and infant receptors.[29] We used a cancer potency factor of 1.1 (mg/kg-day)$^{-1}$ and an averaging time of 25,550 days. The results of our calculations are shown below.

[25] "Draft Environmental Impact Report (DEIR) for the Proposed The Exchange (SCH No. 2018071058)." SCAQMD, March 2019, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2019/march/RVC190115-03.pdf?sfvrsn=8, p. 4.

[26] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at:* http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 56; see also "Recommended Methods for Screening and Modeling Local Risks and Hazards." BAAQMD, May 2011, *available at:* http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20Modeling%20Approach.ashx, p. 65, 86.

[27] "Update to District's Risk Management Policy to Address OEHHA's Revised Risk Assessment Guidance Document." SJVAPCD, May 2015, *available at:* https://www.valleyair.org/busind/pto/staff-report-5-28-15.pdf, p. 8, 20, 24.

[28] "Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics 'Hot Spots' Information and Assessment Act," July 2018, *available at:* http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588supplementalguidelines.pdf, p. 16.
"Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf

[29] "Risk Assessment Procedures for Rules 1401, 1401.1, and 212." SCAQMD, August 2017, *available at:* http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf, p. 7.

The Maximum Exposed Individual at an Existing Residential Receptor (MEIR)

Activity	Duration (years)	Concentration (ug/m3)	Breathing Rate (L/kg-day)	Cancer Risk without ASFs*	ASF	Cancer Risk with ASFs*
Construction	0.25	1.44	361	2.0E-06	10	2.0E-05
3rd Trimester Duration	***0.25***			***2.0E-06***	***3rd Trimester Exposure***	***2.0E-05***
Construction	2.00	1.44	1090	4.7E-05	10	4.7E-04
Infant Exposure Duration	***2.00***			***4.7E-05***	***Infant Exposure***	***4.7E-04***
Construction	0.75	1.44	572	9.3E-06	3	2.8E-05
Operation	13.25	0.2544	572	2.9E-05	3	8.7E-05
Child Exposure Duration	***14.00***			***3.8E-05***	***Child Exposure***	***1.2E-04***
Operation	14.00	0.2544	261	1.0E-05	1	1.0E-05
Adult Exposure Duration	***14.00***			***1.0E-05***	***Adult Exposure***	***1.0E-05***
Lifetime Exposure Duration	**30.00**			**9.8E-05**	**Lifetime Exposure**	**6.2E-04**

* We, along with CARB and SCAQMD, recommend using the more updated and health protective 2015 OEHHA guidance, which includes ASFs.

As demonstrated in the table above, the excess cancer risk to adults, children, infants, and during the 3rd trimester of pregnancy at the MEIR located approximately 50 meters away, over the course of Project construction and operation, utilizing ASFs, is approximately 10, 120, 470, and 20 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), utilizing ASFs, is approximately 620 in one million. The 3rd trimester, infant, child, adult, and lifetime cancer risks exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the DEIR.

Utilizing ASFs is the most conservative, health-protective analysis according to the most recent guidance by OEHHA and reflects recommendations from the air district. Results without ASFs are presented in the table above, although we **do not** recommend utilizing these values for health risk analysis. Regardless, the excess cancer risk to adults, children, infants, and during the 3rd trimester of pregnancy at the MEIR located approximately 50 meters away, over the course of Project construction and operation, without ASFs, are approximately 10, 38, 47, and 2 in one million, respectively. The excess cancer risk over the course of a residential lifetime (30 years), without ASFs, is approximately 98 in one million. The infant, child, adult, and lifetime cancer risks, without ASFs, exceed the SCAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the DEIR. While we recommend the use of ASFs, the Project's cancer risk without ASFs, as estimated by SWAPE, nonetheless exceeds the SCAQMD threshold, resulting in a potentially significant health risk impact that the DEIR fails to disclose.

An agency must include an analysis of health risks that connects the Project's air emissions with the health risk posed by those emissions. Our analysis represents a screening-level HRA, which is known to be conservative and tends to err on the side of health protection. [30] The purpose of the screening-level construction and operational HRA shown above is to demonstrate the link between the proposed Project's emissions and the potential health risk. Our screening-level HRA demonstrates that construction and operation of the Project could result in a potentially significant health risk impact, when correct exposure assumptions and up-to-date, applicable guidance are used. Therefore, since our screening-level HRA indicates a potentially significant impact, the City should prepare an updated EIR with an HRA which makes a reasonable effort to connect the Project's air quality emissions and the potential health risks posed to nearby receptors. Thus, the City should prepare an updated, quantified air pollution model as well as an updated, quantified refined health risk analysis which adequately and accurately evaluates health risk impacts associated with both Project construction and operation.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would generate net annual greenhouse gas ("GHG") emissions of 1,197- and 1,803-metric tons of carbon dioxide equivalents per year ("MT CO_2e/year"), with and without GHG reduction measures, respectively (see excerpt below) (p. IV.C-75, Table IV.C-10).

Annual GHG Emissions Summary (Buildout)[a]
(metric tons of carbon dioxide equivalent [$MTCO_2e$])

Scope	Project Buildout without Reducing Measures	Project Buildout with Reducing Measures	Percent Reduction from Measures (Project Buildout)[b]
Area[b]	34	3	-92%
Energy[c]	496	445	-10%
Mobile[d]	1,073	567	-47%
EV Chargers[e]	(19)	(19)	0%
Stationary[f]	1	1	0%
Solid Waste[g]	23	23	0%
Water/Wastewater[h]	84	67	-20%
Construction	111	111	0%
Total Emissions	**1,803**	**1,197**	**-34%**

However, the DEIR elects not to apply a quantitative GHG threshold. Instead, the DEIR relies upon the Project's consistency with CARB's 2017 Climate Change Scoping Plan, SCAG's 2016-2040 RTP/SCS, SCAG's 2020-2045 RTP/SCS, L.A.'s Green New Deal (Sustainable City pLAn 2019), and the Los Angeles Green Building Code in order to conclude that the Project would result in a less-than-significant GHG

[30] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 1-5

impact (p. IV.C-41). However, the DEIR's GHG analysis, as well as the subsequent less-than-significant impact conclusion, is incorrect for four reasons.

(1) The DEIR's quantitative GHG analysis relies upon an incorrect and unsubstantiated air model;
(2) The DEIR incorrectly relies upon unsubstantiated GHG reduction measures;
(3) The DEIR's unsubstantiated air model indicates a potentially significant impact; and
(4) SWAPE's updated analysis indicates a potentially significant impact.

1) Incorrect and Unsubstantiated Quantitative Analysis of Emissions

As previously stated, the DEIR estimates that the Project would generate net annual GHG emissions of 1,197- and 1,803-MT CO_2e/year, with and without GHG reduction measures, respectively (p. IV.C-75, Table IV.C-10). However, the DEIR's quantitative GHG analysis is unsubstantiated. As previously discussed, when we reviewed the Project's CalEEMod output files, provided in the Air Quality Worksheets and Modeling Output Files as Appendix B-2 to the DEIR, we found that several of the values inputted into the model are not consistent with information disclosed in the DEIR. As a result, the model underestimates the Project's emissions, and the DEIR's quantitative GHG analysis should not be relied upon to determine Project significance. An updated EIR should be prepared that adequately assesses the potential GHG impacts that construction and operation of the proposed Project may have on the surrounding environment.

2) Incorrect Reliance on GHG Reduction Measures

As previously stated, the DEIR estimates that the Project would generate net annual GHG emissions of 1,197- and 1,803-MT CO_2e/year, with and without GHG reduction measures, respectively (p. IV.C-75, Table IV.C-10). Specifically, the DEIR estimates that the area-, energy-, mobile-, and water-related reduction measures would result in GHG emissions reductions of 92%, 10%, 47%, and 20%, respectively (see excerpt below) (p. IV.C-75, Table IV.C-10).

Annual GHG Emissions Summary (Buildout)[a]
(metric tons of carbon dioxide equivalent [$MTCO_2e$])

Scope	Project Buildout without Reducing Measures	Project Buildout with Reducing Measures	Percent Reduction from Measures (Project Buildout)[b]
Area[b]	34	3	-92%
Energy[c]	496	445	-10%
Mobile[d]	1,073	567	-47%
EV Chargers[e]	(19)	(19)	0%
Stationary[f]	1	1	0%
Solid Waste[g]	23	23	0%
Water/Wastewater[h]	84	67	-20%
Construction	111	111	0%
Total Emissions	**1,803**	**1,197**	**-34%**

However, these GHG reduction measures should not be relied upon for three reasons.

First, as discussed above, the Project's compliance with various regulations, plans and policies does not justify the inclusion of mitigation measures in the model.

Second, with the exception of Mitigation Measure ("MM") TR-MM-1, none of these design features are formally included as mitigation measures. This incorrect, as AEP guidance states:

> "While not "mitigation", a good practice is *to include those project design feature(s) that address environmental impacts in the mitigation monitoring and reporting program (MMRP)*. Often the MMRP is all that accompanies building and construction plans through the permit process. If the design features are not listed as important to addressing an environmental impact, *it is easy for someone not involved in the original environmental process to approve a change to the project that could eliminate one or more of the design features without understanding the resulting environmental impact*" (emphasis added).[31]

As you can see in the excerpts above, design features that are not formally included as mitigation measures *may be eliminated from the Project's design altogether*. Thus, as the above area-, energy-, and water/wastewater-related GHG reduction measures are not formally included as mitigation measures, we cannot guarantee that they would be implemented, monitored, and enforced on the Project site. As these design features are not formally included as mitigation measures, we cannot verify that they would be implemented, monitored, and enforced on the Project site.

Third, regarding the implementation of GHG reduction measures, the DEIR states:

> "Project-level impacts related to GHG emissions were determined to be less than significant without mitigation. Therefore, *no mitigation measures were required or included*, and the impact level remains less than significant" (emphasis added) (p. IV.C-80).

As you the excerpt above demonstrates, the DEIR claims that *no* mitigation measures would be required. As such, the DEIR should not rely on reduction measures to artificially decrease the Project's estimated GHG emissions. Rather, in order to claim that the Project would result in a less-than-significant GHG impact, the DEIR should demonstrate that the Project's GHG emissions are less-than-significant *without* the inclusion of reduction measures.

3) Failure to Identify a Potentially Significant GHG Impact

In an effort to quantitatively evaluate the Project's GHG emissions, we compared the Project's GHG emissions, as estimated by the DEIR, to the SCAQMD 2035 efficiency target of 3.0 MT CO_2e/year, which was calculated by applying a 40% reduction to the 2020 targets.[32] When applying the SCAQMD 2035 efficiency target of 3.0 MT CO_2e/year, the Project's incorrect and unsubstantiated air model indicates a

[31] "CEQA Portal Topic Paper Mitigation Measures." AEP, February 2020, *available at:* https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf, p. 6.
[32] "Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15." SCAQMD, September 2010, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf, p. 2.

potentially significant GHG impact.[33] As previously stated, the DEIR estimates that the Project would generate net annual GHG emissions of 1,197 MT CO_2e/year, including GHG reduction measures (p. IV.C-75, Table IV.C-10). Furthermore, according to CAPCOA's *CEQA & Climate Change* report, service population is defined as "the sum of the number of residents and the number of jobs supported by the project."[34] The DEIR estimates that the Project would house and employ approximately 345 and 6 people, respectively (p. IV.I-32). As such, we estimate a service population of 351 people.[35] When dividing the Project's GHG emissions, as estimated by the DEIR, by a service population of 351 people, we find that the Project would emit approximately 3.4 MT CO_2e/SP/year (see table below).[36]

DEIR Modeling Greenhouse Gas Emissions	
Net Annual GHG Emissions (MT CO_2e/year)	1,197
Service Population	351
Service Population Efficiency (MT CO_2e/SP/year)	**3.4**
SCAQMD 2035 Service Population Efficiency Target (MT CO_2e/SP/year)	3.0
Exceed?	***Yes***

As demonstrated above, the Project's net annual GHG emissions, as estimated by the DEIR, exceed the SCAQMD 2035 efficiency target of 3.0 MT CO_2e/year, indicating a potentially significant impact not previously identified or addressed by the DEIR. As a result, the DEIR's less-than-significant GHG impact conclusion should not be relied upon. An updated EIR should be prepared, including an updated GHG analysis and incorporating additional mitigation measures to reduce the Project's GHG emissions to less-than-significant levels.

Design Features Should Be Included as Mitigation Measures

Our analysis demonstrates that the Project would result in potentially significant air quality, health risk, and GHG impacts that should be mitigated further. We recommend that the DEIR implement all project design features, such as Project Design Features GHG-PDF-1 and GHG-PDF-2, as formal mitigation measures. As a result, we could guarantee that these measures would be implemented, monitored, and enforced on the Project site. Including formal mitigation measures by properly committing to their implementation would result in verifiable emissions reductions that may help reduce emissions to less-than-significant levels.

Furthermore, in an effort to reduce the Project's emissions, we identified several mitigation measures that are applicable to the proposed Project from NEDC's *Diesel Emission Controls in Construction*

[33] "Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #15." SCAQMD, September 2010, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-minutes.pdf, p. 2.
[34] CAPCOA *(*Jan. 2008) CEQA & Climate Change, p. 71-72, http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf.
[35] Calculated: 345 residents + 6 employees = 351 service population.
[36] Calculated: (1,197 MT CO_2e/year) / (351 service population) = (3.4 MT CO_2e/SP/year).

Projects.[37] Therefore, to reduce the Project's emissions, consideration of the following measures should be made:

NEDC's *Diesel Emission Controls in Construction Projects*[38]
Measures – Diesel Emission Control Technology
a. Diesel On-road Vehicles All diesel nonroad vehicles on site for more than 10 total days must have either (1) engines that meet EPA onroad emissions standards or (2) emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
b. Diesel Generators All diesel generators on site for more than 10 total days must be equipped with emission control technology verified by EPA or CARB to reduce PM emissions by a minimum of 85%.
c. Diesel Nonroad Construction Equipment i. All diesel nonroad construction equipment on site for more than 10 total days must have either (1) engines meeting EPA Tier 4 Final nonroad emission standards or (2) emission control technology verified by EPA or CARB for use with nonroad engines to reduce PM emissions by a minimum of 85% for engines 50hp and greater and by a minimum of 20% for engines less than 50hp.
d. Upon confirming that the diesel vehicle, construction equipment, or generator has either an engine meeting Tier 4 Final non road emission standards or emission control technology, as specified above, installed and functioning, the developer will issue a compliance sticker. All diesel vehicles, construction equipment, and generators on site shall display the compliance sticker in a visible, external location as designated by the developer.
Measures – Additional Diesel Requirements
a. Construction shall not proceed until the contractor submits a certified list of all diesel vehicles, construction equipment, and generators to be used on site. The list shall include the following: i. Contractor and subcontractor name and address, plus contact person responsible for the vehicles or equipment. ii. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. iii. For the emission control technology installed: technology type, serial number, make, model, manufacturer, EPA/CARB verification number/level, and installation date and hour-meter reading on installation date.
b. If the contractor subsequently needs to bring on site equipment not on the list, the contractor shall submit written notification within 24 hours that attests the equipment complies with all contract conditions and provide information.
c. The contractor shall establish generator sites and truck-staging zones for vehicles waiting to load or unload material on site. Such zones shall be located where diesel emissions have the least impact on

[37] "Diesel Emission Controls in Construction Projects." Northeast Diesel Collaborative (NEDC), December 2010, *available at:* https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf.

[38] "Diesel Emission Controls in Construction Projects." Northeast Diesel Collaborative (NEDC), December 2010, *available at:* https://www.epa.gov/sites/production/files/2015-09/documents/nedc-model-contract-sepcification.pdf.

abutters, the general public, and especially sensitive receptors such as hospitals, schools, daycare facilities, elderly housing, and convalescent facilities.
Reporting
a. For each onroad diesel vehicle, nonroad construction equipment, or generator, the contractor shall submit to the developer's representative a report prior to bringing said equipment on site that includes: i. Equipment type, equipment manufacturer, equipment serial number, engine manufacturer, engine model year, engine certification (Tier rating), horsepower, and engine serial number. ii. The type of emission control technology installed, serial number, make, model, manufacturer, and EPA/CARB verification number/level. iii. The Certification Statement signed and printed on the contractor's letterhead.
b. The contractor shall submit to the developer's representative a monthly report that, for each onroad diesel vehicle, nonroad construction equipment, or generator onsite, includes: i. Hour-meter readings on arrival on-site, the first and last day of every month, and on off-site date. ii. Any problems with the equipment or emission controls. iii. Certified copies of fuel deliveries for the time period that identify: 1. Source of supply 2. Quantity of fuel 3. Quality of fuel, including sulfur content (percent by weight)

These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. An updated EIR should be prepared to include all feasible mitigation measures, as well as include an updated health risk and GHG analysis to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The updated EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,

Matt Hagemann, P.G., C.Hg.

Paul E. Rosenfeld, Ph.D.

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Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on VOC filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

Dr. Rosenfeld is the Co-Founder and Principal Environmental Chemist at Soil Water Air Protection Enterprise (SWAPE). His focus is the fate and transport of environmental contaminants, risk assessment, and ecological restoration. His project experience ranges from monitoring and modeling of pollution sources as they relate to human and ecological health. Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing, petroleum, MtBE and fuel oxygenates, chlorinated solvents, pesticides, radioactive waste, PCBs, PAHs, dioxins, furans, volatile organics, semi-volatile organics, perchlorate, heavy metals, asbestos, PFOA, unusual polymers, and odor. Significant projects performed by Dr. Rosenfeld include the following:

Litigation Support

Client: Missouri Department of Natural Resources (Jefferson City, Missouri)
Serving as an expert in evaluating air pollution and odor emissions from a Republic Landfill in St. Louis, Missouri. Conducted. Project manager overseeing daily, weekly and comprehensive sampling of odor and chemicals.

Client: Louisiana Department of Transportation and Development (Baton Rouge, Louisiana)
Serving as an expert witness, conducting groundwater modeling of an ethylene dichloride DNAPL and soluble plume resulting from spill caused by Conoco Phillips.

Client: Missouri Department of Natural Resources (St. Louis, Missouri)
Serving as a consulting expert and potential testifying expert regarding a landfill fire directly adjacent to another landfill containing radioactive waste. Implemented an air monitoring program testing for over 100 different compounds using approximately 12 different analytical methods.

Client: Baron & Budd, P.C. (Dallas, Texas) and Weitz & Luxeinberg (New York, New York)
Served as a consulting expert in MTBE Federal Multi District Litigation (MDL) in New York. Consolidated ground water data, created maps for test cases, constructed damage model, evaluated taste and odor threshold levels. Resulted in a settlement of over $440 million.

Client: The Buzbee Law Firm (Houston, Texas)
Served as a as an expert in ongoing litigation involving over 50,000+ plaintiffs who are seeking compensation for chemical exposure and reduction in property value resulting from chemicals released from the BP facility.

Client: Environmental Litigation Group (Birmingham, Alabama)
Serving as an expert on property damage, medical monitoring and toxic tort claims that have been filed on behalf of over 13,000 plaintiffs who were exposed to PCBs and dioxins/furans resulting from emissions from Monsanto and Cerro Copper's operations in Sauget, Illinois. Developed AERMOD models to demonstrate plaintiff's exposure.

Client: Baron & Budd P.C. (Dallas Texas) and Korein Tillery (St. Louis, Missouri)
Served as a consulting expert for a Class Action defective product claim filed in Madison County, Illinois against Syngenta and five other manufacturers for atrazine. Evaluated health issues associated with atrazine and deterimied treatment cost for filtration of public drinking water supplies. Resulted in $105 million dollar settlement.

Client: The Buzbee Law Firm (Houston, Texas)
Served as a consulting expert in catalyst release and refinery emissions cases against the BP Refinery in Texas City. A jury verdict for 10 employees exposed to catalyst via BP's irresponsible behavior.

Client: Baron & Budd, P.C. (Dallas, Texas)
Served as a consulting expert to calculate the Maximum Allowable Dose Level (MADL) and No Significant Risk Level (NSRL), based on Cal EPA and OEHHA guidelines, for Polychlorinated Biphenyls (PCBs) in fish oil dietary supplements.

Client: Girardi Keese (Los Angeles, California)
Served as an expert testifying on hydrocarbon exposure of a woman who worked on a fuel barge operated by Chevron. Demonstrated that the plaintiff was exposed to excessive amounts of benzene.

Client: Mason & Cawood (Annapolis, Maryland) and Girardi & Keese (Los Angeles, California)
Serving as an expert consultant on the Battlefield Golf Club fly ash disposal site in Chesapeake, VA, where arsenic, other metals and radionuclides are leaching into groundwater, and ash is blowing off-site onto the surrounding communities.

Client: California Earth Mineral Corporation (Culver City, California)
Evaluating the montmorillonite clay deposit located near El Centro, California. Working as a Defense Expert representing an individual who owns a 2,500 acre parcel that will potentially be seized by the United States Navy via eminent domain.

Client: Matthews & Associates (Houston, Texas)
Serving as an expert witness, preparing air model demonstrating residential exposure via emissions from fracking in natural gas wells in Duncan, Texas.

Client: Baron & Budd P.C. (Dallas, Texas) and Korein Tillery (St. Louis, Missouri)
Served as a consulting expert for analysis of private wells relating to litigation regarding compensation of private well owners for MTBE testing. Coordinated data acquisition and GIS analysis evaluating private well proximity to leaking underground storage tanks.

Client: Lurie & Park LLP (Los Angeles, California)
Served as an expert witness evaluating a vapor intrusion toxic tort case that resulted in a settlement. The Superfund site is a 4 ½ mile groundwater plume of chlorinated solvents in Whittier, California.

Client: Mason & Cawood (Annapolis, Maryland)
Evaluated data from the Hess Gasoline Station in northern Baltimore, Maryland that had a release resulting in flooding of plaintiff's homes with gasoline-contaminated water, foul odor, and biofilm growth.

Client: The Buzbee Law Firm (Houston, Texas)
Evaluated air quality resulting from grain processing emissions in Muscatine, Iowa.

Client: Anderson Kill & Olick, P.C. (Ventura, California)
Evaluated historical exposure and lateral and vertical extent of contamination resulting from a ~150 million gallon Exxon Mobil tank farm located near Watts, California.

Client: Packard Law Firm (Petaluma, California)
Served as an expert witness, evaluated lead in Proposition 65 Case where various products were found to have elevated lead levels.

Client: The Buzbee Law Firm (Houston, Texas)
Evaluated data resulting from an oil spill in Port Arthur, Texas.

Client: Nexsen Pruet, LLC (Charleston, South Carolina)
Serving as expert in chlorine exposure in a railroad tank car accident where approximately 120,000 pounds of chlorine were released.

Client: Girardi & Keese (Los Angeles, California)
Serving as an expert investigating hydrocarbon exposure and property damage for ~600 individuals and ~280 properties in Carson, California where homes were constructed above a large tank farm formerly owned by Shell.

Client: Brent Coon Law Firm (Cleveland, Ohio)
Served as an expert, calculating an environmental exposure to benzene, PAHs, and VOCs from a Chevron Refinery in Hooven, Ohio. Conducted AERMOD modeling to determine cumulative dose.

Client: Lundy Davis (Lake Charles, Louisiana)
Served as consulting expert on an oil field case representing the lease holder of a contaminated oil field. Conducted field work evaluating oil field contamination in Sulphur, Louisiana. Property is owned by Conoco Phillips, but leased by Yellow Rock, a small oil firm.

Client: Cox Cox Filo (Lake Charles, Louisiana)
Served as testifying expert on a multimillion gallon oil spill in Lake Charles which occurred on June 19, 2006, resulting in hydrocarbon vapor exposure to hundreds of workers and residents. Prepared air model and calculated exposure concentration. Demonstrated that petroleum odor alone can result in significant health harms.

Client: Cotchett Pitre & McCarthy (San Francisco, California)
Served as testifying expert representing homeowners who unknowingly purchased homes built on an old oil field in Santa Maria, California. Properties have high concentrations of petroleum hydrocarbons in subsurface soils resulting in diminished property value.

Client: Law Offices Of Anthony Liberatore P.C. (Los Angeles, California)
Served as testifying expert representing individuals who rented homes on the Inglewood Oil Field in California. Plaintiffs were exposed to hydrocarbon contaminated water and air, and experienced health harms associated with the petroleum exposure.

Client: Orange County District Attorney (Orange County, California)
Coordinated a review of 143 ARCO gas stations in Orange County to assist the District Attorney's prosecution of CCR Title 23 and California Health and Safety Code violators.

Client: Environmental Litigation Group (Birmingham, Alabama)
Served as a testifying expert in a health effects case against ABC Coke/Drummond Company for polluting a community with PAHs, benzene, particulate matter, heavy metals, and coke oven emissions. Created air dispersion models and conducted attic dust sampling, exposure modeling, and risk assessment for plaintiffs.

Client: Masry & Vitatoe (Westlake Village, California), Engstrom Lipscomb Lack (Los Angeles, Califronia) and Baron & Budd P.C. (Dallas, Texas)
Served as a consulting expert in Proposition 65 lawsuit filed against major oil companies for benzene and toluene releases from gas stations and refineries resulting in contaminated groundwater. Settlement included over $110 million dollars in injunctive relief.

Client: Tommy Franks Law Firm (Austin, Texas)
Served as expert evaluating groundwater contamination which resulted from the hazardous waste injection program and negligent actions of Morton Thiokol and Rohm Hass. Evaluated drinking water contamination and community exposure.

Client: Baron & Budd P.C. (Dallas, Texas) and Sher Leff (San Francisco, California)
Served as consulting expert for several California cities that filed defective product cases against Dow Chemical and Shell for 1,2,3-trichloropropane groundwater contamination. Generated maps showing capture zones of impacted wells for various municipalities.

Client: Weitz & Luxenberg (New York, New York)
Served as expert on Property Damage and Nuisance claims resulting from emissions from the Countywide Landfill in Ohio. The landfill had an exothermic reaction or fire resulting from aluminum dross dumping, and the EPA fined the landfill $10,000,000 dollars.

