Appendices

Appendix FEIR-1

Draft EIR Comment Letters

DEPARTMENT OF TRANSPORTATION
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Making Conservation a California Way of Life

February 20, 2024

Bob Babajian
Department of City Planning
City of Los Angeles
221 N. Figueroa Street Suite 1350
Los Angeles, CA 90012

RE: New Beatrice West Project
SCH # 2020120119
Vic. LA-90/PM R1.495
GTS # GTS-2020-04419-DEIR

Dear Bob Babajian:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced environmental document. The Project proposes the demolition of an existing 23,072-square-foot office building and two accessory buildings, totaling 7,188 square feet, and the retention of an 87,881 square-foot office building. Additionally, the Project proposes the construction of a new, eight-story office building with up to 196,100 square feet of office space, and 3,400 square feet of ground-floor commercial space.

Pedestrian, Bicycle, and Transit Access
It is determined the Project does not include any features that would permanently remove, adversely modify, or degrade pedestrian, bicycle, and transit facilities in the Project vicinity. As noted herein, it is determined that it is possible that the Project may intensify the use of pedestrian, bicycle, and transit facilities in the Project vicinity, however, such use is not expected to result in a deficient condition caused by the Project.

VMT
The Project site is located in the West Los Angeles Area Planning Commission area and is subject to the following LADOT threshold for determining VMT impacts: Daily Work VMT per Employee of 11.1. The Project is estimated to result in a total of 2,964 daily vehicle trips, resulting in a daily work VMT per employee of 12.4, which would exceed the daily work VMT per employee of 11.1. As such, the Project would result in a potentially significant impact with regard to conflict with CEQA Guidelines Section 15064.3(b), and mitigation is required.

Mitigation Measure-TDM
The following mitigation measure has been identified to reduce the potentially significant impact of the Project:

Mitigation Measure TR-MM-1: The Project should prepare a TDM Plan. The following TDM elements should be included in the Project:

- Price Workplace Parking
- Voluntary Travel Behavior Change Program
- Short-term and Long Ter-term Bike Parking per LAMC
- Secure Bike Parking
- Pedestrian Network Improvements
- Transit Subsidies

With the implementation of Mitigation Measure TR-MM-1, the daily work VMT per employee would be reduced to 10.3, and the impact level would become less than significant with mitigation.

Others
We encourage the Lead Agency to evaluate the potential Intelligent Transportation System (ITS) applications in order to better manage the transportation network, as well as transit service and bicycle or pedestrian connectivity improvements. For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). This reference is available online at:

http://ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf

For future projects any transportation of heavy construction equipment and/or materials that require the use of oversized transport vehicles on State highways will need a Caltrans transportation permit. Any large-size truck trips be limited to off-peak commute periods.

If you have any questions, please feel free to contact Mr. Alan Lin the project coordinator at (213) 269-1124 and refer to GTS # GTS-2020-04419-DEIR.

Sincerely,

Frances Duong

FRANCES DUONG
Acting LDR/CEQA Branch Chief

email: State Clearinghouse

FORM GEN. 160 (Rev. 8-12)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: January 17, 2024

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

Attn: Bob Babajian, City Planner
Department of City Planning

FROM: Rowena Lau, Division Manager
Wastewater Engineering Services Division
LA Sanitation and Environment

SUBJECT: NEW BREATRICE WEST PROJECT - NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT

This is in response to your January 4, 2024 Notice of Completion and Availability of Draft Environmental Impact Report for the proposed mixed-use project located at 12531-12553 W. Beatrice Street, 12565-12575 W. Beatrice Street, and 5410-5454 S. Jandy Place, Los Angeles, CA 90066. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review it has been determined that the project is in the final stages of the California Environmental Quality Act review process and requires no additional hydraulic analysis. Please notify our office in the instance that additional environmental review is necessary for this project.

If you have any questions, please call Than Win at (323) 342-6268 or email at than.win@lacity.org.

RL/TW: sa

c: Julie Allen, LASAN
Michael Scaduto, LASAN
Spencer Yu, LASAN
Than Win, LASAN

File Location: CEQA Review\FINAL CEQA Response LTRs\FINAL DRAFT\New Beatrice West Project - NOC & NOA of Deir.docx

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February 20, 2024

Via Email and Overnight Mail
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Los Angeles, CA 90012
Email: Bob.Babajian@lacity.org

Re: Comments on the Draft Environmental Impact Report for New Beatrice West Project (ENV-2020-3533-EIR; SCH No. 2020120119)

Dear Mr. Babajian:

We are writing on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA") to provide comments on the Draft Environmental Impact Report ("DEIR") prepared by the City of Los Angeles ("City") for the New Beatrice West Project (ENV-2020-3533-EIR; SCH No. 2020120119) ("Project"), proposed by NSB Associates ("Applicant").