Client: Baron & Budd P.C. (Dallas, Texas)
Served as a consulting expert for a groundwater contamination case in Pensacola, Florida where fluorinated compounds contaminated wells operated by Escambia County.

Client: Environmental Litigation Group (Birmingham, Alabama)
Served as an expert on groundwater case where Exxon Mobil and Helena Chemical released ethylene dichloride into groundwater resulting in a large plume. Prepared report on the appropriate treatment technology and cost, and flaws with the proposed on-site remediation.

Client: Environmental Litigation Group (Birmingham, Alabama)
Served as an expert on air emissions released when a Bartlo Packaging Incorporated facility in West Helena, Arkansas exploded resulting in community exposure to pesticides and smoke from combustion of pesticides.

Client: Omara & Padilla (San Diego, California)
Served as a testifying expert on nuisance case against Nutro Dogfood Company that constructed a large dog food processing facility in the middle of a residential community in Victorville, California with no odor control devices. The facility has undergone significant modifications, including installation of a regenerative thermal oxidizer.

Client: Environmental Litigation Group (Birmingham, Alabama)
Serving as an expert on property damage and medical monitoring claims that have been filed against International Paper resulting from chemical emissions from facilities located in Bastrop, Louisiana; Prattville, Alabama; and Georgetown, South Carolina.

Client: Estep and Shafer L.C. (Kingwood, West Virginia)
Served as expert calculating acid emissions doses to residents resulting from coal-fired power plant emissions in West V
irginia using various air models.

Client: Watts Law Firm (Austin, Texas), Woodfill & Pressler (Houston, Texas) and Woska & Associates (Oklahoma City, Oklahoma)
Served as testifying expert on community and worker exposure to CCA, creosote, PAHs, and dioxins/furans from a BNSF and Koppers Facility in Somerville, Texas. Conducted field sampling, risk assessment, dose assessment and air modeling to quantify exposure to workers and community members.

Client: Environmental Litigation Group (Birmingham, Alabama)
Served as expert regarding community exposure to CCA, creosote, PAHs, and dioxins/furans from a Louisiana Pacific wood treatment facility in Florala, Alabama. Conducted blood sampling and environmental sampling to determine environmental exposure to dioxins/furans and PAHs.

Client: Sanders Law Firm (Colorado Springs, Colorado) and Vamvoras & Schwartzberg (Lake Charles, Louisiana)
Served as an expert calculating chemical exposure to over 500 workers from large ethylene dichloride spill in Lake Charles, Louisiana at the Conoco Phillips Refinery.

Client: Baron & Budd P.C. (Dallas, Texas)
Served as consulting expert in a defective product lawsuit against Dow Agroscience focusing on Clopyralid, a recalcitrant herbicide that damaged numerous compost facilities across the United States.

Client: Sullivan Papain Block McGrath & Cannavo (New York, New York) and The Cochran Firm (Dothan, Mississippi)

Served as an expert regarding community exposure to metals, PAHs PCBs, and dioxins/furans from the burning of Ford paint sludge and municipal solid waste in Ringwood, New Jersey.

Client: Rose, Klein & Marias LLP (Los Angeles, California)
Served as an expert in 55 Proposition 65 cases against individual facilities in the Port of Los Angeles and Port of Long Beach. Prepared air dispersion and risk models to demonstrate that each facility emits diesel particulate matter that results in risks exceeding 1/100,000, hence violating the Proposition 65 Statute.

Client: Rose, Klein & Marias LLP (Los Angeles, California) and Environmental Law Foundation (San Francisco, California)
Served as an expert in a Proposition 65 case against potato chip manufacturers. Conducted an analysis of several brands of potato chips for acrylamide concentrations and found that all samples exceeded Proposition 65 No Significant Risk Levels.

Client: Gonzales & Robinson (Westlake Village, California)
Served as a testifying expert in a toxic tort case against Chevron (Ortho) for allowing a community to be contaminated with lead arsenate pesticide. Created air dispersion and soil vadose zone transport models, and evaluated bioaccumulation of lead arsenate in food.

Client: Environment Now (Santa Monica, California)
Served as expert for Environment Now to convince the State of California to file a nuisance claim against automobile manufactures to recover MediCal damages from expenditures on asthma-related health care costs.

Client: Trutanich Michell (Long Beach, California)
Served as expert representing San Pedro Boat Works in the Port of Los Angeles. Prepared air dispersion, particulate air dispersion, and storm water discharge models to demonstrate that Kaiser Bulk Loading is responsible for copper concentrate accumulating in the bay sediment.

Client: Azurix of North America (Fort Myers, Florida)
Provided expert opinions, reports and research pertaining to a proposed County Ordinance requiring biosolids applicators to measure VOC and odor concentrations at application sites' boundaries.

Client: MCP Polyurethane (Pittsburg, Kansas)
Provided expert opinions and reports regarding metal-laden landfill runoff that damaged a running track by causing the reversion of the polyurethane due to its catalytic properties.

Risk Assessment And Air Modeling

Client: Hager, Dewick & Zuengler, S.C. (Green Bay, Wisconsin)
Conducted odor audit of rendering facility in Green Bay, Wisconsin.

Client: ABT-Haskell (San Bernardino, California)
Prepared air dispersion model for a proposed state-of-the-art enclosed compost facility. Prepared a traffic analysis and developed odor detection limits to predict 1, 8, and 24-hour off-site concentrations of sulfur, ammonia, and amine.

Client: Jefferson PRP Group (Los Angeles, California)
Evaluated exposure pathways for chlorinated solvents and hexavalent chromium for human health risk assessment of Los Angeles Academy (formerly Jefferson New Middle School) operated by Los Angeles Unified School District.

Client: Covanta (Susanville, California)
Prepared human health risk assessment for Covanta Energy focusing on agricultural worker exposure to caustic fertilizer.

Client: CIWMB (Sacramento, California)
Used dispersion models to estimate traveling distance and VOC concentrations downwind from a composting facility for the California Integrated Waste Management Board.

Client: Carboquimeca (Bogotá, Columbia)
Evaluated exposure pathways for human health risk assessment for a confidential client focusing on significant concentrations of arsenic and chlorinated solvents present in groundwater used for drinking water.

Client: Navy Base Realignment and Closure Team (Treasure Island, California)
Used Johnson-Ettinger model to estimate indoor air PCB concentrations and compared estimated values with empirical data collected in homes.

Client: San Diego State University (San Diego, California)
Measured CO_2 flux from soils amended with different quantities of biosolids compost at Camp Pendleton to determine CO_2 credit values for coastal sage under fertilized and non-fertilized conditions.

Client: Navy Base Realignment and Closure Team (MCAS Tustin, California)
Evaluated cumulative risk of a multiple pathway scenario for a child resident and a construction worker. Evaluated exposure to air and soil via particulate and vapor inhalation, incidental soil ingestion, and dermal contact with soil.

Client: MCAS Miramar (San Diego, California)
Evaluated exposure pathways of metals in soil by comparing site data to background data. Risk assessment incorporated multiple pathway scenarios assuming child resident and construction worker particulate and vapor inhalation, soil ingestion, and dermal soil contact.

Client: Naval Weapons Station (Seal Beach, California)
Used a multiple pathway model to generate dust emission factors from automobiles driving on dirt roads. Calculated bioaccumulation of metals, PCBs, dioxin congeners and pesticides to estimate human and ecological risk.

Client: King County, Douglas County (Washington State)
Measured PM_{10} and $PM_{2.5}$ emissions from windblown soil treated with biosolids and a polyacrylamide polymer in Douglas County, Washington. Used Pilat Mark V impactor for measurement and compared data to EPA particulate regulations.

Client: King County (Seattle, Washington)
Created emission inventory for several compost and wastewater facilities comparing VOC, particulate, and fungi concentrations to NIOSH values estimating risk to workers and individuals at neighboring facilities.

Air Pollution Investigation and Remediation

Client: Republic Landfill (Santa Clarita, California)
Managed a field investigation of odor around a landfill during 30+ events. Used hedonic tone, butanol scale, dilution-to-threshold values, and odor character to evaluate odor sources and character and intensity.

Client: California Biomass (Victorville, California)
Managed a field investigation of odor around landfill during 9+ events. Used hedonic tone, butanol scale, dilution-to-threshold values, and odor character to evaluate odor sources, character and intensity.

Client: ABT-Haskell (Redlands, California)
Assisted in permitting a compost facility that will be completely enclosed with a complex scrubbing system using acid scrubbers, base scrubbers, biofilters, heat exchangers and chlorine to reduce VOC emissions by 99 percent.

Client: Synagro (Corona, California)
Designed and monitored 30-foot by 20-foot by 6-foot biofilter for VOC control at an industrial composting facility in Corona, California to reduce VOC emissions by 99 percent.

Client: Jeff Gage (Tacoma, Washington)
Conducted emission inventory at industrial compost facility using GC/MS analyses for VOCs. Evaluated effectiveness of VOC and odor control systems and estimated human health risk.

Client: Daishowa America (Port Angeles Mill, Washington)
Analyzed industrial paper sludge and ash for VOCs, heavy metals and nutrients to develop a land application program. Metals were compared to federal guidelines to determine maximum allowable land application rates.

Client: Jeff Gage (Puyallup, Washington)
Measured effectiveness of biofilters at composting facility and conducted EPA dispersion models to estimate traveling distance of odor and human health risk from exposure to volatile organics.

Surface Water, Groundwater, and Wastewater Investigation/Remediation

Client: Confidential (Downey, California)
Managed groundwater investigation to determine horizontal extent of 1,000 foot TCE plume associated with a metal finishing shop.

Client: Confidential (West Hollywood, California)
Designing soil vapor extraction system that is currently being installed for confidential client. Managing groundwater investigation to determine horizontal extent of TCE plume associated with dry cleaning.

Client: Synagro Technologies (Sacramento, California)
Managed groundwater investigation to determine if biosolids application impacted salinity and nutrient concentrations in groundwater.

Client: Navy Base Realignment and Closure Team (Treasure Island, California)
Assisted in the design and remediation of PCB, chlorinated solvent, hydrocarbon and lead contaminated groundwater and soil on Treasure Island. Negotiated screening levels with DTSC and Water Board. Assisted in the preparation of FSP/QAPP, RI/FS, and RAP documents and assisted in CEQA document preparation.

Client: Navy Base Realignment and Closure Team (MCAS Tustin, California)
Assisted in the design of groundwater monitoring systems for chlorinated solvents at Tustin MCAS. Contributed to the preparation of FS for groundwater treatment.

Client: Mission Cleaning Facility (Salinas, California)
Prepared a RAP and cost estimate for using an oxygen releasing compound (ORC) and molasses to oxidize diesel fuel in soil and groundwater at Mission Cleaning in Salinas.

Client: King County (Washington)
Established and monitored experimental plots at a US EPA Superfund Site in wetland and upland mine tailings contaminated with zinc and lead in Smelterville, Idaho. Used organic matter and pH adjustment for wetland remediation and erosion control.

Client: City of Redmond (Richmond, Washington)
Collected storm water from compost-amended and fertilized turf to measure nutrients in urban runoff. Evaluated effectiveness of organic matter-lined detention ponds on reduction of peak flow during storm events. Drafted compost amended landscape installation guidelines to promote storm water detention and nutrient runoff reduction.

Client: City of Seattle (Seattle, Washington)
Measured VOC emissions from Renton wastewater treatment plant in Washington. Ran GC/MS, dispersion models, and sensory panels to characterize, quantify, control and estimate risk from VOCs.

Client: Plumas County (Quincy, California)

Installed wetland to treat contaminated water containing 1% copper in an EPA Superfund site. Revegetated 10 acres of acidic and metal laden sand dunes resulting from hydraulic mining. Installed and monitored piezometers in wetland estimating metal loading.

Client: Adams Egg Farm (St. Kitts, West Indies)
Designed, constructed, and maintained 3 anaerobic digesters at Springfield Egg Farm, St. Kitts. Digesters treated chicken excrement before effluent discharged into sea. Chicken waste was converted into methane cooking gas.

Client: BLM (Kremmling, Colorado)
Collected water samples for monitoring program along upper stretch of the Colorado River. Rafted along river and protected water quality by digging and repairing latrines.

Soil Science and Restoration Projects

Client: Hefner, Stark & Marois, LLP (Sacramento, California)
Facilitated in assisting Hefner, Stark & Marois, LLP in working with the Regional Water Quality board to determine how to utilize Calcium Participate as a by-product of processing sugar beets.

Client: Kinder Morgan (San Diego County, California)
Designed and monitored the restoration of a 110-acre project on Camp Pendleton along a 26-mile pipeline. Managed crew of 20, planting coastal sage, riparian, wetland, native grassland, and marsh ecosystems. Negotiated with the CDFW concerning species planting list and success standards.

Client: NAVY BRAC (Orote Landfill, Guam)
Designed and monitored pilot landfill cap mimicking limestone forest. Measured different species' root-penetration into landfill cap. Plants were used to evapotranspirate water, reducing water leaching through soil profile.

Client: LA Sanitation District Puente Hills Landfill (Whittier, California)
Monitored success of upland and wetland mitigation at Puente Hills Landfill operated by Sanitation Districts of Los Angeles. Negotiated with the Army Corps of Engineers and CDFG to obtain an early sign-off.

Client: City of Escondido (Escondido, California)
Designed, managed, installed, and monitored a 20-acre coastal sage scrub restoration project at Kit Carson Park, Escondido, California.

Client: Home Depot (Encinitas, California)
Designed, managed, installed and monitored a 15-acre coastal sage scrub and wetland restoration project at Home Depot in Encinitas, California.

Client: Alvarado Water Filtration Plant (San Diego, California)
Planned, installed and monitored 2-acre riparian and coastal sage scrub mitigation in San Diego California.

Client: Monsanto and James River Corporation (Clatskanie, Oregon)
Served as a soil scientist on a 50,000-acre hybrid poplar farm. Worked on genetically engineering study of Poplar trees to see if glyphosate resistant poplar clones were economically viable.

Client: World Wildlife Fund (St. Kitts, West Indies)
Managed 2-year biodiversity study, quantifying and qualifying the various flora and fauna in St. Kitts' expanding volcanic rainforest. Collaborated with skilled botanists, ornithologists and herpetologists.

Publications

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Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** "Bringing Environmental Justice to East St. Louis, Illinois." Urban Environmental Pollution, Boston, MA, June 20-23, 2010.

Rosenfeld, P.E. (2009) "Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States" Presentation at the 2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting, April 19-23, 2009. Tuscon, AZ.

Rosenfeld, P.E. (2009) "Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States" Presentation at the 2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting, April 19-23, 2009. Tuscon, AZ.

Rosenfeld, P. E. (2007) "Moss Point Community Exposure To Contaminants From A Releasing Facility" Platform Presentation at the 23rd Annual International Conferences on Soils Sediment and Water, October 15-18, 2007. University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (2007) "The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant" Platform Presentation at the 23rd Annual International Conferences on Soils Sediment and Water, October 15-18, 2007. University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (2007) "Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions" Poster Presentation at the 23rd Annual International Conferences on Soils Sediment and Water, October 15-18, 2007. University of Massachusetts, Amherst MA.

Rosenfeld P. E. "Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP)" – Platform Presentation at the Association for Environmental Health and Sciences (AEHS) Annual Meeting, San Diego, CA, 3/2007.

Rosenfeld P. E. "Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama" – Platform Presentation at the AEHS Annual Meeting, San Diego, CA, 3/2007.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (2006) "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." APHA 134 Annual Meeting & Exposition, Boston Massachusetts. November 4 to 8th, 2006.

Paul Rosenfeld Ph.D. "Fate, Transport and Persistence of PFOA and Related Chemicals." Mealey's C8/PFOA Science, Risk & Litigation Conference" October 24, 25. The Rittenhouse Hotel, Philadelphia.

Paul Rosenfeld Ph.D. "Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation PEMA Emerging Contaminant Conference. September 19. Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. "Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP." PEMA Emerging Contaminant Conference. September 19. Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. "Fate, Transport and Persistence of PDBEs." Mealey's Groundwater Conference. September 26, 27. Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. "Fate, Transport and Persistence of PFOA and Related Chemicals." International Society of Environmental Forensics: Focus On Emerging Contaminants. June 7,8. Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. "Rate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals". 2005 National Groundwater Association Ground Water And Environmental Law Conference. July 21-22, 2005. Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. "Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation." 2005 National Groundwater Association Ground Water And Environmental Law Conference. July 21-22, 2005. Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. National Groundwater Association. Environmental Law Conference. May 5-6, 2004. Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D., 2004. Perchlorate Toxicology. Presentation to a meeting of the American Groundwater Trust. March 7th, 2004. Pheonix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse, 2004. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Paul Rosenfeld, Ph.D. A National Damage Assessment Model For PCE and Dry Cleaners. Drycleaner Symposium. California Ground Water Association. Radison Hotel, Sacramento, California. April 7, 2004.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants. February 20-21, 2003. Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. Underground Storage Tank Litigation and Remediation. California CUPA Forum. Marriott Hotel. Anaheim California. February 6-7, 2003.

Paul Rosenfeld, Ph.D. Underground Storage Tank Litigation and Remediation. EPA Underground Storage Tank Roundtable. Sacramento California. October 23, 2002.

Rosenfeld, P.E. and Suffet, M. 2002. Understanding Odor from Compost, Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association. Barcelona Spain. October 7- 10.

Rosenfeld, P.E. and Suffet, M. 2002. Using High Carbon Wood Ash to Control Compost Odor. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association. Barcelona Spain. October 7- 10.

Rosenfeld, P.E. and Grey, M. A. 2002. Biocycle Composting For Coastal Sage Restoration. Northwest Biosolids Management Association. Vancouver Washington. September 22-24.

Rosenfeld, P.E. and Grey, M. A. 2002. Soil Science Society Annual Conference. Indianapolis, Maryland. November 11-14.

Rosenfeld. P.E. 2000. Two stage biofilter for biosolids composting odor control. Water Environment Federation. Anaheim California. September 16, 2000.

Rosenfeld. P. E. 2000. Wood ash and biofilter control of compost odor. Biofest. October 16, 2000.Ocean Shores, California.

Rosenfeld, P. E. 2000. Bioremediation Using Organic Soil Amendments. California Resource Recovery Association. Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. 1998. Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. 1999. An evaluation of ash incorporation with biosolids for odor reduction. Soil Science Society of America. Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. 1998. Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. Brown and Caldwell, Seattle Washington.

Rosenfeld, P.E., C.L. Henry. 1998. Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. Biofest Lake Chelan, Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. 1997. Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. Soil Science Society of America, Anaheim California.

Professional History

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Founding And Managing Partner
UCLA School of Public Health; 2007 to 2010; Lecturer (Asst Res)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist
Bureau of Land Management, Kremmling Colorado 1990; Scientist

Teaching Experience

UCLA Department of Environmental Health (Summer 2003 through 2010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focuses on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course In Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5 2002 Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University. Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993.

Cases that Dr. Rosenfeld Provided Deposition or Trial Testimony

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs,* vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)

In the Court of Common Pleas for the Second Judicial Circuit, State of South Carolina, County of Aiken
David Anderson, et al., *Plaintiffs,* vs. Norfolk Southern Corporation, et al., *Defendants.*
Case Number: 2007-CP-02-1584

In the Circuit Court of Jefferson County Alabama
Jaeanette Moss Anthony, et al., *Plaintiffs*, vs. Drummond Company Inc., et al., *Defendants*
Civil action No. CV 2008-2076

In the Ninth Judicial District Court, Parish of Rapides, State of Louisiana
Roger Price, et al., *Plaintiffs*, vs. Roy O. Martin, L.P., et al., *Defendants*.
Civil Suit Number 224,041 Division G

In the United States District Court, Western District Lafayette Division
Ackle et al., *Plaintiffs*, vs. Citgo Petroleum Corporation, et al., *Defendants*.
Case Number 2:07CV1052

In the United States District Court for the Southern District of Ohio
Carolyn Baker, et al., *Plaintiffs*, vs. Chevron Oil Company, et al., *Defendants*.
Case Number 1:05 CV 227

In the Fourth Judicial District Court, Parish of Calcasieu, State of Louisiana
Craig Steven Arabie, et al., *Plaintiffs*, vs. Citgo Petroleum Corporation, et al., *Defendants*.
Case Number 07-2738 G

In the Fourteenth Judicial District Court, Parish of Calcasieu, State of Louisiana
Leon B. Brydels, *Plaintiffs*, vs. Conoco, Inc., et al., *Defendants.*
Case Number 2004-6941 Division A

In the District Court of Tarrant County, Texas, 153rd Judicial District
Linda Faust, *Plaintiff*, vs. Burlington Northern Santa Fe Rail Way Company, Witco Chemical Corporation A/K/A Witco Corporation, Solvents and Chemicals, Inc. and Koppers Industries, Inc., *Defendants*.
Case Number 153-212928-05

In the Superior Court of the State of California in and for the County of San Bernardino
Leroy Allen, et al., *Plaintiffs*, vs. Nutro Products, Inc., a California Corporation and DOES 1 to 100, inclusive, *Defendants*.
John Loney, Plaintiff, vs. James H. Didion, Sr.; Nutro Products, Inc.; DOES 1 through 20, inclusive, *Defendants*.
Case Number VCVVS044671

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., *Plaintiffs*, vs. International Paper Company, *Defendant*.
Civil Action Number 2:09-cv-232-WHA-TFM

In the Superior Court of the State of California in and for the County of Los Angeles
Leslie Hensley and Rick Hensley, *Plaintiffs*, vs. Peter T. Hoss, as trustee on behalf of the Cone Fee Trust; Plains Exploration & Production Company, a Delaware corporation; Rayne Water Conditioning, Inc., a California corporation; and DOES 1 through 100, *Defendants.*
Case Number SC094173

In the Superior Court of the State of California in and for the County of Santa Barbara, Santa Maria Branch
Clifford and Shirley Adelhelm, et al., all individually, *Plaintiffs*, vs. Unocal Corporation, a Delaware Corporation; Union Oil Company of California, a California corporation; Chevron Corporation, a California corporation; ConocoPhillips, a Texas corporation; Kerr-McGee Corporation, an Oklahoma corporation; and DOES 1 though 100, *Defendants.*
Case Number 1229251 (Consolidated with case number 1231299)

In the United States District Court for Eastern District of Arkansas, Eastern District of Arkansas
Harry Stephens Farms, Inc, and Harry Stephens, individual and as managing partner of Stephens Partnership, *Plaintiffs*, vs. Helena Chemical Company, and Exxon Mobil Corp., successor to Mobil Chemical Co., *Defendants.*
Case Number 2:06-CV-00166 JMM (Consolidated with case number 4:07CV00278 JMM)

In the United States District Court for the Western District of Arkansas, Texarkana Division
Rhonda Brasel, et al., *Plaintiffs*, vs. Weyerhaeuser Company and DOES 1 through 100, *Defendants.*
Civil Action Number 07-4037

In The Superior Court of the State of California County of Santa Cruz
Constance Acevedo, et al. *Plaintiffs* Vs. California Spray Company, et al. *Defendants*
Case No CV 146344

In the District Court of Texas 21st Judicial District of Burleson County
Dennis Davis, *Plaintiff*, vs. Burlington Northern Santa Fe Rail Way Company, *Defendant.*
Case Number 25,151

In the United States District Court of Southern District of Texas Galveston Division
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs*, vs. BP Products North America, Inc., *Defendant.*
Case 3:10-cv-00622

EXHIBIT B

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

CALIFORNIA
WASHINGTON
NEW YORK

WI #21-072

June 22,2021

Kelilah D. Federman, Esq.
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, California 94080

SUBJECT: Our Lady of Mt. Lebanon Draft EIR, Comments on the Noise Analysis

Dear Ms. Federman,

Per your request, I have reviewed the subject matter document Draft EIR (DEIR) for the Our Lady of Mt. Lebanon Project in Los Angeles. The project would add a 19-story multi-family building, re-construct the cathedral building for Our Lady of Mt. Lebanon , and provide new, subterranean parking. The Noise Section (Chapter IV. G), Transportation section (Chapter IV. I.) and Appendix O were reviewed. The DEIR determines that some of the noise and vibration impacts are significant and unavoidable, and we were asked to look specifically at the effectiveness and suitability of the proposed mitigation measures.

The DEIR identifies several significant construction and operational impacts without mitigation measures:

A. On-site Construction noise
B. Off-site Construction noise (construction traffic)
C. Operational noise (loading dock)
D. Cumulative construction noise impact
E. Off-site construction vibration (construction traffic)

The DEIR also identifies mitigation measures to address these significant impacts:

A. To reduce on-site generated construction noise, NOI-MM-1: temporary and impermeable sound barriers
    a. Northern property line to provide 15 dBA or more noise reduction
    b. Western property line to provide 15 dBA or more noise reduction
    c. Southern property line to provide 7 dBA or more noise reduction
B. No feasible means were identified to mitigate off-site generated construction noise
C. No feasible means were identified to mitigate operational noise from the loading dock.
D. Related Project

E. No feasible means were identified to mitigate off-site generated construction vibration

Additional On-site Construction Noise mitigation measures should be considered

The DEIR indicates that the perimeter construction sound barriers should be designed to provide 15 dBA noise reduction at the ground floor receptor (5 ft above ground) near receptor location R1 and R2, with a similar barrier to provide 7 dBA noise reduction near receptor location R3. The DEIR does not include the nominal construction equipment source heights or the expected construction sound barrier heights, but based on conventional sound barrier calculations using Maekawa's theory for point sources[1], depending on how close the sources would be to the barriers the heights required to achieve the mitigation goals outlined in NOI-MM-1 would be as shown in Table 1 below.

Table 1 Estimated Barrier Height to Achieve Mitigation Measure NOI-MM-1 Goals

Near Receptor	Distance from Receptor to Source (ft)		Distance from Receptor to barrier (ft)		Source and Receiver height (ft)	Mitigation Goal	Estimated Barrier Height (ft)
	Near	Far	Near	Far			
R1	30	90	10	70	5	-15 dBA	12 to 16
R2	65	125	10	70	5	-15 dBA	14 to 20
R3	175	235	10	70	5	-7 dBA	8 to 11

The DEIR acknowledges that even with these barriers, it may not be possible to reduce the construction noise below the level of significance. As shown in Table IV.G-12 the construction noise near receptor R1 would still require over 5 dBA reduction beyond the 15 dBA provided by NOI-MM-1, and R2 would require an additional 2 to 3 dBA reduction. If it were feasible to construct 20 ft high sound walls along the north (R1) and west (R2) perimeters, the benefit would range from 15 to 19 dBA.