The Project proposes the demolition of an existing 23,072-square-foot office building and two accessory buildings, totaling 7,188 square feet ("SF"), the retention of an 87,881 SF office building, and the construction of a new, eight-story office building with up to 196,100 SF of office space, and 3,400 SF of ground floor commercial space. The Project would total 199,500 SF of floor area, for a Floor Area Ratio of 1.46:1 and a maximum building height of 135 feet to the top of the parapet. The Project site is located at 12531-12553 West Beatrice Street, 12565-12575 West Beatrice Street, and 5410-5454 South Jandy Place, Los Angeles, CA 90066.

We reviewed the DEIR and its technical appendices with the assistance of air quality and public health expert James Clark, Ph.D.[1] The City must separately respond to these technical comments.

[1] Dr. Clark's technical comments and curricula vitae are attached hereto as **Exhibit A** ("Clark Comments")

Based upon our review of the DEIR and supporting documentation, we conclude that the DEIR fails to comply with the requirements of the California Environmental Quality Act ("CEQA").[2] As explained more fully below, the DEIR fails to disclose significant health risk impacts to sensitive receptors from exposure to toxic air contaminants which exceed applicable significance thresholds. No mitigation is currently identified to reduce this significant impact to less than significant levels. The DEIR also underestimates air quality, health risk, noise, and transportation impacts by failing to include the Project's water infrastructure improvements in its analyses. The DEIR also improperly defers analysis and mitigation of potentially present hazardous materials such as asbestos-containing materials, lead-based paint, polychlorinated biphenyls, and other substances. As a result of its shortcomings, the DEIR lacks substantial evidence to support its conclusions and fails to properly mitigate the Project's significant environmental impacts.

CREED LA urges the City to remedy the deficiencies in the DEIR by preparing a legally adequate revised DEIR and recirculating it for public review and comment.[3]

I. STATEMENT OF INTEREST

CREED LA is an unincorporated association of individuals and labor organizations formed to ensure that the construction of major urban projects in the Los Angeles region proceeds in a manner that minimizes public and worker health and safety risks, avoids or mitigates environmental and public service impacts, and fosters long-term sustainable construction and development opportunities. The association 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 live in the City of Los Angeles, and work, recreate, and raise their families in the City 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

[2] PRC § 21100 et seq.
[3] We reserve the right to supplement these comments at later hearings on this Project. Gov. Code § 65009(b); Public Resources Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1199–1203; *see Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal.App.4th 1109, 1121.

itself. They will be first in line to be exposed to any health and safety hazards that exist on site.

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. Continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA supports the development of commercial, mixed use, and medical office projects where properly analyzed and carefully planned to minimize impacts on public health, climate change, and the environment. These projects should avoid adverse impacts to air quality, public health, climate change, noise, and traffic, and must incorporate all feasible mitigation to ensure that any remaining adverse impacts are reduced to the maximum extent feasible. Only by maintaining the highest standards can commercial development truly be sustainable.

II. LEGAL BACKGROUND

CEQA requires public agencies to analyze the potential environmental impacts of their proposed actions in an EIR.[4] "The foremost principle under CEQA is that the Legislature intended the act to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language."[5]

CEQA has two primary purposes. First, CEQA is designed to inform decisionmakers and the public about the potential significant environmental effects of a project.[6] "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.'"[7] The EIR

[4] PRC § 21100.
[5] *Laurel Heights Improvement Assn. v. Regents of Univ. of Cal ("Laurel Heights I")* (1988) 47 Cal.3d 376, 390 (internal quotations omitted).
[6] Pub. Resources Code § 21061; CEQA Guidelines §§ 15002(a)(1); 15003(b)-(e); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 517 ("[T]he basic purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect [that] a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.").
[7] *Citizens of Goleta Valley,* 52 Cal.3d at p. 564 (quoting *Laurel Heights I*, 47 Cal.3d at 392).