Time constraints and buffer distances can also be used effectively to reduce the noise impact at residential areas. For example, limiting noisy operations such as heavy machinery, etc. cement trucks to the hours of 9 AM to 5 AM that are within, say 100 ft of residence or not otherwise sufficiently shielded by the sound barriers could also be another means to reduce noise impacts.

The project should provide a noise control and monitoring plan that identifies the final construction sound barrier layout and height, truck access and speed limits for noise control, other measures to reduce noise such as phasing and scheduling, buffer distances, and other measures raised above to reduce noise and vibration during construction. This plan should also include a description of the process by which complaints will be documented and resolved.

On-site construction vibration measures should be considered

Some heavy construction equipment and activities would exceed the vibration annoyance thresholds and the DEIR determine these would be significant. To the extent feasible, the time of day or time duration of these activities should be scheduled to minimize disruption for residents near receptor location R1 and R2. From the analysis provided in Table 2 of the Construction Vibration Impacts

[1] As described in Section 7.2 of *Environmental Noise Control*, by Edward B. Magrab, John Wiley & Sons, 1975.

analysis in Appendix O (p. 82 of 110), it would appear that a buffer distance could be implemented, limiting or avoiding heavy equipment and/or activities within about 80 feet of the noise sensitive buildings.

The DEIR references the FTA *Transit Noise and Vibration Impact Assessment Manual*. On pages 186-187 of the referenced FTA document examples of on-site vibration reduction measures that could be included that would lessen the duration /and or magnitude of the project. All of these items should be considered, which include planning equipment location and processes and a vibration control and monitoring plan that would include more specific evaluation and planning of construction vibration sources to limit vibration annoyance and a vibration monitoring during the periods of vibration impact.

The project should provide a vibration control and monitoring plan that identifies on-site layout, truck access and speed limits for vibration control, buffer distances and other measures to reduce vibration such as phasing and scheduling. This plan should also include a description of the process by which complaints will be documented and resolved.

Off-site construction noise and vibration measures should be considered

The DEIR determines that noise and vibration from construction trucks on city streets would be significant. Online planning information[2] for the City of Los Angeles appears to indicate that La Cienega Boulevard would be used to route heavy trucks. The project design feature TR-PDF-1 includes several transportation controls including adhering to the City truck routes.

If feasible, plan and orient the project construction to limit heavy trucks in the immediate vicinity to Burton Way and South San Vicente Way, to distance the trucks from neighbors. If feasible, implement speed limits and truck controls as part of the transportation plan (TR-PFD-1) for heavy trucks near the project site. It is possible that the project will require holding areas for heavy trucks and control the manner that trucks approach and leave the site, and thus it is feasible to control truck speed limit in the immediate environment (e.g., within 2 blocks). TNM outputs provided in Appendix O indicate that a truck speed of 35 mph was assumed. Limiting the speed to 25 mph could reduce the construction truck noise on the order of 1 to 3 dBA, and limiting trucks to 15 mph or less while approaching and departing the site and while on site would reduce truck noise as much as 3 dBA.

Vibration from haul trucks would also be reduced similarly at slower speeds, and limiting speeds haul truck routing and truck access aisles to Burton Way and South San Vicente Way would also reduce vibration by as much as 3 VdB. Minimizing unnecessary potholes and bumps along the truck route would also keep construction truck vibration to a minimum.

The project should provide a vibration control and monitoring plan that identifies off-site measures such as truck access routes and speed limits for vibration control and other measures to reduce vibration such as phasing and scheduling. This plan should also include a description of the process by which complaints will be documented and resolved.

[2] Website "Truck Route – Weight Limit," https://geohub.lacity.org/datasets/lahub::truck-route-weight-limit, accessed on 6/22/2021.

Additional mitigation for the loading dock should be considered

The DEIR determines the noise from concurrent use of both docks would be significant. If it is possible to schedule certain regular and noisy loading dock activities, it may be possible to limit the times when the loading dock generates these significant noise levels.

The project includes project design feature NOI-PDF-3 which provides a 6 ft high wall along the west and north dock perimeters to block line of site to the nearby neighbors near receptor location R1, but it would not mitigate the loading dock noise below the threshold of significance. Extending the barrier above 6 ft height using a segment that tilts toward the project and allows for ventilation and other code requirements would increase the acoustical noise reduction benefit of the dock-perimeter wall. Depending on the geometry this could provide another 3 decibels reduction.

The DEIR does not indicate whether the loading dock calculations include reflections off the hard surfaces of the project; these reflections could increase the loading dock noise by 1 to 3 dBA, reducing the effectiveness of the proposed walls. Design features which could be incorporated as mitigation to counter these reflections include any of the following:

a) Tilt the exterior building surfaces at an angle to direct reflected sound away from noise sensitive neighbors. A tilt that slopes at approximately 1:11 could be sufficient.

b) Add large sounding diffusing elements to the exterior wall surface (e.g., on the order of 4 ft in dimension).

c) Use exterior grade acoustically absorptive spray-on material such as Pyrok Acoustement 40, Star Silent panels or equivalent to provide a minimum NRC 0.75. An ideal sound absorber provides a noise reduction coefficient of 1.0.

Conclusions

The Draft EIR identifies several significant and unavoidable impacts from construction activities and activities at the project loading dock. While temporary construction sound barriers are proposed as part of NOI-MM-1, and project design features are included to reduce noise from the loading dock (NOI-PDF-1) and control construction traffic (TR-PDF-1), no other mitigation measures are offered to mediate the effects of ** months long construction project.

The information available at this time is understandably limited, but more information will be developed prior to construction, and several additional measures would be essential to reduce noise and vibration and provide information to the residential community such as:

- Construction sound and vibration control and monitoring plan. Identify final construction sound barrier heights, phasing and site planning, truck access, truck routes, speed limits and other measures raised above to reduce noise and vibration during construction. This plan should also include a description of the process by which complaints will be documented and resolved.
- Noise response hotline with contact person and access information posted prominently for the community to see.
- Building layout and design to minimize reflections from the loading dock activities such as those discussed above.

- Enhanced loading dock wall design as discussed above.

Please feel free to contact me with any questions on this information.

Very truly yours,

WILSON IHRIG

Deborah A. Jue, INCE-USA
Principal

our lady of mt. lebanon ceqa noise review_wilson ihrig draft.docx

WILSON IHRIG
ACOUSTICS, NOISE & VIBRATION

DEBORAH JUE

Principal

Since joining Wilson Ihrig in 1990, Ms. Jue has been involved in with many projects from environmental assessments and entitlements, through design development, construction documents and construction administration support. As an acoustical consultant, she has provided noise measurement, analysis and recommendations to control noise and vibration both at the interior of the project and at the neighboring properties. She has authored many reports concerning compliance with the requirements of California Noise Insulation Standards, Title 24, local Noise Elements, environmental assessments and Federal noise criteria, and is well aware of the additional design and construction technique requirements to achieve industry standards. Ms. Jue has authored or provided input for many environmental documents and technical studies in accordance with NEPA and California's CEQA regulations, most of them related to surface transportation, and she gives presentations to public officials when necessary to explain construction noise problems, noise mitigation goals, and noise control methods. She can develop construction noise and vibration criteria to address vibration damage potential to nearby buildings and sensitive structures, and vibration annoyance or disruption potential for occupants of nearby buildings.

Education

- M.S. in Mechanical Engineering, University of California, Berkeley, 1998
- B.S. in General Engineering: Acoustics, Stanford University, 1988

Professional Associations (Member)

- American Society of Mechanical Engineers
- Acoustical Society of America
- National Council of Acoustical Consultants
- Institute of Noise Control Engineering
- WTS
- Transportation Research Board, AEP80 Standing Committee Member (2021-2024)

Research and Published Papers

- ACRP Report 175, ACRP 07-14, *Improving Intelligibility of Airport Terminal Public Address Systems*
- NCHRP 25-25, *Current Practices to Address Construction Vibration and Potential Effects to Historic Buildings Adjacent to Transportation Projects*
- *Transportation Research Record*, V. 2502, "Considerations to Establish Ground-Borne Noise Criteria to Define Mitigation for Noise-Sensitive Spaces"

Relevant Experience

- California High Speed Rail Caltrain Corridor EIR/EIS, San Francisco to San Jose
- UC Berkeley Northgate Hall A/V Renovations, Berkeley
- MacArthur Station, *long-term construction noise and vibration monitoring*, Oakland
- Safeway @ Claremont & College, *HVAC noise and construction noise monitoring*, Oakland
- ACTC I-80/Ashby, *interchange traffic noise analysis*, Berkeley and Emeryville
- ACTC I-680 Express Lanes, *traffic noise analysis*, Contra Costa County, CA
- Chase Arena, *construction noise and vibration monitoring*, San Francisco

Paul Caporaso <paul.caporaso@lacity.org>

(no subject)

3 messages

plotkindi@aol.com <plotkindi@aol.com> Tue, May 18, 2021 at 8:35 AM
Reply-To: plotkindi@aol.com
To: paul.caporaso@lacity.org

May 20, 2021
Paul Caporaso
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, Ca. 90012
RE: OUR LADY OF MT. LEBANON #2019-1857EIR
Gentlemen:
On behalf of the Beverly Wilshire Homes Association we are challenging all the findings of this EIR.
These findings were done during a pandemic year when everyone was confined to their homes. No one was driving to work or even working. The City was virtually shut down and still is.
We do not believe that the true impact of this development can be assessed, we therefore are challenging all the finds.
Please make this a part of the official record.
Sincerely,
BEVERLY WILSHIRE HOMES

Diana Plotkin
President

Hard copy to follow

ENV-2019-1857-EIR / Our Lady of Mt. Lebanon Project

2 messages

Steve Mayer <mayer@iname.com> Tue, Jun 29, 2021 at 1:28 AM
To: paul.caporaso@lacity.org

On behalf of Concerned Citizens of Beverly Hills / Beverly Grove, please permit this communication to provide comments / questions regarding the Draft EIR regarding:

Environmental Case No. ENV-2019-1857-EIR

Project Name: Our Lady of Mt. Lebanon Project

In addition, original comments / questions from September 9, 2019 append this communication.

As to the Draft EIR:

II. PROJECT DESCRIPTION

Page II-6 ***"Consistent with Mayor Eric Garcetti's goal in Executive directive 13 of providing 100,000 affordable units by 2021 …"***

(A) How is this statement relevant today? That goal was achieved in 2019.

Page II-6: ***"Develop a residential building that will generate sufficient revenue for Our Lady of Mt. Lebanon to ensure its long-term survival…."***

(A) Who are the owners, co-venture partners, and/or investors

Page II-2 ***"… (Metro) provides rapid bus service on Line 705…"***

(A) That service was discontinued in December, 2019

Page II-4 ***"…the Project Site is located within a transit priority area (TPA) as defined by City Zoning Information…."***

(A) Since Line 705 was discontinued in December 2019, does it still qualify under a TPA?

Page II-8: ***"Specifically … the Project includes the development of 153 residential units (including 17 units for Very Low Income households)…."***

(A) Why is the dispensation only 15% for density bonus? Do not most religious institutions try to help as many indigent parishioners? Why is the low income element not 25%?

(B) Why is not a percentage set-aside for workforce housing?

(C) What discounts will be available for employees of Cedars Sinai?

(D) Would the Church consider acquiring a parcel at Third & Oakhurst to create a park, as a Community Benefit, in return for allocating units for Cedars Sinai residents and interns? The current owner, a Cedars Sinai physician, wishes to develop that parcel into a boarding house for residents and interns in a single-family home.

Page II-11: ***"In addition, it is expected that six to eight community events unrelated to church activities will be held in the multi-purpose room each year…."***

(A) As a Community benefit, will the Church permit the use of such facilities 10 times per year, at no charge in perpetuity (and at no charge for parking) for local community groups for the "Meeting Rooms," "Social Hall," and "Multi-Purpose Room"?

Page II-11: ***"As illustrated in Figrue II-3, the Proejct also includes a new bell tower at the northeast corner of the Project Site. The bell twoer is an architectural element of the Project and would not be operational…."***

(A) Does the bell tower include a religious significance for the current Church? If so, what happens when the Church is sold?

Page II-24: ***"Summary of Proposed Open Space"***

(A) Should not the Ground Floor Private Patios and Private Balconies be larger?

(B) As a Community benefit, how many days will the "Recreation Room" be available, at no charge in perpetuity (and at no charge for parking) for local community groups?

Page II-25: ***"In addition 30 percent of the provided spaces would be capable of support future electric vehicle supply equipment (EVSE), and 10 p[ercent of the provided parking spaces would have electric vehicle (EV)-installed charging stations…."***

(A) Why are not all parking spaces EVSE supported?

Page II-25: ***"…the Project would also include 111 residential bicycle parking spaces and 13 church bicycle parking spaces…."***

(A) What percentage of the4 bicycle spaces would be EVSE and EV-installed?

Page II-25 ***"Sustainability Features"***

(A) Why is this property not Gold LEED (independent of trading credits)?

Page II-26 ***"It is anticipated that project construction weould comment in 2021 and be completed 2024?"***

(A) Did not anyone both proof-reading this document? Construction commences in 2021?

APPENDIX T - TRANSPORATION ADDENDUM

Page 8 ***"Guests arriving and departing by Uber/Lyft would utilized the Proejct's proposed passenger loading area on San Vicente Boulevard…."***

(A) On page II-24 of the "Project Description," it states, *"In addition, there would be passenger drop-off areas on Burton Way."* Which is correct?

Page 36 **Table 1 Project Trip Generation** - ***"The Project site is located within 1/4 mile of a Metro Rapid bus stop. The trip reduction for transit trips has been applied to all components of the project based on the "LADOT Transportation Impact Study Guidelines", December 2016 for developments within a 1/4 mile walking distance of a transit station or a RapidBus stop…."***

(A) The Project is no longer within 1/4 walking distance of a RapidBus Stop ("Metro Rapid Stop"). It was eliminated in December, 2019.

OTHER QUESTIONS

* Where is the Shade and Shadow Study?

* Where is the Economic Impact Study as it applies to the Westbury Terrace HOA and individual unit owners?

* What is the average size of each unit type and what will be the composition of unit types?

* What is the projected average rental price for each unit type (expressed in today's rental rates)?

* How will the Church reconcile tenants who hold contrary views to the parishioners' beliefs?

Steve Mayer

Sent: Monday, September 09, 2019 at 3:44 PM
From: "Steve Mayer" <mayer@iname.com>
To: mnguyen@lacity.org
Subject: ENV-2019-1857-EIR / Our Lady of Mt. Lebanon Project

On behalf of Concerned Citizens of Beverly Hills / Beverly Grove, please permit this communication to provide comment / questions regarding:

Environmental Case No.: ENV-2019-1857-EIR

Project Name: Our Lady of Mt. Lebanon Project

Questions regarding this project include:

- Where will there be construction parking? Will there be a shuttle service from the staging lot to the construction site?

- How will construction be coordinated for the proposed project at 333 South La Cienega? Which construction project will take precedence?

- With the temporary removal of the church, where will the temporary services take place?

- Will the owner agree to limit temporary closures of San Vicente to be between the hours of 11 am to 3 pm weekdays and no closures shall occur on Sunday.

- Will the owner agree to a construction moratorium from Thanksgiving to New Year's day?

- Will the owner maintain access to all sidewalks during construction process?

- Will the owner commission a traffic mitigation study (with a mutually agreed-upon traffic consultant) to improve traffic congestion on Third Street eastbound, between Robertson and San Vicente/La Cienega?

- Will the owner provide two Traffic Control Officers at San Vicente and Third between the hours of 4 p.m. to 7 p.m. for ten years?

- What is the current size of the congregation? Will 145 parking spaces be sufficient?

- Will the owner agree to replace any street trees on major thoroughfares that die within a quarter of a mile from project site for 10 years?

- Will the owner install a greywater irrigation system to water the median within Burton Way from La Cienega to Doheny?

- How will the project help the City of Los Angeles comply with the Ballona Creek mitigation measures?

- Will the owner agree not to block San Vicente / Burton during the construction process?

- For whom will the Community Room be available? If there is a church function taking place at the same time as a Community Room event, will there be in-lieu parking?

- Will additional street trees (Jacandas) be installed along Burton Way (between Tree No. 7 and South Holt)? What type of street trees will be installed on South Holt?

- How will the owners of the units at the adjacent property be compensated for loss of view as well as sun/shade?

Steve Mayer

GREATER
MIRACLE MILE
CHAMBER OF
COMMERCE

Mr. Paul Caporaso
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012
Paul.caporaso@lacity.org

Subject Line: ENV-2019-1857-EIR – Our Lady of Mt. Lebanon Project

June 28, 2021

Dear Mr. Caporaso:

Thank you for the opportunity to comment on the Our Lady of Mt. Lebanon's proposal to modernize its church facilities and add new residential housing to its property.

The Greater Miracle Mile Chamber of Commerce is supportive of this investment in the Beverly Grove area. We are pleased to know that the church will preserve and rehabilitate its Cathedral, which has been part of the community for decades, and improve church facilities to address the future needs of its parishioners.

In addition to preserving the cultural history of this property, the plan will create new housing opportunities. As reported daily, Los Angeles is facing a severe housing shortage, so it is encouraging to see that a project such as this one not only adds housing but does it without displacing any existing tenants. It will create 153 rental units, including affordable apartments, that are accessible to a wide range of people. It is within walking distance of many essential services, public transit and major employment centers including Cedars-Sinai Medical Center. Higher costs of living pose problems for businesses and attracting and retaining workers. The addition of well-designed and properly sited housing will relieve pressure on escalating rental prices in the area and create new housing options in a desirable neighborhood.

Building market-rate and affordable apartments will have a positive economic impact, as future residents spend more time on Third Street and La Cienega and in the surrounding business community. Our city needs to commit to approving well-designed housing projects or the chronic housing shortage problem will continue to grow and affect economic productivity.

Sincerely,

Steve Kramer
Greater Miracle Mile Chamber of Commerce
5858 Wilshire Boulevard, #205
Los Angeles, CA 90036

LOS ANGELES CONSERVANCY

523 West Sixth Street, Suite 826
Los Angeles, CA 90014

213 623 2489 OFFICE
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June 28, 2021

Sent Electronically

Paul Caporaso
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, CA 90012
Email: paul.caporaso@lacity.org

RE: Our Lady of Mt. Lebanon Project Draft Environmental Impact Report

Dear Paul Caporaso:

On Behalf of the Los Angeles Conservancy, I am writing to comment on the Draft Environmental Impact Report (EIR) for the Our Lady of Mt. Lebanon Project. As proposed project will require owners to deconstruct, temporary store, reassemble, and rehabilitate St. Peter Cathedral, which is currently eligible for local designation as a Historic-Cultural Monument (HCM) and therefore qualifies as a historic resource under CEQA. In addition to the work focused on St. Peter Cathedral, the project is proposing to construct a new residential tower, five-stories of subterranean parking, and new church space on the campus. We appreciate the applicant's dedication to the rehabilitation of St. Peter Cathedral, though the Conservancy remains concerned about the fate of this historic resource. It also is not entirely clear why deconstruction is necessary in order to achieve the project objectives.

I. Our Lady of Mt. Lebanon-St. Peter Cathedral.

Located at 333 S. San Vicente Boulevard at Burton Way, Our Lady of Mt. Lebanon- St. Peter Cathedral occupies an irregular-shaped parcel and is sited diagonally with its orientation toward the corner. The church structure was completed in 1937 for the newly established parish of St. Peter's Catholic Church. The rectory, located to the rear of the church on San Vicente Boulevard, was built in 1939.

Local architect Ross Montgomery designed St. Peter's and is noted for the quality of his ecclesiastical designs in southern California and the Los Angeles region. These include St. Andrew Catholic Church in Pasadena, St.

Cecilia Catholic Church in South Los Angeles, and Calvary Cemetery Mausoleum in East Los Angeles. His design for St. Peter's features a simplified Italian Renaissance Revival façade characterized by its symmetry and use of classically derived design elements. The interior is characterized by the central nave and side aisles, which are separated by arcaded walls and feature decorative ceilings.

In 1966, the church was transferred from the Roman Catholic Archdiocese of Los Angeles to the Maronite Catholic congregation of Our Lady of Mt. Lebanon, which was established in 1923. In addition to its architectural significance, the church derives cultural significance from its more than half century role as a center for worship in the Maronite Catholic community. Originally a parish church, its status was elevated in 1994 to a co-cathedral and seat of the Eparchy of Our Lady of Lebanon of Los Angeles, which spans the central and western regions of the United States.

Although St. Peter Cathedral was not identified in SurveyLA, the Conservancy believes it qualifies as a historic resource for purposes of project review under CEQA for its architectural significance as an example of ecclesiastical design by noted architect Ross Montgomery and for its layer of cultural significance through its nationally prominent role in the Maronite Catholic Church.

II. Proposed project will significantly alter the St. Peter Cathedral

A key policy under the California Environmental Quality Act (CEQA) is the lead agency's duty to "take all action necessary to provide the people of this state with historic environmental qualities and preserve for future generations examples of major periods of California history."[1] To this end, CEQA "requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects."[2] The fact that an environmentally superior alternative may be more costly or fails to meet all project objectives does not necessarily render it infeasible under CEQA.[3] Reasonable alternatives must be considered "even if they substantially impede the project or are more costly."[4] Likewise, findings of alternative feasibility or infeasibility must be supported by substantial evidence.[5]

As currently proposed, the project would redevelop the existing campus with a 19-story multi-family residential tower and a three-story building with ancillary church uses, including offices, meeting rooms, a common open space and 7,600 square feet of private open space, and five-level subterranean parking structure.

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[1] Public Resource Code, Sec. 21001 (b), (c).
[2] *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41; also see Public Resources Code §§ 21002, 21002.1.
[3] Guideline § 15126.6(a).
[4] *San Bernardino Valley Audubon Soc'y v. County of San Bernardino* (1984), 155 Cal.App.3d 738, 750; Guideline § 15126(d)(1).
[5] Public Resources Code § 21081.5.

To accommodate the construction of the subterranean parking structure, the project proposes to deconstruct, temporarily store select portions of the building offsite, and reconstruct the St. Peter Cathedral two feet forward from its present location.

According to the Draft EIR, deconstruction of the church building is necessary to accommodate the construction of the subterranean parking structure. However, the treatment for the proposed rehabilitation will result in significant loss of historic fabric, such that the reassembled and rehabilitated structure would consist largely of new construction that incorporates a selection of retained original elements.

As proposed, nearly the entirety of the building's envelope would be new construction, including the foundation and all exterior walls with the exception of the primary façade. Additionally, significant alterations will be made to the building including expanded entry, side aisles, and alter. Thus, nearly all dimensions will be altered with the exception of the nave.

Over the course of its nearly 100-year history, St. Peter Cathedral has experienced alterations during remodels in the 1970s and fire damage in the 1990s. While we appreciate the applicant's painstaking approach to catalogue, dismantle and reconstruct the cathedral according to the Secretary of the Interior's Standards, much of the building's historic fabric has already been lost and will be further impaired as a direct result of this proposed project.

Despite the project's Cultural Resources Analysis determination that no adverse impacts to historic resources will occur, the Conservancy would like to better understand how the cathedral will retain sufficient integrity to convey its significance and its eligibility as a potential City of Los Angeles Historic-Cultural Monument (HCM). With much of its historic fabric already compromised, the reconstruction of three facades, a new foundation, and expanded interior spaces further compromise its integrity.

As such, the proposed project stands to set a precedent for future projects that seek to deconstruct and rebuild historic resources with significantly less historic fabric than what currently exists.

III. Draft Environmental Impact Report remains vague on details of proposed parking structure and pre-construction excavation.

In our previous comment letter for the project's Notice of Preparation (NOP) dated September 4, 2019, we raised concerns about the vagueness of the proposed subterranean parking structure. Our concerns regarding this vagueness continue as the Draft EIR does not present any architectural drawings for the proposed five-story subterranean parking structure. Despite the lack of such plans, the applicant continues to pursue deconstruction to accommodate excavation and construction activities for the subterranean parking structure but does not provide a plan view illustrating its dimensions and placement in relation to the project site. Instead, the project's architectural drawings only illustrate conceptual floor plans for levels 1 through 4.

As described in the Draft EIR, the parking structure consists of five subterranean levels. The Cathedral occupies 6,848 square feet, or just under one sixth of the total 42,285 square feet of the project site. We note that the Cathedral's location close to the southeast corner leaves a contiguous majority of the project site's area unobstructed for excavation and infill construction. With few details provided regarding the parking structure, we assume the proposed configuration was selected for a variety of reasons including parking capacity, cost, and potential facilitation of other project components.

What necessitates removing the Cathedral to accommodate the requested number of onsite parking spaces? While it is not uncommon to see excavation projects directly adjacent to existing buildings, what makes this project different than other excavation projects that have occurred throughout the city if there is no excavation occurring beneath the cathedral?

Given that the footprint of the Cathedral occupies just under one sixth of the total area of the project site, our NOP comments urged the applicant to provide one or more project alternatives that evaluate and reconfigure the subterranean parking structure away from the Cathedral to avoid the proposed deconstruction. Except for the No Build Alternative, there are no other Project Alternatives that evaluate the retention of St. Peter Cathedral in its current state.

IV. Conclusion

The Los Angeles Conservancy remains concerned for the fate of St. Peter Cathedral, a locally eligible historic resource. As proposed, the project seeks to deconstruct the cathedral building and reconstruct once construction of the subterranean parking structure is complete. During this process 3 of the 4 historic facades and foundation will be removed and rebuilt using new construction. With an already compromised integrity resulting from remodels and rehabilitations during its 100-year history, new construction will continue to diminish the building's historic fabric and its ability to convey its significance. Furthermore, without architectural drawings for the parking structure, the necessity to remove St. Peter Cathedral remains unclear. Lastly, none of the Project Alternatives examined the feasibility of keeping the building onsite during construction. Rather, each Project Alternative seeks to deconstruct and

rebuild the cathedral as proposed in the original project. We urge the applicant to explore Project Alternatives that do not require the deconstruction of the Cathedral.

About the Los Angeles Conservancy:
The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Please do not hesitate to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions or concerns.

Sincerely,

Adrian Scott Fine

Adrian Scott Fine
Senior Director of Advocacy

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June 28, 2021

Via email to paul.caporaso@lacity.org

Paul Caporaso
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, California 90012

Re: Our Lady of Mt. Lebanon (ENV-2019-1857-EIR)

Dear Mr. Caporaso:

This firm writes on behalf of the Westbury Terrace Condominium Owners' Association regarding the Draft Environmental Impact Report ("DEIR") for the Our Lady of Mt. Lebanon project at 331-333 South San Vicente Boulevard (the "Project"), in the City of Los Angeles. The Westbury Terrace Condominium is located immediately adjacent to the proposed project at 321 South San Vicente Boulevard, and therefore its residents are the most directly impacted by the construction and operation of the proposed project. It is critical that the impacts of the project on these neighboring residents be carefully considered. The DEIR fails to properly evaluate impacts and require appropriate mitigation measures in several critical areas. The DEIR should be revised and recirculated for additional comment after these deficiencies are addressed.

PROJECT DESCRIPTION IS INADEQUATE

A basic component of an adequate environmental impact report is a complete and stable project description. The DEIR fails to provide an adequate project description. This deficiency is most striking when it comes to the 12,600 square foot "multi-purpose room." The DEIR explains that the existing church has a 5,426 square foot "social hall," and "currently hosts 25-30 events each year," "primarily in the social hall" which has a capacity of approximately 230 people. The DEIR claims that that the multi-purpose room will host the same number of "church" events but with a capacity of 475 people, and that there will be additional non-church events: as many as 6-8 a year. There is no information on the timing of such events — will they be late at night? Could multiple events be held at the same time? The DEIR does not indicate a commitment to limit events to the current number, plus the unspecified additional non-church events. With this nearly 57 percent increase in floor area devoted to events, without any binding commitment to limit the frequency and operations of large-scale events, it should be assumed that events with maximal capacity will regularly take place. Because large events have significant impacts on transportation and noise, two issues of critical importance to Westbury Terrace as a neighboring residential building, the DEIR must provide more detail about these operations so that their impacts can be analyzed appropriately.

It is not even clear that 475 people is the actual expected event capacity. The current social hall holds 230 people, which is approximately 23.6 square feet per guest. At this rate, the 12,600 multi-purpose room would hold 534 guests, significantly more than 475. The DEIR does not provide a basis or any details supporting claimed capacity of 475 people in the new, significantly larger event space. Indeed, the Project's initial study stated that the multi-purpose room would have a capacity of 600 people. In spite of this statement, a lower capacity of 475 is used as a supposed "worst case" figure throughout the DEIR for analysis of impacts of traffic and noise from such events. This lack of detail and inconsistent information is significant and prejudicial to informed decision making.

TRANSPORTATION IMPACTS ON ALLEY AND ACCESS TO WESTBURY TERRACE INADEQUATELY ANALYZED

A critical issue for the residents of Westbury Terrace is the volume of traffic that will utilize the shared alley between Westbury Terrace and the church property for access to the parking garages to the two sites. First, it should be noted that *none* of the alternative projects evaluates moving the garage entrance off of the alley and on to Burton Way. Given the policy in the Wilshire Community Plan to "[m]onitor the impact of new development on residential streets. Locate access to major development projects so as not to encourage spillover traffic on local residential streets," (Policy 1-3.4) the failure to evaluate alternative site arrangements that avoid directing traffic onto the small alleyway and onto to Holt Avenue is noteworthy. The DEIR does not even provide a basis for having failed to study such alternative. Given the requirements of the Wilshire Community Plan and the obligation under CEQA to study alternatives that may reduce or eliminate the impacts of a proposed development, the failure to study an alternative entrance to the parking garage is a critical and problematic omission.

Moreover, the traffic study itself appears significantly flawed under the City's new VMT-based traffic guidelines. The VMT calculator results in Appendix T include 6 employees and a total population of 345, which reflect the residents in the 153 apartment units to be constructed in the 19-story tower. According to the calculator, the household VMT per capita is 6.2 and the work VMT is 2.8. It is noteworthy that "church" is not a land use type in the City's VMT calculator, so custom calculations were performed for this Project. Neither the DEIR nor Appendix T appear to disclose the basis for these custom calculations for church "Work VMT."

With "mitigation" the household VMT will supposedly be reduced to 5.8, just below the 6.0 threshold of significance. But something major appears to be missing from these numbers: where are the 475 guests at special events? (Or maybe it's 600 guests, according to the Initial Study?) The DEIR's discussion of trip generation from special events assumes that 90 percent of guests would arrive in private cars, with an average rate of 3 persons per vehicle. The remaining 10 percent would arrive by other means, including Uber/Lyft or walking. Of course, at least some of the remaining 10 percent are therefore arriving by car, increasing the VMT of the project.

Critically, the VMT calculations entirely exclude the VMT created by the special events facility. This is a patent failure to fully analyze the impacts of the Project. The special events facility is not a necessary component of a church. The VMT analysis of the church includes only the Work VMT for six employees, which it calculates as a mere 2.8 miles, without any

supporting detail. Why is the VMT from special event use irrelevant to an analysis of the Project's transportation impacts? Isn't mitigation of the mileage traveled by special events attendees also relevant and important to the achievement of the state's goal to reduce VMT and associated emissions? This appears to be a major omission from this DEIR that should be rectified and the DEIR should be recirculated.

In addition to the incomplete VMT analysis, the traffic study and the DEIR's transportation discuss evaluate possible access conflicts in the alley, due to the co-location of the Westbury Terrace entrance and the entrance to the Project's proposed parking garage on that narrow alley way. The DEIR concludes that there will be no impacts to the ability of Westbury Terrace residents to access and exit from their garage, but this analysis is based on an overly optimistic and rosy picture of driver behavior that is unlikely to reflect real-world operating conditions of the Project.

The DEIR utilizes a 475-guest event as a "worst case" scenario, and concludes that such an event would generate 143 automobile trips to the site. (If the actual maximum number of guests is 600 as reported in the Initial Study, the same calculations result in 180 vehicles parking at the Project site.) The DEIR assumes that these vehicles would arrive and depart in a one-hour period. The DEIR explains that during the "Pre-Event Peak Hour," 44 vehicles would turn left into the Project driveway, crossing over the alley from the Westbury Terrace side to the Project side, and 134 vehicles would enter the alley from Holt Street and turn right into the Project driveway. These 134 vehicles will allegedly arrive evenly spaced over the entire pre-event hour, at a rate of approximately one car every 27 seconds. Because each of these vehicles will "immediately turn right into the Project garage," there will be no queueing in the alley and no spillover onto Holt. This analysis appears highly improbable. Is there an entrance gate at the garage? A need to take a parking ticket? Are there different entrances for residents and event guests that must be negotiated by those who are unfamiliar to the garage? (The diagrams show one lane for guests and one for residents.) Does any event with a start time really feature all attendees arriving evenly spaced over the entire hour before the event? It is far more likely that the vast majority of guests will arrive within a much narrower band of time closer to the start of an event like a wedding or funeral.

Yet because of this non-reality-based depiction of guest arrival, as if the guests will be robotically dispatched at perfect intervals and move through the alley with complete fluidity, the DEIR fails to make *any* study of the impact of vehicle queueing in the alley or on Holt. There appears to be very limited space between the Project driveway for more than one vehicle to queue. This makes queueing onto Holt even more likely. There is no analysis whether vehicles will travel from the north or south on Holt, which could create additional conflicts on Holt at the alley entrance. This failure to undertake a realistic assessment of the likely driver behavior for attendance at special events means that the DEIR has not analyzed the potential impacts of the Project, the possibility that the access arrangements will create a hazardous condition by impeding alley access or even blocking Holt Avenue itself. The failure to consider these conditions means that no mitigation is provided for this circumstance. There is not even a requirement to include a special event traffic management plan, which could include directional signage, attendants to facilitate parking arrival, and prohibitions on turn movements that are found to be likely to cause additional congestion.

The DEIR's traffic analysis raises some additional questions. There is no mention of valet parking for larger events. Is the garage sized to hold all of the residential vehicles and the number of cars that might attend a larger event? If not, is there a management plan for the use of valet parking? Where will cars drop passengers and where will the valets park these cars?

The DEIR also depicts two bump outs in the alley east of the driveway. Are these intended for use by delivery trucks? Are they sufficient in size to ensure that trucks will not impede the alley? What about moving trucks for residents? Will they utilize these bump outs and is there adequate access to the residential building for this purpose?

Finally, as to parking, the Project will provide just 145 spaces for church uses, supposedly to accommodate larger events in the multi-purpose room. However, 145 vehicles is the precise amount predicted to arrive at an event with an attendance of 475. If the event capacity exceeds this amount, or if the predicted averages are not correct, there is no cushion for error. This will result in cars arriving at the garage, finding it full, and then circulating through the alley into neighboring streets to seek parking there. Such circulation will result in increased automobile emissions, additional VMT, and noise impacts on surrounding neighborhood streets, as visitors and residents compete for limited parking spaces.

NOISE IMPACTS WILL BE SIGNIFICANT AND ARE INADEQUATELY ANALYZED

The DEIR admits that the Project will have an unmitigable impact due to both construction noise and operational noise from the loading dock and trash compactor. Both of these impacts will fall significantly on Westbury Terrace, which is "Receptor 1" or "R1" in the DEIR.

Construction Noise

The DEIR provides that construction will last for roughly three years. While the DEIR does not provide an estimate for how long each of the six construction phases will endure, for purposes of noise at the Westbury Terrace, this is irrelevant: all six phases of construction will vastly exceed the threshold of significance for noise impacts at residential uses. A 5 dBA increase would be significant; at R1, the Westbury Terrace, that increase is more than 20 dBA. Mitigation brings this to 5.8, but given the height of the Westbury Terrace relative to the Project site, it is unclear whether residents at higher levels will benefit from the mitigation of the sound wall constructed along the site.

Moreover, construction vehicle traffic frequently exceeds the threshold of significance along Holt Avenue. The DEIR does not provide any analysis of construction vehicle traffic in the alleyway, however, which many residences in the Westbury Terrace overlook. The DEIR should analyze the impact of construction traffic in the alleyway as well; it appears highly likely that this will be yet another noise-related impact of the construction of the Project.

The DEIR contends that the construction noise impacts of the Project cannot be mitigated. Westbury Terrace requests that all possible measures be taken to reduce the severity of this impact, including phasing of construction to reduce noise levels and consideration of concurrent construction with this and other cumulative projects near the Westbury Terrace.

Operational Noise

The DEIR explains that operational noise will derive from one of three sources: mechanical equipment, use of outdoor spaces, and trash and loading facilities. The DEIR claims that there will be no noise impacts from mechanical equipment because Project Design Feature NOI-PDF-2 requires that "[a]ll outdoor mounted mechanical equipment will be screened from offsite noise-sensitive receptors. The equipment screen will be impermeable . . . and break the line of sight from the equipment to the offsite noise-sensitive receptors." The DEIR then contradicts this statement when it comes to the trash compactor, which would seem to be a piece of mechanical equipment. The DEIR's description on this issue is quite unclear. On the one hand, it says that the trash compactor will be located in an enclosed room, and "would be effectively shielded to the offsite sensitive receptors." However, it then provides that the walls of the loading area will not fully enclose loading operations so people overlooking the alley in the Westbury Terrace will be exposed to noise from those operations, above the threshold of significance.

In addition, it is not clear from the Project diagrams provided in the DEIR where exactly the wall described in Project Design Feature NOI-PDF-3 are located. That feature purports to include "[a] 6-foot wall will be provided along the west and north side of the west loading docks and along the north side of the east loading dock to acoustically screen the loading dock from offsite noise-sensitive receptors." The Conceptual Floor Plan – Level 1 (Figure II-4) does not show any such walls. Nor is there anything labeled as a loading dock on the west side of the alley, though there is a hall in the building labeled as "loading." Please provide clear depiction on the conceptual plans where these project design features will be located. Will the walls be constructed outside of the rear yard setback or within it? Without such plans it is not possible to evaluate the efficacy of the proposed design feature to mitigate noise impacts from loading operations.

Project Design Feature NOI-PDF-5 provides that "Outdoor amplified sound systems, if any, will be designed so as not to exceed a maximum noise level of 75 dBA (Leq-1hr) at a distance of 15 feet from the amplified speaker sound systems at the Level 1 exterior courtyard and at the Level 4 outdoor recreation and pool decks." Will the residential component of the project prohibit residents from placing their own outdoor speaker systems on their private balconies? Or will such systems be subject to the same limits? If not, the Project may have an additional operational noise impact that was not assessed in the DEIR.

The DEIR also does not assess noise impacts from special event traffic arrivals and departures in the alley. As discussed in these comments regarding traffic, above, it appears likely that vehicular arrivals for special events will cause some queueing in the alley and possibly along Holt. These noise impacts should be assessed as well.

Additionally, there appears to be at least one exit from the multi-purpose room on the alley immediately across from the Westbury Terrace. (See Conceptual Floor Plan – Level 1 (Figure II-4).) What is the intended use of this exit? Opening and closing this door will allow sound from events in the multi-purpose room to escape the building precisely in the direction of the nearest sensitive receptors. There is no analysis of the volume of noise that could be transmitted from this opening. This is a significant shortcoming, especially given the potentially

475-600 people and music without operational restrictions that would be permitted inside the multi-purpose room.

Moreover, noise volume from 475 guests in the church courtyard is modeled, but there is no modeling of any noise impacts from live or recorded music being played in the multi-purpose room, with the doors to the courtyard open. This analysis must be conducted to fully assess the impacts of special events. Such analysis should especially take account for dBC frequency noise, like that associated with bass music, as these tones can travel significant distances and are frequently annoying and disturbing. Similarly, the DEIR does not account for any number of guests who might access the parking garage from the alley. This should also be addressed given the late-night nature of events (until 1 AM).

While the DEIR does not appear to take into account the specific characteristics of R1, Westbury Terrace, with respect to noise *inside* the structure, it should be noted that the building is roughly 45 years old and does not have double-paned windows, which might better attenuate the operational noise impacts of the Project.

VIBRATION IMPACTS INSUFFICIENTLY STUDIED AND MITIGATED

The DEIR concludes that the Project will have a significant impact on residents of Westbury Terrace due to vibration that causes human annoyance during the demolition and grading/excavation phases due to the large equipment that will be operating within 80 feet of the building. However, the DEIR concludes that this same activity will not have an impact on the structure of the Westbury Terrace.

The Westbury Terrace is a 45-year-old structure. Water pipes for the building are exposed in the garage, which is both below and above-ground. With headlines this week regarding the collapse of a 12-story condominium of similar age in Miami for reasons that are not yet known, residents of Westbury Terrace are exceptionally concerned about the impacts of the extensive excavation and construction as close as 30 feet to their building. The vibration impact should be assessed using the standard for fragile structures, and monitoring should be put into place to ensure that the predicted vibration limits are not exceeded during construction.

FAILURE TO STUDY SHADE & SHADOW IMPACTS

The DEIR does not include, even as an informational item, any analysis of the Project's shade and shadow impacts. Even though the Project is located in a Transit Priority Area under Public Resources Code section 21099, the City's Zoning Information File ZI No. 2452, "Transit Priority Areas (TPAs)/ Exemptions to Aesthetics and Parking Within TPAs Pursuant to CEQA," does not preclude the analysis of shade and shadow impacts of a project like this. As is readily apparent from the overhead images of the proposed project and the Westbury Terrance, the Westbury Terrace's pool is located on the portion of the property closest to where the Project's proposed 19-story tower will be located. Yet the DEIR contains no analysis whatsoever of the shade and shadow impacts on that pool or on the residential units in Westbury Terrace located in proximity to the 19-story tower.

ZI No. 2452 recognizes that while Public Resources Code section 21099 establishes that the aesthetic impacts of a mixed-use project located in a transit priority area, by definition, are

not significant impacts on the environment. This means that mitigation is not required for such impacts. It does not mean that the City is permitted to turn a blind eye to all such impacts. For instance, CEQA Guidelines Appendix G provides that "substantial evidence of potential impacts that are not listed on this form must also be considered." ZI No. 2452 acknowledges that "this law did not limit the ability of the City to regulate, or study aesthetic related impacts pursuant to other land use regulations found in the Los Angeles Municipal Code (LAMC), or the City's General Plan, including specific plans." The Wilshire Community Plan contains policies that prioritize the creation and protection of recreation and open space areas, including private open space like the Westbury Terrace pool deck. (See Goal 5, Objective 5-1, Policy 5-1.1, Goal 4, Objective 4-1, Policy 4-1.1.) The Wilshire Community Plan also requires that the City "promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods." (Policy 1-3.1.)

The state has not abdicated the City's obligation to inform itself of the consequences of the developments it approves. By failing to provide any analysis of the shade and shadow impacts of the 19-story tower, the City is hampering its ability to enforce the policies in the Wilshire Community Plan and to provide adequate protections from deleterious impacts of new development to existing residents in multi-family dwellings. The analysis should be prepared as an informational matter so that the decision makers are informed of the project's actual consequences. The failure to provide this information only invites the conclusion that the results of the analysis are highly detrimental to the neighbors. The lack of transparency serves no one and invites continued distrust.

INADEQUATE FIRE AND EMERGENCY RESPONSE SERVICES

The DEIR acknowledges that the Project is located beyond the acceptable service distances from Los Angeles Fire Department stations. Remarkably, the DEIR contends that the Los Angeles Fire Department has not adopted a response time standard and provides no information on response times at any of the stations that would service the Project — and of course, all other residents of the area — for emergency response needs, including emergency medical services.

This approach is inconsistent with the City's practice in other Environmental Impact Reports. In other reports, the City has cited the National Fire Protection Association ("NFPA") 1710 standard as the Los Angeles Fire Department's goal for response times. This was also the standard relied upon by the Los Angeles City Controller's office in 2012 when it undertook an investigation of response time reporting by the Los Angeles Fire Department, and by the Los Angeles County Grand Jury in 2013 when it investigated response times by the Los Angeles Fire Department.

Moreover, the failure to provide *any* response time information for the stations identified as primarily responsive to emergencies at the Project site is a significant departure from the City's practice in other environmental reports, such as the Hollywood Center EIR, the CitizenM EIR, the Trident Center Modernization EIR, and the 3rd and Fairfax Mixed-Use Project EIR. All of these reports contain data on the average response times from the first, second, and third in stations reporting to a project site. The absence of this information from *this* DEIR raises

questions regarding the adequacy of response times. In light of the Los Angeles Fire Department's letter stating that "[t]he development of this proposed project, along with other approved and planned projects in the immediate area, may result in the need for the following. . . additional fire protection facilities," the failure to present what current response levels are for the area is particularly troubling.

Because the DEIR does not present them, this letter presents the Year 2021 response time data, pulled from FireStatLA on June 27, 2021, for each of the four stations identified as serving the Project site:

STATION 58 RESPONSE METRICS FOR 2021

January - May 2021

Print

AVERAGE TURNOUT TIME IN DISTRICT			AVERAGE TRAVEL TIME IN DISTRICT			INCIDENT COUNT IN DISTRICT					OPERATIONAL RESPONSE TIME				
	EMS	Non-EMS		EMS	Non-EMS		EMS	Non-EMS	Critical ALS	Structure Fire[1]		EMS	Non-EMS	Critical ALS	Structure Fire[1]
Month	Mins:Secs	Mins:Secs	Month	Mins:Secs	Mins:Secs	Month					Month				
Jan	00:54	00:55	Jan	04:51	04:33	Jan	381	116	24	7	Jan	07:01	06:31	06:03	05:17
Feb	00:51	00:46	Feb	04:46	04:39	Feb	401	90	18	7	Feb	06:50	06:20	06:25	05:17
Mar	00:49	00:46	Mar	04:48	04:35	Mar	376	105	25	9	Mar	06:48	06:24	05:43	04:29
Apr	00:51	00:51	Apr	04:57	04:48	Apr	396	74	16	9	Apr	07:03	06:42	05:24	04:29
May	00:50	00:45	May	05:09	05:17	May	421	81	18	9	May	07:13	06:59	05:53	04:29
Overall	00:51	00:49	Overall	04:54	04:45	Overall	1975	466	101	15	Overall	06:59	06:34	05:54	04:54

STATION 68 RESPONSE METRICS FOR 2021

January - May 2021

Print

AVERAGE TURNOUT TIME IN DISTRICT			AVERAGE TRAVEL TIME IN DISTRICT			INCIDENT COUNT IN DISTRICT					OPERATIONAL RESPONSE TIME				
	EMS	Non-EMS		EMS	Non-EMS		EMS	Non-EMS	Critical ALS	Structure Fire[1]		EMS	Non-EMS	Critical ALS	Structure Fire[1]
Month	Mins:Secs	Mins:Secs	Month	Mins:Secs	Mins:Secs	Month					Month				
Jan	00:52	00:53	Jan	04:26	03:58	Jan	424	71	41	15	Jan	06:34	05:45	05:36	04:35
Feb	00:49	00:42	Feb	04:29	04:26	Feb	325	57	23	15	Feb	06:32	06:10	05:54	04:35
Mar	00:49	00:49	Mar	04:40	04:34	Mar	344	61	39	9	Mar	06:43	06:04	05:47	04:43
Apr	00:46	00:52	Apr	04:56	04:47	Apr	418	59	28	9	Apr	06:59	06:30	05:51	04:43
May	00:49	00:42	May	04:50	04:40	May	400	55	18	9	May	06:49	06:41	05:43	04:43
Overall	00:49	00:48	Overall	04:41	04:28	Overall	1911	303	149	13	Overall	06:44	06:12	05:45	04:30

STATION 92 RESPONSE METRICS FOR 2021

January - May 2021

Print

AVERAGE TURNOUT TIME IN DISTRICT			AVERAGE TRAVEL TIME IN DISTRICT			INCIDENT COUNT IN DISTRICT					OPERATIONAL RESPONSE TIME				
	EMS	Non-EMS		EMS	Non-EMS		EMS	Non-EMS	Critical ALS	Structure Fire[1]		EMS	Non-EMS	Critical ALS	Structure Fire[1]
Month	Mins:Secs	Mins:Secs	Month	Mins:Secs	Mins:Secs	Month					Month				
Jan	00:48	00:48	Jan	05:20	04:03	Jan	161	38	10	5	Jan	07:19	06:07	06:25	06:58
Feb	00:45	00:37	Feb	05:19	04:52	Feb	140	32	12	5	Feb	07:17	06:30	06:19	06:58
Mar	00:45	00:42	Mar	05:48	04:34	Mar	215	53	18	1	Mar	07:54	06:23	05:56	05:02
Apr	00:46	00:45	Apr	05:52	05:08	Apr	185	45	12	1	Apr	07:55	06:51	06:34	05:02
May	00:48	00:47	May	05:40	05:17	May	202	49	11	1	May	07:49	07:11	06:43	05:02
Overall	00:46	00:44	Overall	05:38	04:48	Overall	903	217	63	7	Overall	07:41	06:38	06:20	04:27

STATION 43 RESPONSE METRICS FOR 2021

Print

January - May 2021

AVERAGE TURNOUT TIME IN DISTRICT			AVERAGE TRAVEL TIME IN DISTRICT			INCIDENT COUNT IN DISTRICT					OPERATIONAL RESPONSE TIME				
	EMS	Non-EMS		EMS	Non-EMS		EMS	Non-EMS	Critical ALS	Structure Fire[1]		EMS	Non-EMS	Critical ALS	Structure Fire[1]
Month	Mins:Secs	Mins:Secs	Month	Mins:Secs	Mins:Secs	Month					Month				
Jan	00:59	00:52	Jan	04:15	04:25	Jan	218	55	10	8	Jan	06:32	06:21	05:57	04:47
Feb	00:55	00:49	Feb	04:41	04:25	Feb	191	33	16	8	Feb	06:52	06:25	06:00	04:47
Mar	00:58	00:52	Mar	04:48	04:51	Mar	203	53	13	11	Mar	06:57	06:47	06:01	05:27
Apr	00:57	00:59	Apr	04:18	04:40	Apr	238	36	19	11	Apr	06:36	06:37	05:05	05:27
May	00:58	00:50	May	04:31	05:14	May	233	29	14	11	May	06:39	07:03	05:52	05:27
Overall	00:57	00:52	Overall	04:30	04:41	Overall	1083	206	72	13	Overall	06:43	06:37	05:44	05:14

As the tables show, response times are far from adequate. The NFPA standard is 5

STATION 61 RESPONSE METRICS FOR 2021

Print

January - May 2021

AVERAGE TURNOUT TIME IN DISTRICT			AVERAGE TRAVEL TIME IN DISTRICT			INCIDENT COUNT IN DISTRICT					OPERATIONAL RESPONSE TIME				
	EMS	Non-EMS		EMS	Non-EMS		EMS	Non-EMS	Critical ALS	Structure Fire[1]		EMS	Non-EMS	Critical ALS	Structure Fire[1]
Month	Mins:Secs	Mins:Secs	Month	Mins:Secs	Mins:Secs	Month					Month				
Jan	00:51	00:48	Jan	05:08	04:58	Jan	455	119	23	20	Jan	07:16	06:48	05:34	04:42
Feb	00:49	00:45	Feb	04:57	04:23	Feb	427	121	18	20	Feb	07:01	06:03	05:00	04:42
Mar	00:47	00:46	Mar	05:06	04:57	Mar	457	120	37	18	Mar	07:05	06:33	05:44	05:04
Apr	00:46	00:49	Apr	05:10	05:28	Apr	447	128	21	18	Apr	07:11	07:17	05:59	05:04
May	00:52	00:49	May	05:02	05:07	May	481	136	36	18	May	07:06	06:52	05:52	05:04
Overall	00:49	00:47	Overall	05:05	04:59	Overall	2267	624	135	30	Overall	07:08	06:43	05:41	05:31

minutes for an EMS response and 5 minutes, 20 seconds for a fire suppression response. For EMS response, each of these stations is averaging close to or even over *seven minutes* response time. Response times are lower for critical ALS, which are the most severe EMS responses, but even those times significantly exceed the five-minute standard.