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."[8] As the CEQA Guidelines explain, "[t]he EIR serves not only to protect the environment but also to demonstrate to the public that it is being protected."[9]

Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring consideration of environmentally superior alternatives and adoption of 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" to the greatest extent feasible and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns."[12]

While 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 decision-making and informed public participation, thereby 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

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[8] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810; *see also Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs.* (2001) 91 Cal.App.4th 1344, 1354 ("*Berkeley Jets*") (purpose of EIR is to inform the public and officials of environmental consequences of their decisions *before* they are made).
[9] CEQA Guidelines § 15003(b).
[10] CEQA Guidelines § 15002(a)(2), (3); *see also Berkeley Jets*, 91 Cal.App.4th at 1354; *Citizens of Goleta Valley*, 52 Cal.3d at p. 564.
[11] CEQA Guidelines § 15002(a)(2).
[12] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090(a), 15091(a), 15092(b)(2)(A), (B); *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.
[13] *Berkeley Jets*, 91 Cal.App.4th at p. 1355 (emphasis added) (quoting *Laurel Heights I*, 47 Cal.3d at 391, 409, fn. 12).
[14] *Berkeley Jets*, 91 Cal.App.4th at p. 1355; *see also San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722 (error is prejudicial if the failure to include relevant information precludes informed decision making and informed public participation, thereby thwarting the statutory goals of the EIR process); *Galante Vineyards*, 60 Cal.App.4th at p. 1117 (decision to approve a project is a nullity if based upon an EIR that does not provide decision-makers and the public with information about the project as required by CEQA); *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946 (prejudicial abuse of discretion results where agency fails to comply with information disclosure provisions of CEQA).

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 DISCLOSE, ANALYZE AND MITIGATE POTENTIALLY SIGNIFICANT 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 with regard to each impact must be supported by accurate scientific and factual data.[16] An agency cannot conclude that an impact is less than significant unless it produces rigorous analysis and concrete substantial evidence justifying the finding.[17]

Moreover, the failure to provide information required by CEQA is a failure to proceed in the manner required by CEQA.[18] Challenges to an agency's failure to proceed in the manner required by CEQA, such as the failure to address a subject required to be covered in an EIR or to disclose information about a project's environmental effects or alternatives, are subject to a less deferential standard than challenges to an agency's factual conclusions.[19] In reviewing challenges to an agency's approval of an EIR based on a lack of substantial evidence, the court will "determine de novo whether the agency has employed the correct procedures, scrupulously enforcing all legislatively mandated CEQA requirements."[20]

Additionally, CEQA requires agencies to commit to all feasible mitigation measures to reduce significant environmental impacts.[21] In particular, the lead agency may not make required CEQA findings, including finding that a project impact is significant and unavoidable, unless the administrative record demonstrates that it has adopted all feasible mitigation to reduce significant environmental impacts to the greatest extent feasible.[22]

Even when the substantial evidence standard is applicable to agency decisions to certify an EIR and approve a project, reviewing courts will not

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[15] *Sierra Club,* 6 Cal.5th at p. 516 (quoting *Laurel Heights I*, 47 Cal.3d at 405).
[16] CEQA Guidelines § 15064(b).
[17] *Kings Cty. Farm Bur. v. Hanford* (1990) 221 Cal.App.3d 692, 732.
[18] *Sierra Club v. State Bd. Of Forestry* (1994) 7 Cal.4th 1215, 1236.
[19] *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435.
[20] *Id., Madera Oversight Coal., Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102.
[21] CEQA Guidelines § 15002(a)(2).
[22] PRC § 21081(a)(3), (b); CEQA Guidelines §§ 15090, 15091; *Covington v. Great Basin Unified Air Pollution Control Dist*. (2019) 43 Cal.App.5th 867, 883.

'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.'"[23]

A. The DEIR Fails to Disclose and Mitigate Potentially Significant Air Quality and Health Risk Impacts

1. The DEIR Fails to Disclose Potentially Significant Health Risks from Exposure to Project Emissions

The DEIR acknowledges that the Project's construction activities would generate Toxic Air Contaminant ("TAC") emissions.[24] Specifically, the Project's construction and operation would generate diesel particulate matter ("DPM"), a type of TAC.[25] DPM would be emitted during construction by heavy equipment and diesel trucks, and during operations by the Project's backup generator.[26] DPM has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death.[27] The Project's emissions of DPM would impact numerous sensitive receptors, including multi-family residences directly across from the Project site at 12598-12554 Beatrice Street.[28] But the DEIR fails to adequately analyze and mitigate this potentially significant health risk, in violation of CEQA.