The DEIR identifies 14 related projects in the City of Los Angeles, many of which include residential, senior residential, office or hotel uses, all of which could require emergency response services. Given this expanding population, the already poor state of emergency response times, and the LAFD's own statement that additional facilities may be required in the area, the DEIR's cavalier conclusion that the Project and other cumulative projects will not have an impact for CEQA purposes because a new fire station could be approved by Mitigated Negative Declaration is stunningly short-sighted. CEQA also requires assessment of the effects of government approved activities on humans. Continually approving new development in light of the evidence of deteriorating ability to respond to medical emergencies is certainly something that has an effect on the health of the humans in this city, and these issues should not be ignored or glossed over in the DEIR.

CULTURAL RESOURCE IMPACTS OF DECONSTRUCTING CATHEDRAL NOT DISCLOSED

The DEIR evaluates the impacts of the complete deconstruction and reconstruction of the historic cathedral building, acknowledging that the building is eligible as a local City of Los Angeles Historic and Cultural Monument. The DEIR admits that "[t]he building would lose some original materials during deconstruction and reassembly, including interior wall framing, roof underlayment, and its concrete foundation, none of which are visible to the public or considered to be character-defining." Moreover, "[a]s part of the deconstruction and reassembly process, existing exterior stucco and interior plaster finishes will need to be removed and recreated to ensure adequate waterproofing of the building envelope. . . . Therefore, although the building's original exterior stucco and interior plaster finishes would need to be recreated, they would match the historic finishes exactly and their distinctive appearance would be preserved." The DEIR's cultural resources appendix notes that "the appearances of the stucco and interior plaster are considered character-defining features of the cathedral."

The complete deconstruction of an existing historic resource and the replacement of its exterior features with entirely new materials is not consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, available at https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf and incorporated herein by reference. Where, as with the cathedral, a resource is in good condition, the Secretary of Interior's guidelines encourage preservation of the historic materials. The DEIR's attempt to rely upon the "appearance" of the interior and exterior stucco as a character defining feature while disclaiming the original material itself as character-defining is unsupported, and is simply creative justification to permit the complete deconstruction of the cathedral to make massive on-site construction easier.

It is notable that the DEIR lacks any study of an alternative that would conserve the cathedral on site during construction. This is in spite of the specific request of the Los Angeles Conservancy, in response to the Notice of Preparation, that such an approach be considered and studied. The DEIR does not reject such alternative as infeasible, it simply ignores it. This issue must be addressed in order to reduce the impacts of the proposed project on the historic resource that is the cathedral.

IMPROPER DEFERAL OF MITIGATION MEASURES

The DEIR notes that a construction traffic plan will be developed in the future. Although certain studies (traffic, noise, vibration) are based on some sort of presumed construction traffic plan, the details of that plan are not set forth in the DEIR. These details should be made available to the public for review and comment now, rather than in some post-approval proceeding when the momentum of the Project's approval nearly pre-conditions the acceptance of construction traffic management plan. These details are important to the residents who will endure multiple years of construction of the Project.

Likewise, the DEIR does not contain any details regarding mitigation measures to ensure that special events do not have unforeseen impacts on the neighboring residents. These would

include measures such as an overall capacity limit, frequency and hours of operation limits, requirements regarding doors opening in the multi-purpose room and volume of music. These kinds of details must be included as conditions of the Project or else the Project is likely to have noise impacts that are not mitigated.

RECIRCULATION IS REQUIRED

The DEIR must be significantly revised, and recirculated for additional review and comment. Recirculation is required because the impacts of the Project have not been adequately identified and disclosed, and feasible mitigation measures have not been analyzed. Moreover, the range of alternatives does not include any alternatives that locate the garage entrance on a well-trafficked street nor any other than the no-project alternative that avoids the deconstruction/reconstruction of the Cathedral. Only after the Project's full impacts are disclosed and feasible mitigation measures identified can the public and decision makers be fully aware of the ramifications if the proposed Project is to be constructed and operated in this location.

Yours truly,

Beverly Grossman Palmer

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

321 S. San Vicente Blvd # 103 L.A. 90048

2 messages

adrianaaguirreaa@aol.com <adrianaaguirreaa@aol.com> Fri, Jun 18, 2021 at 7:20 PM
Reply-To: adrianaaguirreaa@aol.com
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>, "hanasab2@aol.com" <hanasab2@aol.com>, "patrick.p@hoapremier.com" <patrick.p@hoapremier.com>, "westburyterrace@hoapremier.com" <westburyterrace@hoapremier.com>, "gabriel.f@hoapremier.com" <gabriel.f@hoapremier.com>, adrianaaguirreaa@aol.com

Good Morning Mr Paul Caporaso:

I'm the owner of the unit # 103 at the Westbury Terrace.
I'm very concern with the project of the neighboring Church., and will voted against any future construction.

There is already another project across the street from our building. Rick Caruso 19 story Apartment Tower. Site address: 333 La Cienega Blvd., LA, CA.

Please, and with all the power you may have at the L.A., City's Office we need your help.
Just imagine living with more construction that will most probably be for another 5 years! This is certainly not a quality of life!

I know that L.A. is growing, **but not with the pain and stuggles we will be subjected to.**

If we as homeowners should get sick, is the city willing to take responsabilty? The noise, the "elements" in the air we breath, the traffic jams, and possible accidents going in and out of our garages. Is the City of LA willing to take responsiblity of all possible catastrophies!
Thank you for taking the time for reading this.
Adriana Aguirre🌞

No es lo que ves, es como lo ves.

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Fwd: Proposed 19-Story Development Next to Westbury Terrace - URGENT ACTION NEEDED

2 messages

Sara Ameri <saraameri.sa@gmail.com> Mon, May 24, 2021 at 2:29 PM
To: paul.caporaso@lacity.org
Cc: A S <asholderdesign@gmail.com>

Please see my comments below
--
Sara Ameri

---------- Forwarded message ---------
From: **Sara Ameri** <saraameri.sa@gmail.com>
Date: Mon, May 24, 2021 at 2:28 PM
Subject: Re: Proposed 19-Story Development Next to Westbury Terrace - URGENT ACTION NEEDED
To: A S <asholderdesign@gmail.com>

Hi Ashley,

I wasn't sure whether to reply all or reply directly but either way I hope my input is helpful. As a brand new homeowner as Westbury (we closed a month ago) this project was NOT described to me at all during the Escrow period and it raise a lot of major concerns that others have touched on - pollution, loss of light, increased chaotic traffic, and considering it is a very loud neighborhood (which I've learned in the last 4 weeks living here) we do NOT need more ongoing noise that disturbs the residents. There is absolutely no reason that a 19 story building needs to be built next door, especially when the luxury apartment complex on top of TJ's (8500 S San Vicente Blvd) has so much availability, plus we are at an all-time-low of people leaving the city to work from home indefinitely. Not only is this project already creating a massive headache, it's just downright unnecessary.

--
Sara Ameri

On Wed, May 19, 2021 at 8:10 PM A S <asholderdesign@gmail.com> wrote:

> Hello Westbury Terrace residents,
>
> Your neighborhood needs your help. Can you please take a moment to submit questions and objections to the 19-story residential tower project draft EIR (scroll to the bottom of the web link) ASAP? If you care about your property investment or neighborhood, it's critical we get as much support as possible to stop the project or mitigate the effects of it. Please email your questions and objections to Paul Caporaso at paul.caporaso@lacity.org no later than 4PM on Monday, June 28, 2021, referencing the Environmental Case No ENV-2019-1857-EIR. Below are a few key points you may wish to reference.
>
> Land use and planning sectionThe site currently allows 113 base dwelling units. By allocating 15 percent (17 units) to very low income households, the developers are requesting a 35 percent density bonus which would allow them to have 40 additional units for a total of 153 dwelling units (Page IV.F-25). We cannot allow this to happen. There are many other requests the project is making all to benefit their development and not the community - all communicated within this section.
>
> Transportation section The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. Imagine 252 more cars maneuvering through our neighborhood at any given time and 145 more on event days.
>
> The entry/exit points to the project are directly across from your garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing your garage. Additionally our existing road infrastructure cannot accommodate the added congestion. It's hard enough for 2 cars to safely pass on Holt when a delivery vehicle is parked on the street. We need to insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted. This ensures there will be no additional traffic through your alley, our alley, and on Holt Ave.
>
> The transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic.
>
> Is your unit on the South side of Westbury Terrace? If so, your views will be impacted. You will hear increased traffic speeding through the alley every morning, evening, throughout the night, and on event days if they do not move the building's entry/exit points to Burton Way. Everyone will hear all the pounding, excavation, and heavy construction equipment maneuvering through the project site during construction.

> I have not had time to read through the entire EIR. I'm sure there are other areas within the document that present more conflict for our neighborhood. If anyone has further verifiable and concerning information to share I encourage you to reply all in this thread so the rest of us are aware. There is no limit to the amount of emails,questions and objections we submit to Paul Caporaso (directions for submission listed above).
>
> For anyone who wishes to be removed from this thread, please let me know privately and will make it happen.
>
> Thank you all for your help,
> Ashley Sholder

Paul Caporaso <paul.caporaso@lacity.org> Mon, May 24, 2021 at 4:19 PM
To: Sara Ameri <saraameri.sa@gmail.com>

Hello Sara,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file.

Please note that Project comments unrelated to the contents of the Draft Environmental Impact Report (DEIR), such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the Final Environmental Impact Report (FEIR). Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

[Quoted text hidden]

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Our Lady of Mt Lebanon, ENV-2019-1857-EIR

2 messages

Shirin <shirinasgarian@yahoo.com> Wed, Jun 23, 2021 at 7:40 PM
To: paul.caporaso@lacity.org
Cc: Yamini.negin@gmail.com, yasstoo@gmail.com, Shahriar Yadegari <shyadegari@gmail.com>, benjamin.h@hoapremier.com, Patrick Panetta <patrick.p@hoapremier.com>

Dear Mr. Caporaso:
My name is Dr Shirin Asgarian, I am a home owner and President of West Burry Terrace HOA, a 11 story 82 units building built 1974, immediately across the Alley from the proposed 19 story building.
We are very concern and oppose to the EIR because it did not address the issues related to our building, and urge the Planning Department and Planning Commission to deny the EIR until the following items are addressed:
1) Traffic in the Alley: the 20'-0" wide Alley will not be sufficient to handle the massive traffic that proposed 157 unit residential plus the traffic of the Sanctuary and events will generate. Traffic study which was prepared was done during Thanks Giving of 2019 when the traffic is light and do not represent the thru number of cars passing by. We request that a peer review be done by another firm not related to the proposed project and to be paid by the applicant.
2) Vibration during the shoring, excavation and construction, we request that a third party structural / shoring engineer to review their plans, to make sure there will be no vibration created in the process, the fee for this review shall also be paid by the applicant.
3) There shall be a construction traffic management plan be prepared by the applicant and shall be submitted to Planning staff and CD 5 for their review and approval prior to start of any construction.
4) We are very concern about the shade and shadow study prepared by the applicant, we request that a third party consultant to review and concur with the repot, fee for second party to be paid by applicant.

Regards,

Dr. Shirin Asgarian
310-666-8846
Westberry Terrace HOA President

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:51 AM
To: Shirin <shirinasgarian@yahoo.com>

Hello Shirin,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
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Los Angeles City Planning
221 N. Figueroa St., Room 1350
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[Quoted text hidden]

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

ENVIRONMENTAL CASE NO. ENV-2019-1857-EIR “OUR LADY OF MT. LEBANON PROJECT”

6 messages

Ava Azizi <avaazizi@gmail.com> Wed, May 26, 2021 at 9:42 PM
To: PAUL.CAPORASO@lacity.org

HI Paul

I hope this email finds you well. I am writing to you today to vehemently oppose the "Our Lady of Mt. Lebanon Project."

I have lived at 317 S. Holt Avenue, which is diagonal to the proposed development, for the last 9 years and was quite shocked to learn about the proposed plans. I am a mother to 3 young children- two 5-year old twin daughters and a 15 month old son- and have serious concerns about the project:

1. My two daughters have serious asthma. They've been hospitalized at Cedars numerous times, once even in the PICU. Where am I going with this? Well, the extra dirt/dust/debris in the air would be incredibly dangerous for their health. Am I supposed to not let my daughters play outside because of all of the extra dust from the construction across the street? That is awful to even think about.

2. The noise. I have looked at the data on the "unavoidable construction noise" and it is clear that it is well above what the CDC and The World Health Organization have determined as safe sound exposure. My children are young, still developing and prolonged construction noise could harm their hearing long term. This is not acceptable.

Separate from the above concerns, I have two additional serious concerns:

1. This area is already crowded. Parking is hard to come by and during rush hour Mondays through Fridays, 3rd Street is virtually stopped. The proposed development brings MANY new residents into the area, which means MANY more cars. This will lead to more traffic and more congestion.

2. The plans, as I read them, call for the creation of a large events venue that can hold up to 1500 people. Again, the area cannot support the influx of extra cars (guests at an event) and/or places for vendors to unload/load.

I look forward to hearing back from you.

Best,

Ava Azizi

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

"OUR LADY OF MT. LEBANON" CHURCH ON BURTON

2 messages

avi bibi <bibos12@hotmail.com> Sun, Jun 27, 2021 at 2:11 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Hello, My name is Avraham Bibi.
I own a condo on Westbury terrace.

I strongly against the church project and I am very concerned. Especially after what happened in Florida a few days ago. Our Building is not in a good condition and you can see it I there are already cracks in our balconies and this is only from the earthquakes. And no one knows what is going on in our foundations.
If this project is going to start I'm afraid that our Building wound can take the vibrations of 5 story digging. It's only 20 ft separating between us to the church. It will be life risking for all of us and how can any one guaranty and take that much of responsibility and risk.
Our Bulding was build in 1979 and I think you don't have to be a specialist to understand the knowledge and Bulding technic they had then comparing to today.

Kind Regards
Abraham Bibi
949-228-8730

Paul Caporaso <paul.caporaso@lacity.org>

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

2 messages

mary brennan <marybrennansales@gmail.com> Wed, Jun 23, 2021 at 5:57 PM
To: paul.caporaso@lacity.org

Hello Paul,

I am reaching out to you regarding the project noted below. I live at the corner of Burton Way and Le Doux Road. I'm at 405 1/2 Le Doux Road.

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

In the past 8 years I have had to live with the construction of the Rick Caruso building across the street 8500 Burton Way and the building directly behind me on Le Doux Road. I can't begin to tell you what a nightmare it has been. The noise alone was enough to drive someone mad, especially if you work from home, which I do. Not to mention the constant issue with the dirt and dust that was tracked into my home for 8 years. My screens and windows were black. And the street was closed off often during that time which made it very inconvenient. I can't even imagine what it would be like if Burton Way at San Vicente had a construction sight for 5 years which it would take to build a 19 story complex.

By the way, last I heard, this area is definitely not coded for a building that high, was is this even a conversation??

And then there's traffic which is already terrible here, and the honking and the regular accidents is just awful. There is also ambulances going to Cedar's all day and night, as it is that's not easy at this intersection.

Lastly, there are several almost or completely EMPTY new buildings in the area. 8500 is never more than at a 1/3 capacity. And a new building around the corner on Holt and Colgate has been completely empty for over a year. These are high ticket condominiums, Los Angeles doesn't need more of that!! I truly don't understand why anyone is even entertaining the notion of building another high rise condominium. Pure greed is the only reason. Los Angeles is going to become like Manhattan, a sea of empty apartments owned by people who don't live in them. Not unlike much of the beachfront property here in souther California. Enough is enough, affordable housing is what is needed here!

It is just unbearable to think I might have to live across from another construction site. I am not in a position to move, or I would have done so sooner.

Please help make my voice heard on this.

Thank you in advance!

Best,
Mary

Mary Brennan
213.610.9937
405 1/2 Le Doux Road, LA, 90048

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:51 AM
To: mary brennan <marybrennansales@gmail.com>

Hello Mary,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

[Quoted text hidden]

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Paul Caporaso <paul.caporaso@lacity.org>

Concern and objection of Church project next to 321 s san vincente blvd, Los Angeles,California

3 messages

Diana <diana_chou@yahoo.com> Fri, Jun 18, 2021 at 4:53 PM
To: paul.caporaso@lacity.org

Hi, we just move into the building and currently we have to deal with the homeless issue and learn about the church project very recently.
We are concern and we want to raise out objection of the church redevelopment project :

1. With homeless issue, we have nightly noise going on and we can not take day time construction noise especially if it is a. High rise building with big machine ponding !

2. Our garage entry is going to be impacted and it could be very dangerous as well not knowing what kind of construction cars are going to be there. As we are new, we are not sure if its a easement or not but we would not want to not able to enter and exit freely nor dangerously!

3. Dust and debris concern for our health. We can not live in a place with constant construction for a long period of time. This is a health hazard not just us but the entire building occupants as well as surrounded residential buildings.

Finally, we strongly against the redevelopment of this church. We like the way it is with a church with nice historical architecture.

Please contact us if you can meet with us and the residences here of our concern and stop this church redevelopment project!!!!!
Yours truly,
Diana Chou and Asad Ameri
321 s san vincente blvd, unit 205 , los angeles ,ca 90048

Ps, excuse any typo if any!
Sent from my iPhone

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

ENV-2019-1857-EIR “OUR LADY OF MT. LEBANON PROJECT.”

2 messages

Jazmin Delgado <jazmindelgadob@gmail.com> Wed, Jun 23, 2021 at 9:58 AM
To: paul.caporaso@lacity.org

PLEASE STOP THE CONSTRUCTION OF THE "OUR LADY OF MT. LEBANON" PROJECT (BURTON & SAN VICENTE).

- The proposed construction will bring 5 years of construction to our neighborhood. That's 5 years of dirt/dust, LOUD pounding and excavation (current plans to dig underground), extra traffic and congestion.
- The expected noise from the construction is well above what the CDC and The World Health Organization have determined as safe sound exposure. What does this mean? Aside from a terrible headache, it could translate to hearing loss especially for certain vulnerable populations (young, developing children for instance). And, now that more people are working from home, this brings challenges to those that need to conduct their business from home. It would also make it challenging for many of the staff at Cedars who live in the area and work the night shift, to catch up on their sleep during the day.
- The proposed event space would be one of the largest in the area, which would mean on event days, there would be a ton of vendors loading in for the event and an influx of cars of guests at the event. The area does not have the proper parking infrastructure or loading docks to support this activity. If you think parking is hard to find in the area, this will make it worse.

I do NOT support the current development, as currently planned.

Jazmín Delgado

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:54 AM
To: Jazmin Delgado <jazmindelgadob@gmail.com>

Hello Jazmín,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
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[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Bldg built on Church property

2 messages

Nina Diamante <ninadiamante321@yahoo.com> Mon, May 17, 2021 at 4:07 PM
To: paul.caporaso@lacity.org

>> Sent from my iPhoneAm in my 80s looking out over the alley 321 S. SanVicente Blvd.402. Noise and dirt would kill me Nina Diamante, 321 S. San Vicente Blvd Los Angeles 90048: Stop the construction permanently by the Church on San Vicente and Third. Nina Diamante

Paul Caporaso <paul.caporaso@lacity.org>

19 story proposed building at 333 S. San Vicente blvd

2 messages

mehteshami@aol.com <mehteshami@aol.com> Mon, Jun 28, 2021 at 4:40 PM
Reply-To: mehteshami@aol.com
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Mr. Paul

My name is Mahshid Ehteshami and I live on Willaman drive. I am an Architect. I am writing to you to let you reasons of my protest against construction of the 19 story apartment building at 333 S. San Vicente Blvd. LA, CA 90048 behind the "our lady of Lebanon church" on Burton way.
2- The church is one of the oldest and most beautiful churches in Los Angeles. Many people have their wedding and other ceremonies at this church. During construction, Church and Social areas can't be used.
3- Noise, dust, traffic is already bad, the construction will make our lives more difficult with all construction problems.
4- Most buildings around the church area including the building I live in and almost all buildings facing Burton way have vacancies for many months now. What is the reason to add another building when the existing ones can't be rented.

Regards,

Mahshid Ehteshami
T. 310 367 6244
mehteshami@aol.com

Paul Caporaso <paul.caporaso@lacity.org>

Request regarding ENV-2019-1857-EIR “OUR LADY OF MT. LEBANON PROJECT”

1 message

Collin Ellis, PhD <drcollinellis@gmail.com> Fri, Jun 25, 2021 at 12:14 PM
To: paul.caporaso@lacity.org
Cc: Rafael Elbaz <rafaelpainting@msn.com>, Silvia Moreno <silviaalexmoreno@yahoo.com>

As a medical science professor, I am quite concerned about this project being greenlit, not only for myself because I live in the area but for my colleagues and trainees/students whom live in the area and desperately need to catch up on sleep during the day from working all night in the hospitals. My major concern is the years of noise pollution associated with this project that, based on current evidence, will deliver detrimental physical AND mental health impacts. Please do the right thing and do not allow this to happen here.

Thank you,
Dr. Collin Ellis (and other concerned taxpaying local citizens)

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR/Our Lady of Mt. Lebanon Project

2 messages

MASSOUD ESHMOILI <meshmoili@gmail.com> Thu, May 20, 2021 at 1:59 PM
To: paul.caporaso@lacity.org

Hi Paul,

I live at 321 S. San Vicente blvd next to the church.

I am strongly objecting to this project because of the following reasons.

This 19 story building will have a tremendous effect on our property value since we will be sharing the alley for entrance and exiting our parking, it will be blocking our views, the sun especially in back yard and pool/Jacuzzi area, and will have an environmental effect on air quality, more traffic congestion, glare from their windows to our building and most importantly - going through 3-4 years of construction that will have many of us breathing dust and hearing noise from early morning until evening, including Saturdays since Los Angeles allows construction work on Saturday.

Thank you,
Massoud Michael Eshmoili

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Our Lady of Mount Lebanon Project

2 messages

Shayna Eshmoili <seshmoili@gmail.com> Sat, Jun 19, 2021 at 11:55 AM
To: paul.caporaso@lacity.org
Cc: westburyterracecondos@gmail.com

Hi Paul,

I hope you are doing well! I'm reaching out to voice my concern regarding the Our Lady of Mount Lebanon Project.

I have lived next door to Our Lady of Mount Lebanon for over 20 years and know that this property cannot handle a large apartment complex like what is being planned. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.

Pre-pandemic, when regular church services occur on Sundays we could hardly exit from our garage because the church parking would be overflowing - I cannot imagine how they plan to bring in large construction equipment without blocking the alley, Holt Ave, and/or Burton Way for years. This would be especially hard for Westbury Terrace residents who have to use the adjoining alley to enter and exit the garage.

Also, the size of the proposed building makes absolutely no sense for the location and size of the lot. I believe Los Angeles needs more housing, but we don't need another giant luxury condominium that will negatively affect everyone else unfortunate enough to have to live near it. It especially doesn't make sense for a tax-exempt Church to be building and operating a giant luxury apartment complex. It is laughable that a church that is planning to build 153 apartments is only including 17 affordable units.

Additionally, the proposed number of parking spaces is too little. During normal times, church services bring in a large number of vehicles (this is LA, everyone drives themselves, it is naive to think entire families would be carpooling), plus a large multi-purpose space that may be used for larger parties or gatherings make it that much more necessary to have additional parking spaces. We already have limited street parking in the area and it would be nearly impossible for guests to find street parking on a normal day, with a new high-rise it will only get worse.

Overall, the size of the building and proposed multi-use space is absolutely outrageous for the location and size of the lot. This project should not be approved.

Thank you for your time,
Shayna

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

2 messages

rfarmanara@aol.com <rfarmanara@aol.com> Tue, Jun 22, 2021 at 10:50 AM
Reply-To: rfarmanara@aol.com
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear LA City Planning Dept.,

I am writing to you as a tenant of 321 S. San Vicente Blvd, next door to the planned 19-story Church project.

I am writing in opposition to this new planned project. I have been living here for the past 9 years and as it is, we have enough variety of noise, pollution and traffic.
The Noise from the construction will be a something that will directly affect us as we are on the second floor and facing the planned project. We are also very concerned about the dust and pollution of having a building built so close to our unit.

Our worst fear is the traffic!! Currently on Sunday's as the church have their services, they have so many cars that park and block our entrance and exit to our building as they have valet leaving cars in the alley way. With this many new tenants moving in, we will not be able to get in or out of our building. As it is, there is parking on Holt that directly blocks our view as we try to enter Holt from our garage. There have been many accidents as we only have partial view.

I appreciate you reading our concerns and we are hopeful that you agree that the construction of this new building will create several major issues for homeowners and renters all around this tight and already congested area!!

Thank you,

Rudy Farmanara
Unit #206

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

5 messages

Yassi H <yasstoo@gmail.com> Sun, Jun 20, 2021 at 11:09 AM
To: paul.caporaso@lacity.org
Cc: Daniel.sklnick@lacity.org, admin@midcitywest.org

> To:
> Paul Caporaso
> City of Los Angeles, Department of City Planning

Dear Paul Caporaso,

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

I would like to submit my comments against permitting the construction of the proposed 19-story building of "Our Lady of Mt. Lebanon Project". This construction will adversely affect my residential building next door at 321 South San Vicente Boulevard, known as Westbury Terrace.

1. Vibration impact:

   The Westbury Terrace building is over 45 years old and will not withstand the stress from the construction of a 19-story building, in particular the excavation of ground for a five-level subterranean parking structure and at such close proximity.

   Our aged water pipelines will fracture from the vibrations of constant pounding during construction and cause flooding in our homes and garages. The extent of the damage will be enormous, structurally and financially. It may even be deadly as our pipes run along the garage ceilings and are exposed. They could smash onto our vehicles while we are inside our cars.

2. Noise impact:

   The residents of Westbury Terrace, including myself, will have to suffer five years of constant pounding and loud noise during construction. The proposed 19-story building will involve daily transport of materials by huge trucks which will create continuous deafening noise especially from the beeping when backing up.

   This could create long term health issues for us. We will not be able to leave our windows open for fresh air, sleep or rest during the day, walk in the vicinity of our home, enjoy our swimming pool or lounge in our courtyard patio. In addition, many of us now work from home and we will not have any peace of mind to work productively for those five years.

Our property values will also be impacted directly by the loud noise and its long term expectancy of "human annoyance". It will be difficult to sell or even rent our condominiums during the five years of construction.

A different form of noise will become permanent after construction due to the increase of residents and vehicles in our neighborhood. The chatter from event guests waiting to retrieve their cars late at night will disturb our sleep and deteriorate our quality of life.

3. Traffic Impact:
   Westbury Terrace has two parking garages with ingress and egress through the Alley. The addition of 397 vehicles using the same Alley to access their parking structure will result in dangerous accidents and gridlock. It will be worse during events when valet employees have to park the excess cars in the street.

   The proposed project of Our Lady of Mt. Lebanon is at one corner of a huge intersection of three major streets: Burton Way, San Vicente and La Cienega. The current traffic situation in this area is congested at best of times with frequent accidents. The Caruso building project is soon to start on another corner of this huge intersection and across the street from the "Church" project, at 333 La Cienega Blvd. How does the City propose to allow two massive constructions, within feet of each other, run at the same time? How does the City intend to deal with the traffic nightmare we will be having?

Please consider the residents of Westbury Terrace who pay high taxes to live in this neighborhood and deserve to have tranquility and a healthy environment.

Sincerely,

Yassaman Hariri
321 S San Vicente Blvd #401
Los Angeles, CA 90048

MacLou Trust <macloutrust@gmail.com> Sun, Jun 20, 2021 at 11:15 AM
To: paul.caporaso@lacity.org
Cc: Daniel.sklnick@lacity.org, admin@midcitywest.org

> To:
> Paul Caporaso
> City of Los Angeles, Department of City Planning

Dear Paul Caporaso,

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

We would like to submit my comments against permitting the construction of the proposed 19-story building of "Our Lady of Mt. Lebanon Project". This construction

will adversely affect our residential building next door at 321 South San Vicente Boulevard, known as Westbury Terrace.

1. Vibration impact:

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within feet of each other, run at the same time? How does the City intend to deal with the traffic nightmare we will be having?

Please consider the residents of Westbury Terrace who pay high taxes to live in this neighborhood and deserve to have tranquility and a healthy environment.

Sincerely,

MacLou Trust
321 S San Vicente Blvd #1002
Los Angeles, CA 90048

Paul Caporaso <paul.caporaso@lacity.org> Mon, Jun 21, 2021 at 2:56 PM
To: MacLou Trust <macloutrust@gmail.com>

Hello MacLou Trust,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
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Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629
E-NEWS

[Quoted text hidden]

Yassi H <yasstoo@gmail.com> Wed, Jun 23, 2021 at 9:40 PM
To: paul.caporaso@lacity.org

Hello Paul,
I didn't get a confirmation for this. Just making sure it is recorded.
Thank you.
Yassaman Hariri
[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:50 AM
To: Yassi H <yasstoo@gmail.com>

Hello Yassi,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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All the best,

LOS ANGELES CITY PLANNING

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E-NEWS

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

2 messages

Illya Haase <illyahaase@klwines.com> Tue, Jun 22, 2021 at 5:28 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Mr. Caporaso,

Our Lady of Mt. Lebanon Project would be a huge impact to the quality of life in our neighborhood. We are already surround by Cedar Sinai Hospital, which produces awful noise from the constant emergency vehicles. This goes on at all hours day or night. It is so bad we need a sound machine at night to drown out the noise. The Beverly Center also across the street. Regular checks their fire alarms which is a terrible sound too. Santa Monica airport has a flight plan over us. With the homeless encampments also surround our building the screaming from the fights at all hours of the night. . Now you add in construction on top of all that it would be Unbearable! Please don't add one more thing to the list.
Now for the building. It is way too old to handle the wear and tear it has now. Let alone the constant pounding from a huge construction site.
Traffic is a nightmare already. Beverly Center, Cedar Sinai and just having one of the busier areas in LA, i.e. cross streets of 3rd Ave, San Vicente Blvd, and Bourton Way. Added trucks to this situation is wrong. Let alone once it is finished hundreds more cars pulling out in our already congested streets.
Please I beg of you to stop this now before it even starts.
Thank you for your time.

Sincerely,
Illya Haase
321 South San Vicente Blvd

Illya Haase
Manager
K&L Wine Merchants- Hollywood
1400 Vine Street
Los Angeles CA 90028
323-464-9463
www.klwines.com

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:55 AM
To: Illya Haase <illyahaase@klwines.com>

Hello Illya,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
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E-NEWS

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR

2 messages

Tom Henneman <thenneman@tacer.biz> Mon, May 24, 2021 at 12:42 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>
Cc: "westburyterracecondos@gmail.com" <westburyterracecondos@gmail.com>

Hi Paul,

I wish to submit comment and complaint regarding the project at Our Lady of Mount Lebanon Project on San Vicente Blvd, Los Angeles.

Being an event director here in Los Angeles and a neighbor in the Westbury Terrace Building at 321 S San Vicente Blvd, I have enormous concerns with the proposed 12,600 sqft Social Hall/Multi-Purpose Room for the project as well as the parking structure entrance on the alley connecting Holt Ave and San Vicente Blvd.

Los Angeles has a large and thriving event industry where spaces of this nature are used in a multitude of different ways and can be enormously profitable. However, there are very few blank spaces of this size in the city. I list below a number of well know ballrooms, their size and capacities for reference.

LOCATION	SQFT	Capacity
Crystal Ballroom - Beverly Hills Hotel	7,577	850 guests
Ray Dolby Ballroom - Hollywood & Highland	25,090	2000 guests
Four Seasons Beverly Hills	4,080	500 guests
Verandah Ballroom - Peninsula BH	1,380	250 guests
Crystal Ballroom - Riviera Country Club	3,212	400 guests

All of these locations host events from corporate meetings, gala dinners, award receptions, weddings, christenings etc. The proposed space at the Mount Lebanon would create one of the largest ballroom spaces in the City of Los Angeles. At an estimate based on the above referenced event spaces and their capacity, this would give Mt Lebanon's brand new Multi Purpose space a capacity of 1500 guests. One glaring difference between the spaces listed above and Mt Lebanon is the following; they have sufficient parking for these guest counts, and have loading docks to support the required deliveries for events of this nature.

The proposed 145 "church parking spaces" would be wholly insufficient to handle even a 250 person wedding reception in this ballroom. Assumedly the remainder requiring valet parking on surrounding streets, causing even more congestion for

not only the residents of Westbury Terrace, but also the residents of the 153 units in the new proposed building. Further the positioning of the entrance to the Mt Lebanon parking garage being directly opposite that of Westbury Terrace will cause enormous issues traffic issues.

Assuming that loading for the ballroom would also be through the alley, due to the lack of a sufficient truck loading dock, along with the 200% increase in traffic from the new residents we will also have to contend with trucks for Event Rental companies, lighting and AV companies on a weekly basis. Being a professional in the industry, I've seen the impact this can have surrounding areas.

As it is, whenever the church hosts small events in their ~5000sqft multipurpose space we often have the church's valet parkers using the alley for overflow when the surface lot is full.

I urge you to strongly reconsider the need for a 12,500 sqft Multipurpose room. This will cause crippling traffic issues for the surrounding streets and buildings. I also suggest the addition of a box truck loading dock, and repositioning the parking entrance and exit to come directly from Burton Way instead of mirroring the entrance to Westbury Terrace.

Sincerely,

Tom

Tom Henneman

Event Director

Town & Country Event Rentals

7725 Airport Business Park Way

Van Nuys, California 91406
Cell 323.854.2999

Phone 818.908.4211

Fax 818.908.4219

Follow me on Instagram @tom_tacerla

Paul Caporaso <paul.caporaso@lacity.org>

ENV-2019-1857-EIR.

1 message

Eva Hernandez <magalyhrd@hotmail.com> Tue, May 25, 2021 at 5:36 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Paul,

I vehemently oppose granting permission to Church of Lebanon to construct the building they are planning to.
First of all, the environmental impact by the pollution when building and then by raising the amount of traffic in this area.
Right now, it has more traffic than San Vicente Blvd can handle and with the building, it will result in catastrophic traffic and pollution in this area.

In our building at 321 S San Vicente there are children, elder people and sick people as well, the construction will pose a direct threat to their health.

I urge to consider to not give permission to such construction.

Sincerely,

Eva Hernandez

321 S San Vicente Blvd 406

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Comments regarding proposed "Our Lady of Mount Lebanon Project"

1 message

Wade Ivy <opticks@gmail.com> Fri, Jun 25, 2021 at 8:31 AM
To: paul.caporaso@lacity.org, westburyterracecondos@gmail.com

Re: Environmental Case No ENV-2019-1857-EIR

I am writing today to express my opposition to the 19-story high rise proposed in the "Our Lady of Mount Lebanon Project". As a family, we have lived at Westbury Terrace on 321 S. San Vicente Blvd. for over 20 years. I share the dire concerns with many of our neighbors regarding this proposal, which is inappropriate in numerous ways and would severely diminish quality of life in this neighborhood.

My foremost objection is the impact this large scale construction project would have on the structural integrity of our building, sitting a mere 30 feet away. Our building at Westbury Terrace is aging, over 45 years old, and at present we are already dealing with the very difficult and tenuous maintenance of the plumbing infrastructure. Deep excavation, and the continuous use of heavy machinery so nearby presents a severe threat to our pipelines and could also permanently damage our building's foundation.

This development will also be a significant reduction in quality of life for neighboring residents, both during construction and in all the years to come. The impact this would have on an already densely used corridor would be unbearable, greatly exacerbating the traffic conditions with heavy equipment and related blockages and inconvenience during construction, and then, were the project to be completed, with the addition of hundreds of new residents. The proposed access to the site via the narrow alley dividing our properties would become a daily nightmare of gridlock. The enormous Social Hall/Multi-Purpose Room included in this proposal is wholly inappropriate and would increase the size of potential events held at the site by an order of magnitude. This would even further exacerbate the traffic and parking issues we already face.

The noise from this major construction would be very disruptive and damaging to our health, and the proposed new, higher location for the church bell would be a nuisance to the numerous residents with irregular sleep schedules who work at the nearby Cedars Sinai hospital. The pollution generated would also significantly diminish our air quality, with all of the attendant health concerns.

This new development would tower over our Westbury Terrace, blocking views and casting shade where we presently enjoy sunshine. Our health and property values will suffer because of the many ways we would be impacted negatively.

For these reasons, I oppose the "Our Lady of Mount Lebanon Project" in its entirety.

Sincerely,

Travis Wade Ivy
Homeowner
321 S. San Vicente Blvd. Unit 208
Los Angeles, CA 90048

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case #ENV-2019-1857-EIR - Our Lady of Mt. Lebanon Project

2 messages

ukjaybird@aol.com <ukjaybird@aol.com> Thu, Jun 24, 2021 at 10:40 AM
Reply-To: ukjaybird@aol.com
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Mr. Caporaso:

I own a unit at Westbury Terrace, right next door to the site of the proposed construction project referenced above. I am very concerned about the potential damage, both literal, emotional and financial to myself and other homeowners should this project go forward.

I lived in the building for nearly 13 years, before retiring to the desert. At that time, I began leasing my unit and rental income is what I count on to pay my monthly expenses. Over the last nine years, many of my tenants have been work-from-home people, as my unit is perfect for that purpose. My current tenant also works from home.

The noise that will emanate from a construction site so close to Westbury will cause a major problem to the residents, particularly those who work from home or on night shifts at Cedars-Sinai who rely on getting their sleep during the daytime. I feel certain my tenant will not stay beyond his lease term if construction moves forward, and it will likely be very difficult to find a replacement tenant who would choose to put up with excessive noise, not to mention the dirt and debris from a nearby construction site. The rental market is challenging under normal circumstances, and this proposed project would add to the burden and worry of finding a new tenant willing to pay the same amount of rent I routinely receive.

Furthermore, I know the building's fragility very well. The former Building Manager recently retired after 37 years. He had to "camp out" overnight every time any major plumbing work was being done and these types of projects could only take place at a few designated times throughout the year. On those dates, the water would have to be shut off for the whole building and the Manager, who had a Contractors license and a vast knowledge of the inner workings of the building, stayed close in order to prevent and/or deal with any potential problems resulting from plumbing work or repairs. You see, the pipes in Westbury are old and I fear the shaking from a construction site could cause unimaginable damage if leaks were sprung due to seismic activity in such close proximity.

I hope you will consider my concerns and those of other homeowners who have contacted you in recent weeks. I urge you to put a stop to this project and ensure the peacefulness and quality of life for the residents of Westbury Terrace.

Sincerely,
Andra Jay
Owner, 321 South San Vicente Blvd., #1006
Los Angeles, CA 90048
Phone: 310/993-1412

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:51 AM
To: ukjaybird@aol.com

Hello Andra,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629
E-NEWS

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Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

19 stores

2 messages

paul kish <paulkishl@sbcglobal.net> Tue, May 25, 2021 at 8:54 AM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

there are alot of retired poeple living here at 321 san vincente they are not not going to move not there stage of live please do not do this project thank you paul kish 702

Paul Caporaso <paul.caporaso@lacity.org> Tue, May 25, 2021 at 2:37 PM
To: paul kish <paulkishl@sbcglobal.net>

Hello Paul,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file.

Please note that Project comments unrelated to the contents of the Draft Environmental Impact Report (DEIR), such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the Final Environmental Impact Report (FEIR). Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

Paul N. Caporaso
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Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Comments to Our Lady of Mt. Lebanon Project

2 messages

Kristen Lee <kristenjoylee@gmail.com> Mon, Jun 28, 2021 at 2:00 PM
To: paul.caporaso@lacity.org

Hello,

I am submitting my comments in opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR.

- Health Impact: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open? What about permanent hearing damage from continuous construction for years on end?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible.
- LAPD Resources: Has the strain on LAPD been taken into account at all? It is already very difficult to get ahold of LAPD when we need them. Adding this many units and residents directly impacts our safety.
- Traffic Congestion: Did the transportation study within the draft EIR take into consideration the permanent traffic congestion on 3rd street particularly at the intersections of Sherborne, Holt Ave, and San Vicente? On "good" days on 3rd street traffic is only backed up to Hamel and on even worse days it extends way past Robertson. Did the study take this into account? Did the study consider the traffic coming from 3rd street down Holt Ave and the alley between Sherborne and Holt Ave during rush hour? Pedestrians walking on the west side of Holt are particularly vulnerable to alley traffic as most race down this section to avoid the traffic on 3rd street. Is the city planning commission aware of this? Did the draft EIR take into consideration the number of car accidents and pedestrian injuries resulting from impacts with motor vehicles in our neighborhood over the last 5 years? Adding 252 more residential cars maneuvering through our neighborhood and 145 more cars on event days will be disastrous. Does the city planning commission find it acceptable to add a significant burden and more traffic hazards to Holt Ave that already has visibility issues and is so narrow two cars can barely pass one another?
- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?

Thank you,

Fwd: Church Project

2 messages

lidya lipkin <lidya1969@yahoo.com> Wed, Jun 23, 2021 at 12:30 PM
To: paul.caporaso@lacity.org

Sent from my iPhone

Begin forwarded message:

From: lidya lipkin <lidya1969@yahoo.com>
Date: June 23, 2021 at 10:26:10 PDT
To: paul.caporaso@lacity.gov
Cc: Westbury Terrace HPM <westburyterrace@hoapremier.com>
Subject: Church Project

To: <paul.caporaso@lacity.org>

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project
TO: Paul Caporaso
Dear Paul,

As a 21 years of residentsy of Westbury Terrace, I wish to express our serious concerns from whole my family about the impact the construction of a high resident apartment tower next to our property. From documents, it's obviously clear that the construction of this kind will literally be just a matter of yards away from our building.

As a result, there will be a lot of heavy duty construction equipment which resulted in a certain damages to our utility lines and even the structural integrity of our building. The resulting vibration, for one thing, is almost certainly to damage the piping in our building if not seriously affect the very foundation of our building. This is a real danger.

Along with the vibrations caused by many months of pounding by pile drivers, riveting machines and similar heavy equipment will be the incessant noise. As noted, the site of the proposed 19-story tower is literally just a matter of yards from our residential property. Our residents include a number of seniors as well as medical professionals working at the nearby Cedars-Sinai Medical Center. Those folks work long hours and often night

shifts. How are they to sleep when bombarded by the awful noise associated with heavy construction?

One other consideration is the resulting traffic that inevitably will greatly increase if this project proceeds as planned. The adjoining intersection of San Vicente and Burton Way augmented by La Cienega Blvd. is already one of the busiest -- and most dangerous -- on the West Side. To add the vehicular volume from hundreds of church tower residents plus the added volume of cars of parishioners attending religious services as well as such events as wedding and funerals is totally unacceptable. Any proper traffic study will confirm this observation.

"We are sincerely hoped that you, and the Los Angeles City officials reviewing the proposal by the church will carefully consider the above impact issues.

Sincerely yours,
Lipkin's family
Unit 501
Westbury Terrace

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:53 AM
To: lidya lipkin <lidya1969@yahoo.com>

Hello Lidya,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
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Los Angeles, CA 90012
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T: (213) 847-3629
E-NEWS

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Paul Caporaso <paul.caporaso@lacity.org>

Case #ENV-2019-1857-EIR / Our Lady of Mt Lebanon Project

4 messages

Andy Liu <aliu24@gmail.com> Mon, Jun 28, 2021 at 12:36 AM
To: paul.caporaso@lacity.org
Cc: Janet Wei <janet.wei@gmail.com>

Dear Mr. Paul Caporaso,

As a Westbury Terrace resident (with my wife, a 10 year resident, and two young children), I vehemently oppose the Our Lady of Mt Lebanon 19 FLOOR Apartment Building project for the following reasons:

TRAFFIC
The stretch of San Vicente Blvd between 3rd Street and Burton Way/La Cienega is one of the most heavily gridlocked intersections in LA during commute times. Construction of the project will only further bottleneck the area as the pre-covid traffic patterns have returned and will only worsen.

AMBULANCES & EMERGENCY VEHICLES
The increased congestion and bottlenecks from construction will only further clog the major and sidestreets in the neighborhood which will negatively impact emergency vehicles delivering patients to the ER and people could potentially die as a result.

NOISE
Currently, the neighborhood surrounding Our Lady of Mt Lebanon is already loud enough with ambulances, speeding vehicles, emergency vehicles, and often the fire alarms from Beverly Center. Five years of construction from 7:00 AM to 4:00 PM will make life unbearable for the residents in the vicinity

RISK TO WESTBURY TERRACE
Has anybody from the city studied the risk to the structural safety of 40 year old Westbury Terrace by digging a hole in the ground large enough for an underground parking lot with 397 parking spaces??????? I'm sure everyone at LA City Planning has seen the recent Surfside, FL building collapse which may have been impacted by the recent construction of a newer nearby building.

THE ALLEY
According to the project's current plans, the entry and exit from the parking structure will be the narrow alley that is currently used by Westbury Terrace residents to enter/exit the parking garage and and for trucks that temporarily park who use the alley as a loading zone. The alley is not wide enough to accommodate the increased traffic. Adding the 252 residential cars and then 145 event attendee cars will surely congest the alley and lead to traffic accidents especially since Holt Street is used by so many cars to connect between Burton Way and 3rd Street (often at high speeds) which has led to many significan car accidents given the blind spots from the parked cars. San Vicente will also get more clogged especially if 333 La Cienega is erected. If the project is approved, then its parking structure entry/exit points should be on Burton Way.

OPTICS
Why is the Catholic Church interested in building a mega apartment building (tallest building in the area) to generate revenue (and be exempt from taxes)? Generating revenue by being a landlord doesn't seem like it's part of the mission of the Catholic Church. Is the Catholic Church's attendance/patronage/tithing so low now that it's looking for additional ways of generating revenue with little regard for the neighborhood? Granted the Catholic Church has financially settled many lawsuits in recent years for past misdeeds, isn't it bad optics for residents if they are paying rent to the Catholic Church to potentially refill its coffers that have been depleted???? I could understand a project to rebuild the current church but adding that 19 story apartment building seems excessive.

LOCAL BUSINESSES
The traffic will hurt local businesses by further clogging the area and make visiting the area unpleasant.

333 LA CIENEGA
https://www.333lacienega.com/
Will the two projects be built simultaneously? Has the impact of both projects being built concurrently been studied? At least 333 La Cienega benefits/improves the neighborhood whereas only the Catholic Church benefits from the Our Lady of Mt Lebanon Project. Think about that!

DURATION

This is a FIVE YEAR project, repeat a FIVE YEAR project. SoFi Stadium was completed in less time than this project!!!!!

Thank you for taking time to read my comments and analysis and I hope the project is cancelled.

Sincerely,
Andy Liu & Family

Janet Wei <janet.wei@gmail.com> Mon, Jun 28, 2021 at 7:55 AM
To: Andy Liu <aliu24@gmail.com>
Cc: paul.caporaso@lacity.org

Dear Mr. Paul Caporaso,

I am in 100% agreement with the serious concerns outlined below, particularly to our health and safety. I am a physician at Cedars-Sinai and recognize the health hazards related to exposure of elevated levels if fine particulate matter and toxins to exacerbate asthma, heart disease, lung disease, and cancer, as well as to chronic loud noises to mental health, hearing loss, sleep disturbance, high blood pressure and subsequent heart disease.

Please put a stop to this project.

Sincerely,
Janet Wei, MD, FAHA, FACC

> On Jun 28, 2021, at 12:36 AM, Andy Liu <aliu24@gmail.com> wrote:
>
> [Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:53 AM
To: Andy Liu <aliu24@gmail.com>

Hello Andy,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

> [Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:53 AM

To: Janet Wei <janet.wei@gmail.com>

Hello Janet,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
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T: (213) 847-3629

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Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Mt Lebanon Church Project

2 messages

Nick Lopez <info@whoisnicklopez.com> Sun, Jun 27, 2021 at 5:17 PM
To: paul.caporaso@lacity.org

Hello Paul,

I am writing you this email to strongly oppose the approval of the Mount Lebanon Church construction project. The noise from this project will be unbearable to those of us who owned condos on the side of the Westbury Terrace building nearest to the church, and the traffic is already horrible as it is, this will only add to the issue. Also, the portable bathrooms that construction sites use will only attract more homeless to the area, which is already being completely overrun by new homeless people living on the sidewalk.

I will take public issue to this and engage my network which reaches over 50 million people across social media platforms if this project is approved. Please do not let it get there.

Regards,
Nick

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

5 messages

Yassi H <yasstoo@gmail.com> Sun, Jun 20, 2021 at 11:09 AM
To: paul.caporaso@lacity.org
Cc: Daniel.sklnick@lacity.org, admin@midcitywest.org

> To:
> Paul Caporaso
> City of Los Angeles, Department of City Planning

Dear Paul Caporaso,

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

I would like to submit my comments against permitting the construction of the proposed 19-story building of "Our Lady of Mt. Lebanon Project". This construction will adversely affect my residential building next door at 321 South San Vicente Boulevard, known as Westbury Terrace.

1. Vibration impact:

   The Westbury Terrace building is over 45 years old and will not withstand the stress from the construction of a 19-story building, in particular the excavation of ground for a five-level subterranean parking structure and at such close proximity.

   Our aged water pipelines will fracture from the vibrations of constant pounding during construction and cause flooding in our homes and garages. The extent of the damage will be enormous, structurally and financially. It may even be deadly as our pipes run along the garage ceilings and are exposed. They could smash onto our vehicles while we are inside our cars.

2. Noise impact:

   The residents of Westbury Terrace, including myself, will have to suffer five years of constant pounding and loud noise during construction. The proposed 19-story building will involve daily transport of materials by huge trucks which will create continuous deafening noise especially from the beeping when backing up.

   This could create long term health issues for us. We will not be able to leave our windows open for fresh air, sleep or rest during the day, walk in the vicinity of our home, enjoy our swimming pool or lounge in our courtyard patio. In addition, many of us now work from home and we will not have any peace of mind to work productively for those five years.

Our property values will also be impacted directly by the loud noise and its long term expectancy of "human annoyance". It will be difficult to sell or even rent our condominiums during the five years of construction.

A different form of noise will become permanent after construction due to the increase of residents and vehicles in our neighborhood. The chatter from event guests waiting to retrieve their cars late at night will disturb our sleep and deteriorate our quality of life.

3. Traffic Impact:
   Westbury Terrace has two parking garages with ingress and egress through the Alley. The addition of 397 vehicles using the same Alley to access their parking structure will result in dangerous accidents and gridlock. It will be worse during events when valet employees have to park the excess cars in the street.

   The proposed project of Our Lady of Mt. Lebanon is at one corner of a huge intersection of three major streets: Burton Way, San Vicente and La Cienega. The current traffic situation in this area is congested at best of times with frequent accidents. The Caruso building project is soon to start on another corner of this huge intersection and across the street from the "Church" project, at 333 La Cienega Blvd. How does the City propose to allow two massive constructions, within feet of each other, run at the same time? How does the City intend to deal with the traffic nightmare we will be having?

Please consider the residents of Westbury Terrace who pay high taxes to live in this neighborhood and deserve to have tranquility and a healthy environment.

Sincerely,

Yassaman Hariri
321 S San Vicente Blvd #401
Los Angeles, CA 90048

MacLou Trust <macloutrust@gmail.com> Sun, Jun 20, 2021 at 11:15 AM
To: paul.caporaso@lacity.org
Cc: Daniel.sklnick@lacity.org, admin@midcitywest.org

> To:
> Paul Caporaso
> City of Los Angeles, Department of City Planning

Dear Paul Caporaso,

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

We would like to submit my comments against permitting the construction of the proposed 19-story building of "Our Lady of Mt. Lebanon Project". This construction

will adversely affect our residential building next door at 321 South San Vicente Boulevard, known as Westbury Terrace.