CEQA requires analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings.[29] The Supreme Court has explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.[30] Courts have also held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.[31]

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[23] *Berkeley Jets*, 91 Cal.App.4th at 1355.
[24] DEIR, pg. IV.B-65.
[25] DEIR, pg. IV.B-10.
[26] SCAQMD, Fact Sheet on Emergency Backup Generators, http://www.aqmd.gov/home/permits/emergency-generators ("Most of the existing emergency backup generators use diesel as fuel").
[27] Clark Comments, pg. 4-5.
[28] Clark Comments, pg. 6.
[29] CEQA Guidelines § 15065(a)(4).
[30] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.
[31] *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

In *Bakersfield Citizens for Local Control v. City of Bakersfield*, the court found that the EIRs' description of health risks were insufficient and that after reading them, "the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin."[32] Likewise, in *Sierra Club*, the California Supreme Court held that the EIR's discussion of health impacts associated with exposure to the named pollutants was too general and the failure of the EIR to indicate the concentrations at which each pollutant would trigger the identified symptoms rendered the report inadequate.[33] Some connection between air quality impacts and their direct, adverse effects on human health must be made. As the Court explained, "a sufficient discussion of significant impacts requires not merely a determination of whether an impact is significant, but some effort to explain the nature and magnitude of the impact."[34] CEQA mandates discussion, supported by substantial evidence, of the nature and magnitude of impacts of air pollution on public health.[35]

For development projects like this one, the Office of Environmental Health Hazard Assessment's ("OEHHA") risk assessment guidelines also recommend a formal health risk analysis ("HRA") for short-term construction exposures to TACs lasting longer than 2 months and exposures from projects lasting more than 6 months should be evaluated for the duration of the project.[36] In an HRA, lead agencies must first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern.[37] Following that analysis, then the City can make a determination of the relative significance of the emissions. The significance threshold for this Project is that a significant health risk impact occurs if the Project would expose sensitive receptors to air contaminants that exceed the maximum incremental cancer risk of 10 in one million.[38]

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[32] *Id*. at 1220.
[33] *Sierra Club*, at 521.
[34] *Id.* at 519, citing *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 514–515.
[35] *Sierra Club*, 6 Cal.5th at 518–522.
[36] 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.
[37] *Id.*
[38] DEIR, pg. IV.B-39.

The City failed to conduct this analysis. Despite acknowledging that exposure is the primary factor used to determine health risk, the DEIR does not quantify sensitive receptors' exposure to DPM emitted during Project construction and operation. Regarding construction emissions of DEIR, the DEIR's qualitative analysis instead offers that the health risk would be less than significant because construction would last 18 months, and not constitute a long-term (70-year) source of TAC emissions.[39] This reasoning is incorrect, as it assumes that exposure to TACs over a term shorter than 70 years cannot result in significant health effects. Rather, the Project's 18-month construction schedule exceeds the two-month threshold recommended by OEHHA. The City also reasons that a health risk analysis is not required for this Project because the South Coast Air Quality Management District ("SCAQMD") has not adopted a rule requiring health risk assessments for short-term construction emissions.[40] This reasoning ignores that SCAQMD has adopted significance thresholds for evaluating the health risk from exposure to project-related TAC emissions:

South Coast AQMD Air Quality Significance Thresholds[41]

TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)

The DEIR's reasoning also ignores that that the City must comply with CEQA's analytical requirements even if the air district has not established a blanket requirement for quantitative analysis.

The DEIR next claims that, because the Project's emissions would not exceed Localized Significance Thresholds ("LSTs"), the Project's localized air quality impacts would not expose sensitive receptors to substantial air pollutant concentrations.[42]

LSTs are based on the number of pounds of emissions per day that can be generated by a project that would cause or contribute to adverse localized air

[39] DEIR, pg. IV.B-66.
[40] *Id.*
[41] See South Coast AQMD Air Quality Significance Thresholds (March 2023), available at https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjn5Mev_7qEAxVtFDQIHdCsAPcQFnoECBQQAQ&url=https%3A%2F%2Fwww.aqmd.gov%2Fdocs%2Fdefault-source%2Fceqa%2Fhandbook%2Fsouth-coast-aqmd-air-quality-significance-thresholds.pdf%3Fsfvrsn%3D25&usg=AOvVaw07n1OZu8NvvtfqOAnstLMG&opi=89978449 (last visited 2/20/24).
[42] DEIR, pg. IV.B-66.