1. Vibration impact:

   The Westbury Terrace building is over 45 years old and will not withstand the stress from the construction of a 19-story building, in particular the excavation of ground for a five-level subterranean parking structure and at such close proximity.

   Our aged water pipelines will fracture from the vibrations of constant pounding during construction and cause flooding in our homes and garages. The extent of the damage will be enormous, structurally and financially. It may even be deadly as our pipes run along the garage ceilings and are exposed. They could smash onto our vehicles while we are inside our cars.

2. Noise impact:

   The residents of Westbury Terrace, including myself, will have to suffer five years of constant pounding and loud noise during construction. The proposed 19-story building will involve daily transport of materials by huge trucks which will create continuous deafening noise especially from the beeping when backing up.

   This could create long term health issues for us. We will not be able to leave our windows open for fresh air, sleep or rest during the day, walk in the vicinity of our home, enjoy our swimming pool or lounge in our courtyard patio. In addition, many of us now work from home and we will not have any peace of mind to work productively for those five years.

   Our property values will also be impacted directly by the loud noise and its long term expectancy of "human annoyance". It will be difficult to sell or even rent our condominiums during the five years of construction.

   A different form of noise will become permanent after construction due to the increase of residents and vehicles in our neighborhood. The chatter from event guests waiting to retrieve their cars late at night will disturb our sleep and deteriorate our quality of life.

3. Traffic Impact:
   Westbury Terrace has two parking garages with ingress and egress through the Alley. The addition of 397 vehicles using the same Alley to access their parking structure will result in dangerous accidents and gridlock. It will be worse during events when valet employees have to park the excess cars in the street.

   The proposed project of Our Lady of Mt. Lebanon is at one corner of a huge intersection of three major streets: Burton Way, San Vicente and La Cienega. The current traffic situation in this area is congested at best of times with frequent accidents. The Caruso building project is soon to start on another corner of this huge intersection and across the street from the "Church" project, at 333 La Cienega Blvd. How does the City propose to allow two massive constructions,

within feet of each other, run at the same time? How does the City intend to deal with the traffic nightmare we will be having?

Please consider the residents of Westbury Terrace who pay high taxes to live in this neighborhood and deserve to have tranquility and a healthy environment.

Sincerely,

MacLou Trust
321 S San Vicente Blvd #1002
Los Angeles, CA 90048

Paul Caporaso <paul.caporaso@lacity.org> Mon, Jun 21, 2021 at 2:56 PM
To: MacLou Trust <macloutrust@gmail.com>

Hello MacLou Trust,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629
E-NEWS

[Quoted text hidden]

Yassi H <yasstoo@gmail.com> Wed, Jun 23, 2021 at 9:40 PM
To: paul.caporaso@lacity.org

Hello Paul,
I didn't get a confirmation for this. Just making sure it is recorded.
Thank you.
Yassaman Hariri
[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 10:50 AM
To: Yassi H <yasstoo@gmail.com>

Hello Yassi,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

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E-NEWS

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR

4 messages

Kevin M <kevin.maghami@gmail.com> Sun, May 23, 2021 at 10:04 PM
To: Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR

-- For the mitigation of significant and unavoidable on-site construction noise for R1 (321 S San Vicente Blvd), NOI-NM-1 (erected 6ft? sound barriers; NOI-PDF-3) are stated to reduce the noise level by approximately 15 dBA. However, this calculation is based on the assumption of recording sound at the ground level of the residence. Because 321 S San Vicente Blvd is a high-rise condominium building, would the mitigation measures be less effective for anything higher than the ground floor? Above all, the construction will occur at an elevation greater than the noted sound barrier. This will be an unacceptable intrusion into the wellbeing of neighboring residents. How will this project mitigate a clear exceptional violation of Exhibit 1 of the Noise Element by the City of Los Angeles (1999)?

- In the construction noise impact analysis, for building R1 at every stage of construction, it has a dBA of 80+. Based on the CDC and The World Health Organization's recommendations for sound exposure limits, an exposure of "75 – 80 dBA for 40 – 127 hours over a seven day period can lead to permanent hearing damage." As questioned above, how will this project proceed with a flawed overestimate of stated mitigation? How will this project proceed in a manner to protect the health of residents who live just 30 feet from the construction site?

- Additionally, there are a number of healthcare residents and workers who neighbor this project (R1, particularly). Their work schedules are essentially nocturnal, which only allows the daytime for them to catch up on sleep as a result. This project would immensely affect their wellbeing – what will be done to protect these healthcare heroes after all they've done to protect us?

Likely more comments, concerns to come. Hope these are specific enough. Thank you

Kevin

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR

Kevin M <kevin.maghami@gmail.com> Thu, Jun 3, 2021 at 10:41 PM
To: Paul Caporaso <paul.caporaso@lacity.org>

Hi Paul,

I would like to submit another comment:

- Given that the DEIR concluded that there will be significant vibration effects for residents, and the project site is 30 feet from 321 S San Vicente, what has been studied for the potential damages and hazards that the vibration will cause in an aging building? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?

- Based on what current market trends is the concept of a 19 story for-profit luxury condominium able to reach vacancy in today's or the near market? This building will be primarily vacant- similar to 8500 Burton Way. It is tonedeaf for the city to approve this project in the context of the increase of remote work (expected exodus from the city) and housing crisis, which is an affordability issue. As an apartment building, homeownership is not possible.

Thanks
Kevin

On Mon, May 24, 2021 at 11:05 AM Paul Caporaso <paul.caporaso@lacity.org> wrote:
[Quoted text hidden]

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Our Lady of Mt. Lebanon Project

2 messages

Carol May <carolmay@att.net> Thu, May 20, 2021 at 12:22 PM
To: paul.caporaso@lacity.org

Hello Paul,

I have owned my unit at the Westbury Terrace since 1999, and I have one main concern about the building project next door: ingress and egress is through the alley only, with no exit directly to Burton Way.

The alley is city owned, and poorly maintained right now. Westbury Terrace owners must use it, it's our only entrance, and it's also a thoroughfare during rush hour for people who don't want to sit in traffic on 3rd St. As well, residents of all the buildings for several blocks whose parking exits into the alley use the length of the alley as a thoroughfare.

When the new building holds a large event, that will be too many people entering and exiting a small space at once, along with the people who live in the area. The potholes will get bigger and the city will ignore the necessary maintenance.

Finally, Holt is a small street, and it's completely blind exiting onto it, what with the parked cars. You need to consider an exit directly onto Burton Way.

Sincerely,

Carol May
321 S. San Vicente Bl.
Los Angeles, CA 90048

Paul Caporaso <paul.caporaso@lacity.org>

Regarding ENV-2019-1857-EIR (Mt. Lebanon Church construction)

2 messages

Brannack McLain <brannack.mclain@gmail.com> Mon, Jun 28, 2021 at 3:06 PM
To: paul.caporaso@lacity.org

Dear Mr. Caporaso,

As a neighboring resident, I strongly oppose the construction project planned at Our Lady of Mt. Lebanon Church (333 S. San Vicente Blvd.). The overlapping and wildly confusing intersections of San Vicente, Burton Way, La Cienega, and Le Doux have already created the most dangerous, noisiest, and most congested area in the neighborhood.

At least once a week, I hear the sickening metal crunch of a car accident or see the often terrifying aftermath of a collision. First responders to these accidents add to the steady stream of sirens in the neighborhood as ambulances rush to Cedars Sinai from every direction at every hour of day and night. Even without the added delays caused by accidents and ambulances, rush hour traffic frequently backs up for blocks in multiple directions.

Moving through this area by foot is also extremely complicated. Pedestrians walking from one side of this "intersection" to another must use a minimum of 4 crosswalks, each with a different walk signal. As a result, pedestrians frequently jaywalk through the area with little regard for traffic. (The many homeless people who have erected tents on the Burton Way median in the blocks west of the church have been particularly bold in their blatant disregard for pedestrian laws.)

Needless to say, several years of construction arnd the subsequent addition of hundreds of residents will only exacerbate these already serious safety, congestion, and noise issues. Our local building restrictions exist for a reason—please do not waive them for a project that will only harm local residents and all those who commute through the area. I hope you will support everyone in the area by preventing this construction project from moving forward.

Sincerely,

Brannack McLain

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Lady of Mt. Lebanon project

2 messages

MIMI HOLIDAY MILSTEIN <mmholiday@aol.com> Mon, Jun 28, 2021 at 10:20 AM
To: paul.caporaso@lacity.org

Dear Mr. Caporaso,

Please note that we as tenants at 8544 Burton Way **HIGHLY oppose** this project! We already lived through the Caruso project, the Beverly Center nightmare remodel and now this! Traffic and NOISE on this street is already unbearable, now you want to add VIBRATION! We pay high rent to live in this area, that is becoming not only a homeless encampment, but now another disaster of construction and all that comes along with it. If you begin this project, you can also PLAN on paying us to move! **The greed of builders cannot be put above the sanity of people who live in this area.**

Based on the analysis included in the Draft EIR, the Project would result in significant and unavoidable impacts related to: noise and vibration (on-site and off-site noise during construction, on-site and off-site vibration during construction [human annoyance], and operational noise associated with the loading docks). In addition, the following cumulative impacts would be significant: noise and vibration impacts (on-site and off-site noise during construction, and off-site vibration during construction [human annoyance]).

Mimi Holiday Milstein & Jon Milstein
Tenants

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Our lady of Mt. Lebanon Project

2 messages

Kaarobaar <kaarobaar@aol.com> Wed, May 26, 2021 at 6:04 PM
Reply-To: Kaarobaar <kaarobaar@aol.com>
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Mr. Caporaso
I am a condo owner in the 321 S. San Vicente Building and I want to express my protest to the proposed building construction which most of my neighbors have eloquently and categorically disputed for very sound reasons. I hope you take all this notices into consideration before going ahead with this large project which will adversely affect the neighborhood.
Regards
S. Jon Parsi
#1108

Paul Caporaso <paul.caporaso@lacity.org> Thu, May 27, 2021 at 10:59 AM
To: Kaarobaar <kaarobaar@aol.com>

Hello S. Jon Parsi

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

Paul N. Caporaso

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Planning4LA.org
T: (213) 847-3629

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Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

2 messages

Steve R. Lawrence <stevelawrence111@gmail.com> Mon, Jun 28, 2021 at 6:03 AM
To: paul.caporaso@lacity.org

Hi, I'm writing you in regards to Environmental Case No 2019-1857-EIR, Our Lady of Mt. Lebanon Project.

I reside at 403 1/2 S. Le Doux Rd. Directly across from the proposed site of the building. This whole project is preposterous in this area. It would absolutely wreak havoc, with traffic and incredible noise pollution. This area is already heavily congested with traffic. Not only would it affect residents, it would heavily affect businesses in the area. Please consider the ramifications of such construction in this area.

Thank you for your time,

Steve Reczek

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

ENV-2019-1857-EIR "OUR LADY OF MT. LEBANON PROJECT

2 messages

Ann Rubin <emailamr@aol.com> Mon, Jun 28, 2021 at 4:56 PM
To: paul.caporaso@lacity.org

Dear Paul Caporaso,

I am writing with deep concern for the proposed high-rise apartment on San Vicente — called the Our Lady of Mt. Lebanon project.

#1

I am concerned that a tax-exempt entity — a Church — is building a for-profit, market-rate apartment building. This should put their tax-exemption into jeopardy. If they are proposing a spin-off to a separate entity, please notify concerned parties.

Since the developer is a Church, shouldn't their building include units that would be more compatible with their tax-exempt mission and the word of Jesus? Shouldn't the designated "affordable units" be deeded condominiums so that that residents could build their wealth with long-term home ownership?

The City of Los Angeles should not sell out for so little in terms of concessions for up-zoning, especially when dealing with a property owner that doesn't answer to soley, for-profit, bottom-line concerns.

#2

I am concerned about traffic mitigation because of the proposed abundance of parking spots, when residents should be using the new subway, just a few blocks away. As part of mitigation, owner needs to implement a free shuttle-van service to the new subway stop at Wilshire and La Cienega that runs concurrently with the subway hours and at desirable intervals to accommodate users. This should be done in partnership with the other proposed high-rise apartment tower across the street — owned by Rick Caruso — and Cedars Medical Center and Beverly Center. This is a dense population that could be using the subway from this tight little area.

#3

I am concerned this building adds to the heat-island effect. Trees on rooftops and private gardens should not count as open space. Large trees need to be planted in the ground for the important environmental impacts that are essential for our health, especially at this intersection with multiple lanes of traffic on 2 sides. I propose that the property owners be tasked with maintenance — including watering and additional plantings — of the Burton Way median in perpetuity with the Rusty Leaf Figs (and Corals) that are part of the contiguous green space on the Burton Way and San Vicente medians.

#4

Please enforce recommendations of the Rec and Parks report. Any requirement to dedicate public open space land should be implemented nearby for benefit of nearby neighborhoods impacted by the proposed tower. This land use as public green space could be integrated into First/Last-Mile Planning for the Purple Line to encourage commuters to use the subway with a more pleasant urban environment. Please do not allow in-lieu payment fee.

#5

This plan calls for the historic Church building to be disassembled and rebuilt. I object to this treatment of an historic resource.

Thank you kindly for considering these points.

Ann Rubin
6524 Commodore Sloat
LA, CA 90048

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:43 AM
To: Ann Rubin <emailamr@aol.com>

Hello Ann,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
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T: (213) 847-3629

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Environmental Case No ENV-2019-1857 EIR, Our Lady of Mt. Lebanon Project

2 messages

Barbara Seid <seid3412@yahoo.com> Sun, Jun 27, 2021 at 12:59 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Dear Paul,

I'm a resident at Westbury Terrace and I have very serious concerns about the proposal to build a tall apartment building adjacent to our building. My concerns are about traffic, noise and the physical impact of such a large project.

The proposed project calls for multiple levels of underground parking. Construction would involve huge machines excavating deep into the ground, resulting in vibrations that could harm our 45 year old building, perhaps threatening the stability of our building. As it is, our plumbing is frail and the elevators often need repair. The noise of the new project together with vibrations created by industrial diggers could be a threat to our building, presently home to 80 families. Many of our residents are employed by Cedars-Sinai Hospital and need to sleep during the day. How will they be able to do that with continued noise of construction over many months of this large project?

At the present time, traffic, especially in the late afternoon, is often backed up at the intersection of West Third Street and South San Vicente Blvd. As a pedestrian, and a senior citizen with physical disabilities, it is extremely difficult just to cross the street. I have often been forced to weave between between cars, whose drivers are waiting to make the light, and who are backed up along West Third Street. In short, the intersection is already often congested; additional cars would exacerbate the problem.

In addition, traffic on Holt Street, a narrow street with parking on both sides, would be seriously impacted by an increased flow of traffic exiting and entering the alley between our building and the Church parking lot. As it is, it is difficult to have clear sight lines when trying to exit the alley. Coming out of our garage when the Church parking lot is full, for example on Sundays, is hazardous. This situation would be even more dangerous with additional cars on Holt Street.

I hope you will take into consideration all of our concerns when making a decision about the proposed project.
Sincerely,

Barbara Seid
Apartment 608

Paul Caporaso <paul.caporaso@lacity.org>

Mt. Lebanon Project

2 messages

Murray Selarz <murrayselarz@gmail.com> Thu, May 20, 2021 at 11:02 AM
To: paul.caporaso@lacity.org

Dear Mr. Caporaso,
The Mt. Lebanon proposed project would have a disastrous environmental impact to the area. The human & automobile density in the area are already at the saturation point. Streets have become impacted with ordinary traffic as well as all the delivery vehicles, (UPS, Fed-Ex, DHL, Grub-hub, Postmates etc.) Not only is there virtually NO parking available, crime & homelessness has exploded in scope... We need to look beyond the tax revenue this project would generate and understand that the environmental impact would compromise the lives of everyone already living in the community. The congestion in the area is already untenable! This project is a recipe for a miserable and unsafe lifestyle for all.

I couldn't imagine an environmental impact report that would differ from all my concerns stated above. If it did, it would be a report with political pay-off implications. No environmental engineer with altruistic training could approve such a project! Feel free to contact me to discuss.
Regards,
Murray Selarz (818) 321-1942

Sent from my iPhone

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

ENV-2019-1857-EIR

2 messages

A S <asholderdesign@gmail.com> Mon, Jun 28, 2021 at 6:13 AM
To: Paul Caporaso <paul.caporaso@lacity.org>, Council Member Koretz <paul.koretz@lacity.org>, joan.pelico@lacity.org, Debbie Dyner Harris <debbie.dynerharris@lacity.org>, Jill Kline <jill.kline@lacity.org>, Jeffrey Ebenstein <jeffrey.ebenstein@lacity.org>
Cc: Ava Azizi <avaazizi@gmail.com>, Murray Selarz <murrayselarz@gmail.com>, Matt Bauer <mbaueragent@gmail.com>, Westbury Terrace HOA <westburyterracecondos@gmail.com>

Hello Paul,

I hope this email finds you doing well. Below is another response to the draft EIR:

A couple weeks ago on May 26, 2021 at approximately 10:15 AM a car accident occurred as a black sedan left the alley between Westbury Terrace and the existing Church parking lot. While traveling westbound through the alley the black sedan collided with a white compact car traveling southbound on Holt. It's important to note this accident is not the first of its kind at this location. It occured in the very same intersection the proposed project's 252 additional residential cars and 145 more during event days plan to enter/exit from. The accident did not occur during rush hour traffic which is always a significantly more treacherous time within a one block radius from the proposed project location, Burton Holt Homeowners Association, and Westbury Terrace. Photos of the accident attached. Low visibility behind parked cars on either side of Holt Ave (an already very narrow street) coupled with a car racing down Holt to escape traffic from 3rd Street and San Vicente were contributing environmental factors to this accident. The impact was absolutely horrific and heard from Burton Holt and Westbury Terrace homeowners working inside their homes. Thankfully the people involved in the accident walked away with their lives. This may not be the case should the city planning commission and council members approve the proposed Mr. Lebanon development which will severely and negatively impact our neighborhood. We are already cripled by relentless traffic congestion and resulting accidents from our neighborhood's existing residents, visitors, and commuters passing through our community and at the alley's intersection with Holt Ave. Did the draft EIR take into account the current road conditions and accidents residents already face on Holt Ave and the immediate area? If not, why not? If so, why would the city entertain the proposed building project, knowingly subjecting the neighborhood to even more hardship once built? Why would the city entertain the proposed project's request for a 35 percent density bonus which would allow the developers to have 40 additional units increasing the site's allowable 113 base dwelling units by 40 additional units for a total of 153 dwelling units? This is exceptionally troublesome given the fact our neighborhood and road infrastructure already cannot support a development of this size, let alone 80 more cars. Will the accident summary provided and photos submitted be publicly recorded in the draft EIR? Who decided it would be best to place the proposed project's entry/exit points in the alley already utilized by 116 cars from residents on Holt Ave and164 cars from Westbury Terrace (an 11-story high-rise residential building)? Was the selection of the proposed project's entry/exit point driven by the city or developer? Why wasn't Burton Way selected to place the proposed project's entry and exit points so the project did not affect existing residents and increase the likelihood of future accidents at the alley's intersection with Holt Ave? The proposed projects entry/exit points must be reconsidered and placed on Burton Way.

Did the transportation study within the draft EIR take into consideration the permanent traffic congestion on 3rd street particularly at the intersections of Sherborne, Holt Ave, and San Vicente? On "good" days on 3rd street traffic is only backed up to Hamel and on even worse days it extends way past Robertson. Did the study take this into account? Did the study consider the traffic coming from 3rd street down Holt Ave and the alley between Sherborne and Holt Ave during rush hour? Pedestrians walking on the west side of Holt are particularly vulnerable to alley traffic as most race down this section to avoid the traffic on 3rd street. Is the city planning commission aware of this? Did the draft EIR take into consideration the number of car accidents and pedestrian injuries resulting from impacts with motor vehicles in our neighborhood over the last 5 years? Adding 252 more residential cars maneuvering through our neighborhood and 145 more cars on event days will be disastrous. Does the city planning commission find it acceptable to add a significant burden and more traffic hazards to Holt Ave that already has visibility issues and is so narrow two cars can barely pass one another? I've been informed the planned 12,600 sqft social hall/ multi-purpose room has the capacity to hold up to 1500 guests by one of my neighbors who is a professional event director. Will the church be holding events of this magnitude? If so, how does the church and/or developer plan to accommodate a few hundred more cars along Holt Ave and the surrounding side streets with only 145 parking spaces within the proposed project designated to event days? Is the city planning commission aware of the very limited street parking in the neighborhood already utilized to accommodate existing residents, their guests, and visitors? Does the city planning commission believe our neighborhood can accommodate the added residential and visitor density demand for parking outside the proposed building's parking structure? What will be the maximum capacity of occupants the 12,600 sqft social hall/multi-purpose room will be able accommodate? Who scheduled and/or requested the transportation study be completed on November 19, 2019? Was this the developer or the city planning office? The transportation study was very conveniently completed a week prior to

Thanksgiving when most of Los Angeles residents and homeowners from Burton Holt/Westbury Terrace/surrounding streets had already cleared out of the neighborhood for the holidays. Is the city planning office aware the transportation study may not reflect accurate traffic counts and have horrific consequences for our neighborhood with flawed data? When evaluating the viability of the proposed Mt Lebanon project did the city planning office take into account the effect of Caruso's already approved mixed use residential building at 333 La Cienega Blvd on our current road infrastructure? Does the draft EIR make any projections or analyze what traffic will be like for existing residents, their guests, and visitors in the area should two high density apartment buildings (333 La Cienega and the proposed Mt. Lebanon project) be approved for construction?

One of my neighbors who is a trained medical professional (and also submitted a response to you) made us all aware that '"within the construction noise impact analysis of the draft EIR, for building R1 at every stage of construction, it has a dBA of 80+. Based on the CDC and The World Health Organization's (WHO) recommendations for sound exposure limits, an exposure of "75 – 80 dBA for 40 – 127 hours over a seven day period can lead to permanent hearing damage." Is the city aware of the WHO's Guidelines for Community Noise? Is the city aware that excessive noise over a long duration will cause elevated blood pressure, increased heart rate, cardiovascular constriction, labored breathing, and changes in brain chemistry? On the CDC's website it states, "The U.S. Environmental Protection Agency (EPA) and the World Health Organization (WHO) recommend maintaining environmental noises below 70 dBA over 24-hours (75 dBA over 8-hours) to prevent noise-induced hearing loss." Is the city and developers aware of this? Should the project move forward, how will the city monitor / regulate noise daily levels on the site to ensure residents do not experience permanent health effects from the "significant and unavoidable impacts related to noise and vibration" noted in the draft EIR? Will an independent agency be hired to report this data to residents every day during the proposed building's construction? Who will ultimately be held responsible should any of us or our children experience hearing loss or other adverse side effects from the construction? Is the city willing to sign off on a project that could knowingly cause irreparable harm to our health which the city could be liable for along with the developer? The proposed 6' sound barriers only reduce the noise at ground level; how does the proposed project plan to mitigate the noise above ground level? Should the project be approved, will existing residents be subjected to the resulting noise from the proposed project Monday - Friday 7 AM- 9 PM and Saturday 8 AM - 6 PM? Will the city restrict construction/demolition or mandate alternate work days on site to provide existing residents with any relief should the proposed project be approved? The developers of the proposed Mr. Lebanon project should be required to provide new double-pane windows and soundproofing for the Burton Holt Homeowners Association (317 S Holt Ave) and Westbury Terrace who both will be severely impacted by the construction noise.

Caruso's 333 LaCienega actually offers a 7,000 sqft publicly accessible park and market which both enhance the entire neighborhood and improves the quality of life for all residents. What does the Mt Lebanon project bring to our community's existing residents other than standstill traffic, a monolithic eyesore, increased strain on our city services - specifically police protection in a neighborhood plagued by hostile homeless, and a higher probability of accidents on Holt Ave, a street can barely handle its existing residents, visitors, and commuters? Does the proposed project offer any publicly accessible space, a market, or planned improvements to our roads and sidewalks, specifically to address the homeless crisis in our neighborhood? Are the developers of the Mt. Lebanon project planning to improve anything for our community other than place an immeasurable burden on existing residents, their guests, and visitors to our neighborhood?

Sincerely,
Ashley Sholder
Homeowner, Burton-Holt Homeowners Association

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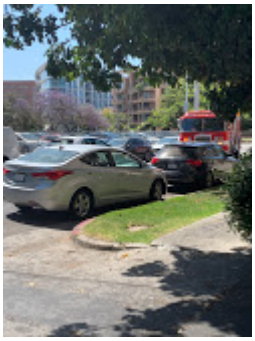
6 attachments



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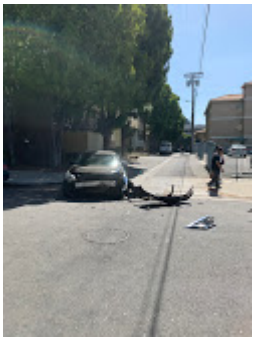

IMG-8309.jpg
3795K

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:57 AM
To: A S <asholderdesign@gmail.com>
Cc: Council Member Koretz <paul.koretz@lacity.org>, joan.pelico@lacity.org, Debbie Dyner Harris <debbie.dynerharris@lacity.org>, Jill Kline <jill.kline@lacity.org>, Jeffrey Ebenstein <jeffrey.ebenstein@lacity.org>, Ava Azizi <avaazizi@gmail.com>, Murray Selarz <murrayselarz@gmail.com>, Matt Bauer <mbaueragent@gmail.com>, Westbury Terrace HOA <westburyterracecondos@gmail.com>

Hello Ashley,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Church project

2 messages

Norm <nsklare@aol.com> Fri, May 21, 2021 at 4:52 PM
Reply-To: Norm <nsklare@aol.com>
To: paul.caporaso@lacity.org

Dear Paul,

Without reservation I adamantly oppose the high rise project proposed by Our Lady of Mt. Lebanon for the site adjoining my residence, Westbury Terrace at 321 S. San Vicente Blvd. If construction is approved, the project's dirt, dust and noise will negatively impact my physical health, the economic value of my unit and the quality of life I as a senior am entitled to.

It's clear to anyone who reads details of the massive high-rise project that the developers are arrogantly not taking into consideration the terrible consequences on us specifically and the entire community in general. The city must exercise its right to oppose this project.

Sincerely yours,

Norman Sklarewitz, Unit 504
321 S. San Vicente Blvd.
Los Angeles, CA 90048

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Comment

2 messages

Norm <nsklare@aol.com> Tue, Jun 22, 2021 at 11:17 AM
Reply-To: Norm <nsklare@aol.com>
To: paul.caporaso@lacity.org

RE: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project
TO: Paul Caporaso
Dear Paul,

As a resident of Westbury Terrace, I wish to express my serious concerns about the impact construction of a high resident apartment tower on the properly adjoining ours. From documents, it's painfully clear that the construction of this proposed project will literally be just a matter of yards away from our building.

As an obvious result, there will be a physical assault by heavy duty construction equipment on our utility lines and even the structural integrity of our building. The resulting vibration, for one thing, is almost certainly to damage the piping in our building if not seriously affect the very foundation of our building. This is a real danger.

Along with the vibrations caused by many months of pounding by pile drivers, riveting machines and similar heavy equipment will be the incessant noise. As noted, the site of the proposed 19-story tower is literally just a matter of yards from our residential property. Our residents include a number of seniors as well as medical professionals working at the nearby Cedars-Sinai Medical Center. Those folks work long hours and often night shifts. How are they to sleep when bombarded by the awful noise associated with heavy construction?

One other consideration is the resulting traffic that inevitably will greatly increase if this project proceeds as planned. The adjoining intersection of San Vicente and Burton Way augmented by La Cienega Blvd. is already one of the busiest -- and most dangerous -- on the West Side. To add the vehicular volume from hundreds of church tower residents plus the added volume of cars of parishioners attending religious services as well as such events as wedding and funerals is totally unacceptable. Any proper traffic study will confirm this observation.

It is sincerely hoped that the Los Angeles City officials reviewing the proposal by the church will carefully consider the above impact issues as well as others equally obvious.

Sincerely yours,

Norman Sklarewitz, Unit 504

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

re supplementary comment

2 messages

Norm <nsklare@aol.com> Mon, Jun 28, 2021 at 1:43 PM
Reply-To: Norm <nsklare@aol.com>
To: paul.caporaso@lacity.org

Re: Environmental Case No ENV-2019-1857-EIR, Our Lady of Mount Lebanon Project

Dear Paul,

I have previous submitted a comment re the above project. However, in light of the Florida condo disaster, I wish to submit a supplementary memo as follows:

In one of the many discussions seeking cause of the Florida condo collapse, it was noted that a project nearby was under construction. The concern expressed was that the vibrations from the construction equipment could well have contributed to the failure of already compromised components of the Surf City condo.

That situation parallels that involving Westbury Terrace and the almost certain impact of construction vibration from the church project. As a resident of Westbury Terrace I wish to express my deep concern. Is the city willing to require that the church guarantee its work won't negatively affect our building just yards away? Does the city of Los Angeles need another building collapse that can be prevented?

Sincerely yours,
Norman Sklarewitz, Unit 504
Westbury Terrace

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No: ENV-2019-1857-EIR

2 messages

Camille Soroudi <camille.soroudi@gmail.com> Mon, Jun 28, 2021 at 1:20 PM
To: paul.caporaso@lacity.org

Dear Mr. Caporaso,

I am a local resident in the neighborhood of this planned construction project (live directly across the street), and I have MAJOR concerns about this project I wanted to voice. I am VERY concerned about the noise from this planned project impacting both my family's daily life as well as decreasing the value of our property and ability to find new tenants. I am also very concerned about vibrations from the construction site posing a danger to our building and its utilities. Lastly, the intersection on Burton and San Vicente is already a dangerous intersection with high traffic and many accidents - I am concerned about this project significantly worsening both the traffic congestion and accident rates in this area, and making our area unsafe.

I hope you will not proceed with this construction project, as most residents in the area oppose a tall building being constructed in our area for the reasons above. There are height restrictions on buildings in this area for a reason and I do not support making "exceptions" for anyone. Please note the area has many rental vacancies as is and more housing in this area is not needed nor desired.

Thank you,
Camille Soroudi

Paul Caporaso <paul.caporaso@lacity.org>

Environmental Case No ENV-2019-1857-EIR, Our Lady of Mt. Lebanon Project

2 messages

violetta starkes <starkesv@gmail.com> Sun, Jun 27, 2021 at 12:51 AM
To: paul.caporaso@lacity.org, westburyterracecondos@gmail.com, westburyterrace <westburyterrace@hoapremier.com>

Hello Mr. Paul Caporaso,

I'm a homeowner at West Burry Terrace located at 321 S San Vicente Blvd Los Angeles, CA 90048, just across the alley from the proposed 19 stories building, Our Lady of Mt. Lebanon Project.

I want to express my STRONG opposition to the planned 19 stories building church project! One of my biggest concerns and worries is the extreme construction noise that will impact our ability to live in or rent our units for the duration of the construction 2-4 years, and affecting the rent price during and after, caused by blocking the view from the south side of our building completely! I also want to bring to your attention the immediate danger to the structure and utilities of our much older building built in 1974, from the vibrations and all the heavy construction equipment that will be used in this construction project! This is very concerning to me, especially now after seeing the horrific and tragic accident in the **Miami Flrodia condominium building collapse!** I'm not sure how safe is to build a high-rise building right next to a much older and smaller building like ours!

I also want to mention that the current traffic situation caused by the church's events is already impossible to deal with, especially on weekends when the church guests park illegally in the alley! I don't understand how they can even think to have their parking entrances and exits from the small alley when they have a wide-open space on Burton Way!

Thank you for your time and attention to this matter.
Nik and V Starkes

--

Paul Caporaso <paul.caporaso@lacity.org>

The noise!

1 message

Gina Tuttle <ginatuttle@mac.com> Mon, May 24, 2021 at 11:50 AM
To: paul.caporaso@lacity.org

Hi Paul
I record from home daily. The noise Will be horrendous. I oppose this building being built. Do you need a list of all the reasons why? If so let me know. Noise is the biggest for me.
Blocking views. Entry by our garage will be more crowded.
Thanks
Gina
310-994-1352

https://vimeo.com/128530032

Please watch Reasons Y I'm Single
A great new web series!

http://www.reasonsy.com/

Emmy Award Winner & 4X Voice of the Oscars

www.ginatuttle.com

Paul Caporaso <paul.caporaso@lacity.org>

Noise, vibration …

4 messages

Gina Tuttle <ginatuttle@mac.com> Mon, Jun 21, 2021 at 11:14 PM
To: paul.caporaso@lacity.org

Hi I work from home. The noise of construction, the vibrations, the congestion pls don't build this building.
Thanks
Gina

https://vimeo.com/128530032

Please watch Reasons Y I'm Single
A great new web series!

http://www.reasonsy.com/

Emmy Award Winner & 4X Voice of the Oscars

www.ginatuttle.com

Paul Caporaso <paul.caporaso@lacity.org>

Comment on ENV-2019-1857-EIR

2 messages

Vail, Eric M.D. <Eric.Vail@cshs.org> Thu, Jun 24, 2021 at 8:02 PM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>
Cc: "Patel Vail, Selina S M.D." <Selina.PatelVail@cshs.org>

Dear Mr. Caporaso,

My wife and I are currently the owners of 8611 Burton Way #1 Los Angeles, CA and would be directly impacted by the Our Lady of Mt. Lebanon Project. With that in mind we would like to voice our full throated SUPPORT for the project. While, of course, vibration and noise is an inevitable temporary result of this project, we trust that all efforts will be made to minimize these nuisances. The city of Los Angeles (and California as a whole) is suffering from a plague of underzoning and inadequate housing supply with resulting exorbitant housing costs. No sane city would have HALF of all land zoned for single family housing. This is a result of shortsighted, selfish NIMBY naysayers who are often the loudest voice in the room. Please know that there is a silent majority of people who support equitable housing policy for the betterment of all. Who realize that increased density and urbanization is the best way to support a green society. Who know, that the way out of the housing crisis is to build MORE housing now less. Please let this comment be their voice and guide you and the committee to APPROVING this plan.

Sincerely,

Eric and Selina Vail

Eric Vail, M.D.

Assistant Professor of Pathology

Director, Molecular Pathology

Associate Director, MGP Fellowship Program

Department of Pathology & Laboratory Medicine

eric.vail@cshs.org

CEDARS-SINAI

8700 Beverly Blvd, SSB 16 : Los Angeles, CA 90048

Phone 310.248.6962 : Fax 310.248.6321 : cedars-sinai.edu

Paul Caporaso <paul.caporaso@lacity.org> Fri, Jun 25, 2021 at 11:24 AM
To: "Vail, Eric M.D." <Eric.Vail@cshs.org>
Cc: "Patel Vail, Selina S M.D." <Selina.PatelVail@cshs.org>

Hello Eric,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

E-NEWS

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org>

Case #ENV-2019-1857-EIR / Our Lady of Mt Lebanon Project

4 messages

Andy Liu <aliu24@gmail.com> Mon, Jun 28, 2021 at 12:36 AM
To: paul.caporaso@lacity.org
Cc: Janet Wei <janet.wei@gmail.com>

Dear Mr. Paul Caporaso,

As a Westbury Terrace resident (with my wife, a 10 year resident, and two young children), I vehemently oppose the Our Lady of Mt Lebanon 19 FLOOR Apartment Building project for the following reasons:

TRAFFIC
The stretch of San Vicente Blvd between 3rd Street and Burton Way/La Cienega is one of the most heavily gridlocked intersections in LA during commute times. Construction of the project will only further bottleneck the area as the pre-covid traffic patterns have returned and will only worsen.

AMBULANCES & EMERGENCY VEHICLES
The increased congestion and bottlenecks from construction will only further clog the major and sidestreets in the neighborhood which will negatively impact emergency vehicles delivering patients to the ER and people could potentially die as a result.

NOISE
Currently, the neighborhood surrounding Our Lady of Mt Lebanon is already loud enough with ambulances, speeding vehicles, emergency vehicles, and often the fire alarms from Beverly Center. Five years of construction from 7:00 AM to 4:00 PM will make life unbearable for the residents in the vicinity

RISK TO WESTBURY TERRACE
Has anybody from the city studied the risk to the structural safety of 40 year old Westbury Terrace by digging a hole in the ground large enough for an underground parking lot with 397 parking spaces??????? I'm sure everyone at LA City Planning has seen the recent Surfside, FL building collapse which may have been impacted by the recent construction of a newer nearby building.

THE ALLEY
According to the project's current plans, the entry and exit from the parking structure will be the narrow alley that is currently used by Westbury Terrace residents to enter/exit the parking garage and and for trucks that temporarily park who use the alley as a loading zone. The alley is not wide enough to accommodate the increased traffic. Adding the 252 residential cars and then 145 event attendee cars will surely congest the alley and lead to traffic accidents especially since Holt Street is used by so many cars to connect between Burton Way and 3rd Street (often at high speeds) which has led to many significan car accidents given the blind spots from the parked cars. San Vicente will also get more clogged especially if 333 La Cienega is erected. If the project is approved, then its parking structure entry/exit points should be on Burton Way.

OPTICS
Why is the Catholic Church interested in building a mega apartment building (tallest building in the area) to generate revenue (and be exempt from taxes)? Generating revenue by being a landlord doesn't seem like it's part of the mission of the Catholic Church. Is the Catholic Church's attendance/patronage/tithing so low now that it's looking for additional ways of generating revenue with little regard for the neighborhood? Granted the Catholic Church has financially settled many lawsuits in recent years for past misdeeds, isn't it bad optics for residents if they are paying rent to the Catholic Church to potentially refill its coffers that have been depleted???? I could understand a project to rebuild the current church but adding that 19 story apartment building seems excessive.

LOCAL BUSINESSES
The traffic will hurt local businesses by further clogging the area and make visiting the area unpleasant.

333 LA CIENEGA
https://www.333lacienega.com/
Will the two projects be built simultaneously? Has the impact of both projects being built concurrently been studied? At least 333 La Cienega benefits/improves the neighborhood whereas only the Catholic Church benefits from the Our Lady of Mt Lebanon Project. Think about that!

DURATION

This is a FIVE YEAR project, repeat a FIVE YEAR project. SoFi Stadium was completed in less time than this project!!!!!

Thank you for taking time to read my comments and analysis and I hope the project is cancelled.

Sincerely,
Andy Liu & Family

Janet Wei <janet.wei@gmail.com> Mon, Jun 28, 2021 at 7:55 AM
To: Andy Liu <aliu24@gmail.com>
Cc: paul.caporaso@lacity.org

Dear Mr. Paul Caporaso,

I am in 100% agreement with the serious concerns outlined below, particularly to our health and safety. I am a physician at Cedars-Sinai and recognize the health hazards related to exposure of elevated levels if fine particulate matter and toxins to exacerbate asthma, heart disease, lung disease, and cancer, as well as to chronic loud noises to mental health, hearing loss, sleep disturbance, high blood pressure and subsequent heart disease.

Please put a stop to this project.

Sincerely,
Janet Wei, MD, FAHA, FACC

> On Jun 28, 2021, at 12:36 AM, Andy Liu <aliu24@gmail.com> wrote:
>
> [Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:53 AM
To: Andy Liu <aliu24@gmail.com>

Hello Andy,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
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221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629

> [Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:53 AM

To: Janet Wei <janet.wei@gmail.com>

Hello Janet,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

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All the best,

LOS ANGELES CITY PLANNING

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T: (213) 847-3629

[Quoted text hidden]

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Voicing objection re Church project on San Vicente and Holt

2 messages

Negin Yamini <yamini.negin@gmail.com> Sat, Jun 19, 2021 at 5:47 PM
To: paul.caporaso@lacity.org
Cc: Shahriar Yadegari <shyadegari@gmail.com>, Shirin Asgarian <shirinasgarian@yahoo.com>, "Yass H." <yasstoo@gmail.com>, Patrick Panetta <patrick.p@hoapremier.com>, Benjamin Hyles <benjamin.h@hoapremier.com>

My name is Negin Yamini. I am a tenant at 321 South San Vicente Blvd, and a member of the Wesburry Terrace Homeowner's Association. I am also an attorney duly licensed to practice in the State of California. Along with the homeowners in my building as well as my fellow board members, I have significant concerns about the upcoming Church project. Please see below:

1) Noise and pollution: Many homeowners' bedrooms or living rooms face the church. The noise and pollution will make their homes utterly uninhabitable. The pollution has the potential to harm many of elderly tenants who also have asthma and respiratory issues. The quality of life as a whole will be diminished and curtailed for all tenants of the building.

2) Dangerous traffic conditions in they alley, and inability of tenants to get in and out of the parking structure for 321 building: This is a major concern because the alley is very narrow, and with the ingress and egress of trucks and other construction vehicles, our tenants will not be able to easily enter and exit the building's parking structure. The traffic congestion created by the project's construction vehicles WILL create dangerous driving conditions for all driving through the alley.

3) Permanent damage to the base and pipes of our building: the vibration impact of the construction can undermine the base of our structure and possibly even rupture some pipes. If a pipe breaks, and a leak takes place, the consequences can be dire. If any part of the structure fractures or breaks, the result can be fatal.

These are a few concerns, among a myriad of others, that I am sure have been voiced. The builders and planners must act NOW and address these concerns.

Negin Yamini
Attorney at Law
5670 Wilshire Blvd, Suite 1837
Los Angeles, California 90036
Tel: 310-740-1202
Fax: 310-861-0551

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Kimberly Casper <kmcasper18@gmail.com> Mon, Jun 28, 2021 at 11:54 AM
To: paul.caporaso@lacity.org

To Whom It May Concern,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominiums and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Sincerely,

Kimberly Casper, Esq.

Paul Caporaso <paul.caporaso@lacity.org>

OPPOSITION TO ENV-2019-1857-EIR "OUR LADY OF MT. LEBANON PROJECT."

2 messages

Jazmin Delgado <jazmindelgadob@gmail.com> Mon, Jun 28, 2021 at 10:12 AM
To: Paul Caporaso <paul.caporaso@lacity.org>

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominiums and 8544 Burton Way. I hereby submit my **opposition** to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/exiting the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
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Jazmín

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition To Our Lady of Mt. Lebanon Project

2 messages

sarin khachatourians <sarinkkhach@msn.com> Mon, Jun 28, 2021 at 7:37 AM
To: "paul.caporaso@lacity.org" <paul.caporaso@lacity.org>

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

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  insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters
  are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared
      out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work
      as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during
      the years of construction, but also afterwards.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How
  will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega
  construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the
  vibrations of pounding
  from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards
  that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

(no subject)

2 messages

Aleen Martin <aleenmartin@gmail.com> Mon, Jun 28, 2021 at 2:07 PM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Thank you,
Aleen Martin

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Adrienne Moradkhanian <adriennemor@yahoo.com> Mon, Jun 28, 2021 at 7:30 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

4 messages

Talia Moradkhanian <tmoradkh@gmail.com> Mon, Jun 28, 2021 at 1:14 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of 321 S San Vicente Blvd and submit my strong opposition to the Our Lady of Mt. Lebanon Project. Reference Environmental Case No ENV-2019-1857-EIR Please find my comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. Imagine 252 more cars maneuvering through our neighborhood at any given time and 145 more on event days. The entry/exit points to the project are directly across from our garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing our garage. Additionally our existing road infrastructure cannot accommodate the added congestion. It's hard enough for 2 cars to safely pass on Holt when a delivery vehicle is parked on the street. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards. Pre-pandemic, when regular church services occur on Sundays we could hardly exit from our garage because the church parking would be overflowing - I cannot imagine how they plan to bring in large construction equipment without blocking the alley, Holt Ave, and/or Burton Way for years. This would be especially hard for Westbury Terrace residents who have to use the adjoining alley to enter and exit the garage.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. My unit is a mere 30 feet away from the construction and I keep my balcony doors open. How will the city remedy this? I will not be able to open my balcony doors due to noise and dust for however long the construction lasts.
- Noise: Many residents in the construction zone are professionals who work from home. With significant noise and vibrations, how will we even be able to take a conference call at home? Especially if 333 La Cienega construction is occurring concurrently. It will make quality of life significantly decrease, and make working from home essentially impossible.
- Impact of construction on 321 S San Vicente Blvd: how will the city account for any damage done to the Westbury Condominiums through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage to our building? Given that the DEIR concluded that there will be significant vibration effects for residents, and the project site is 30 feet from 321 S San Vicente, what has been studied for the potential damages and hazards that the vibration will cause in an aging building? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: This is one of my biggest concerns in adding a new housing site this large to this area. Just recently, my mother got robbed and assaulted in front of our building and her car got stolen. It took her two hours on hold before she spoke to anyone at the police department. We also have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources.

Talia Moradkhanian

sevaneng@pacbell.net <sevaneng@pacbell.net> Mon, Jun 28, 2021 at 10:22 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
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- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Edick Moradkhanian

Tel: 818-399-1707

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:49 AM
To: Talia Moradkhanian <tmoradkh@gmail.com>

Hello Talia,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning

LOS ANGELES CITY PLANNING
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629
E-NEWS

[Quoted text hidden]

Paul Caporaso <paul.caporaso@lacity.org> Tue, Jun 29, 2021 at 10:49 AM
To: sevaneng@pacbell.net

Hello Edick,

Thank you for your email and feedback. Your comments have been recorded as part of the Project case file. All comments related to the contents to the Draft Environmental Impact Report (DEIR) will be addressed in the Final Environmental Impact Report (FEIR).

Please note that Project comments unrelated to the contents of the DEIR, such as but not limited to comments on height, density, aesthetic qualities, etc. will not be responded to in the FEIR. Comments unrelated to the contents of the DEIR are included in the case file and are generally discussed in the Staff Report for review by the City Planning Commission.

Please let me know if you have any further questions or comments, I am available by phone or email. Note that only comments submitted in writing, by mail or email, will be added to the case file. All comments made over the phone will not be addressed or included in any City documents or case files.

All the best,

LOS ANGELES CITY PLANNING
Paul N. Caporaso
Pronouns: He/Him, They/Them
Planning Assistant
Los Angeles City Planning
221 N. Figueroa St., Room 1350
Los Angeles, CA 90012
Planning4LA.org
T: (213) 847-3629
E-NEWS

[Quoted text hidden]

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Nicole Peltier <nicolexpeltier@gmail.com> Mon, Jun 28, 2021 at 9:11 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
    - It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.
- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Sincerely,
Nicole
--
Nicole Peltier
818.469.6968
nicossmallmarket.com

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

ani pogarian <anipogarian@gmail.com> Mon, Jun 28, 2021 at 9:20 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
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- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Thank you,

Ani Pogarian

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Keegan Ross <keegan@castpartner.com> Mon, Jun 28, 2021 at 10:42 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

• Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.

• It appears the transportation study was very conveniently completed on November 19, 2019, a week prior to Thanksgiving when most of Los Angeles residents and homeowners from Westbury Terrace/Burton Holt had already cleared out of the neighborhood for the holidays. It does not reflect accurate traffic counts and even if this study was redone today, the city still wouldn't have an accurate picture for the future as most of us still work from home and are not commuting to work as we did prior to the pandemic. The traffic in the area is already horrible, but add years of construction and it will be unbearable for those who have to live next to it, not only during the years of construction, but also afterwards.

• Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?

• Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.

• Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?

• Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

Keegan Lyle

CP

Los Angeles: tel 323 876 9000
New York: tel 718 963 3202
Miami: tel 305 619 0919
Mexico City: tel +52 1 33 2507 5972

www.castpartner.com

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Kelly Stern <kellyann.stern@gmail.com> Mon, Jun 28, 2021 at 3:30 PM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominumus and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
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Best,
Kelly

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Opposition to Our Lady Mt. Lebanon Project

2 messages

Nina Travers <ninatravers1@gmail.com> Mon, Jun 28, 2021 at 9:00 AM
To: paul.caporaso@lacity.org

Greetings,

I am a resident of the Burton/Holt area and a frequent visitor to the Westbury Condominiums and 8544 Burton Way. I hereby submit my opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR. Comments below:

- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/exiting the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
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- Dust/Health Concerns: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible. Especially if 333 La Cienega construction is occurring concurrently.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?
- Safety: It has taken me up to 1.5 hours to get ahold of the LAPD (i.e., even just to speak with someone upon calling 911), when I need them. We have a serious homeless issue in the area, as well, with regular arsonists who live on the perimeter of the building. We also have regular car thefts - just check the police reports on the neighboring blocks alone. It seems we are already extremely short on resources and the LAPD does not arrive when we need them. This project will put an even tighter restraint on LAPD resources and create a more dangerous space for residents.

--
Nina Travers

Paul Caporaso <paul.caporaso@lacity.org>

Comments to Our Lady of Mt. Lebanon Project

2 messages

Natalie Kayichian <natkayichian@gmail.com> Mon, Jun 28, 2021 at 4:01 PM
To: paul.caporaso@lacity.org

Hello - I am submitting my comments in opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR.

- Health Impact: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open? What about permanent hearing damage from continuous construction for years on end?
- Noise: Many residents in the construction zone are professionals who work from home. It will make quality of life significantly decrease, and make working from home essentially impossible.
-
- LAPD Resources: Has the strain on LAPD been taken into account at all? It is already very difficult to get ahold of LAPD when we need them. Adding this many units and residents directly impacts our safety.
- Traffic Congestion: Did the transportation study within the draft EIR take into consideration the permanent traffic congestion on 3rd street particularly at the intersections of Sherborne, Holt Ave, and San Vicente? On "good" days on 3rd street traffic is only backed up to Hamel and on even worse days it extends way past Robertson. Did the study take this into account? Did the study consider the traffic coming from 3rd street down Holt Ave and the alley between Sherborne and Holt Ave during rush hour? Pedestrians walking on the west side of Holt are particularly vulnerable to alley traffic as most race down this section to avoid the traffic on 3rd street. Is the city planning commission aware of this? Did the draft EIR take into consideration the number of car accidents and pedestrian injuries resulting from impacts with motor vehicles in our neighborhood over the last 5 years? Adding 252 more residential cars maneuvering through our neighborhood and 145 more cars on event days will be disastrous. Does the city planning commission find it acceptable to add a significant burden and more traffic hazards to Holt Ave that already has visibility issues and is so narrow two cars can barely pass one another?
- Parking: The project has a total 397 planned parking spaces, 252 of which are designated for new residents, and 145 are allocated for church events and staff. The entry/exit points to the project are directly across from the Westbury garage entrance which will cause significant traffic congestion in the alley and along Holt Ave, causing significant delays entering/existing the garage. Additionally the existing road infrastructure cannot accommodate the added congestion. I insist they relocate their entrance/exit points on Burton Way so our building's homeowners/renters are not impacted.
- Impact of construction on surrounding buildings: How will the city account for any damage done to surrounding buildings through the vibrations of pounding from pile drivers and other heavy construction equipment that is certain to cause serious structural damage? Given that the DEIR concluded that there will be significant vibration effects for residents. What has been studied for the potential damages and hazards that the vibration will cause in the aging building nearby? What reassurances do nearby residents have that these damages will be prevented, mitigated, or even covered by the development?

Best,
Natalie

Connect Create Collaborate

Paul Caporaso <paul.caporaso@lacity.org>

Comments to Our Lady of Mt. Lebanon Project

2 messages

Jessica Raya <jraya814@gmail.com> Mon, Jun 28, 2021 at 6:32 PM
To: paul.caporaso@lacity.org

I am submitting my comments in opposition to the Our Lady of Mt. Lebanon Project, reference Environmental Case No ENV-2019-1857-EIR.

- Health Impact: Many residents in the area will be directly facing the construction. Our units and our health will be directly impacted by the construction with the amount of dust and air pollution created. How will the city remedy this, especially for individuals who can no longer keep their balcony doors open? What about permanent hearing damage from continuous construction for years on end?
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Jessica