quality impacts.[43] But LSTs only apply to four criteria pollutants: NO_x, CO, PM_{10}, and $PM_{2.5}$. LSTs do not apply to DPM and other TACs, which contain carcinogenic compounds not found in criteria pollutants, and thus do not disclose the magnitude of the Project's health impacts from exposure to the Project's air emissions. Thus, the DEIR's analysis of LSTs does not answer the question required by CEQA Appendix G as to whether the Project would "expose sensitive receptors to substantial pollutant concentrations"[44] and is no substitute for the DEIR's failure to analyze health risk impacts from exposure to TACs.

The DEIR therefore fails to comply with CEQA by failing to provide the necessary information to evaluate the health risk impacts of the Project. Due to the proximity of the nearest sensitive receptors to construction and operational sources of DPM, there is no dispute that the Project may result in potentially significant health risk impacts. The City must prepare a health risk analysis to evaluate the magnitude of the Project's health risk impacts in accordance with CEQA.

2. Health Risks from Exposure to Construction Emissions Would Be Significant

Substantial evidence shows that health risks from exposure to construction emissions would be significant.

Dr. Clark prepared a health risk analysis using AERMOD, the US EPA's preferred air dispersion model, in accordance with OEHHA's Toxic Hot Spot Emissions Guidance.[45] This quantitative analysis relied on data from the DEIR's own air quality analysis.[46] The results of Dr. Clark's air model and the health risk analysis are attached as an appendix to this letter. Dr. Clark found that the cancer risk to the most sensitive population, infants less than 3 years old, would be 210 in 1,000,000.[47] This health risk exceeds SCAQMD's 10 in 1,000,000 cancer risk threshold, resulting in a significant impact. The City must revise the EIR to include analysis and mitigation of the Project's significant health risk impacts.

[43] DEIR, pg. IV.B-44.
[44] CEQA Appendix G, III(d).
[45] Clark Comments, pg. 6-7.
[46] Clark Comments, pg. 6.
[47] Clark Comments, pg. 8.

3. The Project Conflicts with Applicable Policies Regarding Air Quality and Health Risk

The CEQA Guidelines provide that a significant air quality impact would occur when a project "[c]onflict[s] with or obstruct implementation of the applicable air quality plan."[48] Further, the Guidelines provide that a significant impact would occur if a project conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.[49]

Policy 1.3.1 of the City of Los Angeles' General Plan Air Quality Element provides: "[m]inimize particulate emissions from construction sites." And Policy 5.3.1 of the Air Quality Element provides: "Support the development and use of equipment powered by electric or low-emitting fuels." Here, the Project does not attempt to minimize DPM emissions from the Project's construction, or even set minimum emissions standards for construction equipment. Use of construction equipment that meets CARB Tier 4 standards can result in significant DPM emissions reductions over Tier 2 and 3 equipment.[50] The Project does not provide evidence that such particulate emissions controls are infeasible or ineffective. Thus, the Project fails to "minimize" PM emissions within the meaning of Policy 1.3.1, and fails to analyze the feasibility of using low-emitting fuels. And because the failure to require emissions controls contributes to the Project's significant health risk impacts, the Project is inconsistent with these general plan policies.

The DEIR must be revised to require emissions controls as mitigation measures.

B. The DEIR Fails to Analyze and Mitigate Potentially Significant Impacts Resulting from Construction of Water Infrastructure Improvements

Appendix G of the CEQA Guidelines, Section XIX(a) provides that a significant impact would occur if the Project would "[r]equire or result in the relocation or construction of new or expanded water… facilities, the construction or

[48] CEQA Guidelines, Appendix G, subd. III.
[49] CEQA Guidelines, Appendix G, subd. X.
[50] San Francisco Clean Construction Ordinance Implementation Guide for San Francisco Public Projects." August 2015, *available at:* https://www.sfdph.org/dph/files/EHSdocs/AirQuality/San_Francisco_Clean_Construction_Ordinance_2015.pdf, pg. 6.

relocation of which would cause significant environmental effects."[51] The DEIR found that the Project's impacts in this regard would be less than significant.[52]

The DEIR identifies significant water infrastructure improvements necessary to provide the requisite fire flow for the Project. The DEIR identifies two potentially applicable fire flow requirements for the Project – 9,000 gallons per minute (gpm) and 12,000 gpm.[53] To meet the demand for the 9,000 gpm fire flow, the Project would require installation of 550 linear feet of 16-inch diameter pipe, 325 linear feet of 12-inch pipe, and two new fire hydrants.[54] The DEIR explains that the 16-inch pipe would extend in Beatrice Street from Westlawn Avenue to Grosvenor Boulevard, and the 12-inch pipe would be constructed in Beatrice Street from Jandy Place to Westlawn Avenue.[55] To meet the demand for the 12,000 gpm fire flow, the Project would require installation of 865 feet of 16-inch pipe, 600 feet of 12-inch pipe, and four new hydrants.[56]

These infrastructure improvements are included as project design feature WAT-PDF-1. However, the DEIR failed to analyze the impacts associated with construction, installation, and operation of these water infrastructure improvements. The water infrastructure upgrades necessary for operation of the Project would require street excavation and subsequent repair to access water mains.[57] Excavation would likely require demolition, disruption, and removal of portions of the street along the length of the water main upgrade. Subsequently, upsized piping would be installed, along with new trench backfill, soil, compaction, and new street asphalt work. These construction activities may result in potentially significant environmental impacts in several areas, including for example traffic, noise, vibration, air quality, and health risk. But the DEIR fails to analyze impacts resulting from these Project construction-related activities. Courts have explained that an EIR must "address not only the immediate environmental consequences of going forward with the project, but also all "*reasonably foreseeable* consequence[s] of the initial project."[58] The DEIR must be revised and recirculated to disclose and mitigate the impacts of the Project's water infrastructure upgrades.

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[51] DEIR, pg. IV.M.1-15.
[52] DEIR, pg. IV.M.1-19.
[53] DEIR, Appendix M, pg. 5.
[54] DEIR, Appendix M, pg. 6.
[55] *Id.*
[56] *Id.*
[57] DEIR, Appendix M, pg. 6.
[58] *Laurel Heights I,* 47 Cal. 3d 376, 398 (emphasis added); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449-50.

The DEIR provides that a significant transportation impact would occur if the Project would result in inadequate emergency access.[59] Construction activities associated with the Project's water infrastructure improvements could impact the provision of emergency services due to lane closures on Beatrice Street, Westlawn Avenue, Grosvenor Boulevard, and Jandy Place by resulting in lane or sidewalk closures on these streets.[60] There is no indication that the Project's water infrastructure improvements were included in the transportation impacts analysis. Thus, the geographic scope and duration of reasonably expected construction activities are greater than analyzed in the EIR's transportation impacts analysis. Thus, the DEIR fails as an informational document, and fails to support its conclusions with substantial evidence.

The DEIR provides that a significant construction noise impact would occur if construction activities lasting more than 10 days would result in a 5 dBA increase at a noise-sensitive use.[61] The DEIR's analysis of this impact is not supported by substantial evidence because noise generated by construction of water infrastructure upgrades was not included in the analysis. Construction of water infrastructure may occur closer to sensitive receptors than the constructive activities analyzed in the DEIR. The evidence available in the record demonstrates that construction of water infrastructure upgrades may result in exceedances of the 5 dBA noise threshold. For example, the Federal Transit Administration's Transit Noise and Vibration Impact Assessment Manual provides that the typical noise level of a jackhammer at a 50 foot distance is 88 dBA.[62] This noise level is in excess of the daytime ambient noise levels at the receptors analyzed in the EIR, which are as low as 52 dBA during the day and 51.8 at night.[63] Thus, construction of water infrastructure improvements would contribute to the significant construction noise impact identified in the EIR. For the same reason, construction of water infrastructure improvements would exacerbate the Project's vibration impacts.[64] The DEIR must be revised to identify mitigation measures to reduce these impacts to the greatest extent possible.

Finally, the DEIR underestimates air quality impacts because there is no indication that the Project's water infrastructure improvements were included in

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[59] DEIR, pg. IV.K-38.
[60] DEIR, Appendix M, pg. 6.
[61] DEIR, pg. IV.I-27.
[62] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual (September 2018), pg. 176, Table 7-1: Construction Equipment Noise Emission Levels, available at https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.
[63] DEIR, pg. IV.I-24.
[64] DEIR, pg. IV.E-21.

the Project's analysis of construction emissions. As a result, the DEIR's analysis of the Project's criteria air pollutants is not supported by substantial evidence. Further, this omission of a major source of air pollutants results in an underestimation of the Project's health risks. The construction of water infrastructure improvements may require construction equipment that generates DPM emissions.[65] Because the EIR failed to analyze the full scope of the Project's construction activities, the EIR's health risk analysis underestimates the likely health risk impacts and thus lacks the support of substantial evidence.

The DEIR must be revised and recirculated to accurately evaluate the Project's impacts and mitigate them to a less-than-significant level.

C. The EIR Fails to Analyze and Mitigate Potentially Significant Hazards Impacts

The DEIR finds that hazards and hazardous materials impacts are less than significant, and does not identify any necessary project design features or mitigation measures to reduce impacts.[66] However, the DEIR's conclusion is unsupported because the City failed to analyze the extent of hazardous materials present at the Project site.

The DEIR's impacts analysis states the Project's Phase I ESA did not identify underground storage tanks, asbestos-containing materials ("ACM"), lead-based paint, polychlorinated biphenyls, and methane gas.[67] No sampling was conducted for these and other hazardous materials.[68] The Phase I ESA explains that the absence of substances like ACM cannot be ascertained without sampling and laboratory testing.[69] The DEIR states that due to the age of existing building on the Project site, it is possible ACM and lead-based paint could be present. The DEIR does not disclose whether any further analysis of the aforementioned contaminants (with the exception of methane gas) would be conducted before the Project's construction.[70] The DEIR states generally that any hazardous materials identified

[65] California Air Resources Board, Diesel Exhaust & Health, https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health#:~:text=5%2C%20DPM%20also%20contributes%20to,decreased%20lung%20function%20in%20children.
[66] DEIR, pg. I-9.
[67] DEIR, Section IV.G.
[68] DEIR, Phase I ESA, pg. 3.
[69] DEIR, Phase I ESA, pg. 25.

[70] DEIR, pg. IV.F-32, 33.

would be managed using tools such as a Soil Management Plan in accordance with applicable local, state, and federal regulations.[71]

The DEIR's approach violates CEQA in several ways. First, the DEIR fails to conduct the requisite analysis of many contaminants potentially present on the Project site. In *Cal. Building Industry Ass'n v. Bay Area Air Quality Mgmt. Dist.* ("*CBIA v. BAAQMD")*[72], the California Supreme Court held that the disturbance of contaminated soil is a potentially significant impact which requires disclosure and analysis of health and safety impacts in an EIR.[73] The Court explained that, "when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users."[74] Here, the DEIR fails to require sampling and testing of substances such as ACM and lead-based paint, despite acknowledging that (1) they may be present onsite, and (2) testing is necessary to ascertain the absence of such hazardous substances. The DEIR's general statement that any onsite hazardous substances would be addressed in accordance with applicable regulations does not identify what, if any, testing will be conducted for this Project. The City's approach does not allow for adequate disclosure of conditions that may be hazardous to construction workers working on the Project. The DEIR fails as an informational document.

A related issue is that the DEIR improperly defers analysis of hazards potentially present on the Project site by deferring Phase II sampling and mitigation until after Project approval. CEQA requires that an EIR disclose the severity of a project's impacts and the probability of their occurrence *before* a project can be approved.[75] The EIR violates these basic disclosure requirements by improperly deferring its analysis of potentially significant soil contamination to a future, post-approval investigation that allows preparation of a Soil Management Plan as part of the Project's post-approval mitigation plans.

Moreover, deferring formulation of mitigation measures to post-approval studies is generally impermissible.[76] Mitigation measures adopted after Project

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[71] DEIR, pg. IV.F-17.
[72] (2015) 62 Cal.4th 369
[73] 62 Cal.4th at 388-90; 14 CCR § 15126.2(a).
[74] *Id*. at 377.
[75] 14 CCR §§ 15143, 15162.2(a); *Cal. Build. Indust. Ass'n v. BAAQMD* (2015) 62 Cal.4th 369, 388-90 ("*CBIA v. BAAQMD*") (disturbance of toxic soil contamination at project site is potentially significant impact requiring CEQA review and mitigation); *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal. App. 4th 48, 82; *Berkeley Jets* (2001) 91 Cal.App.4th 1344, 1370-71; CEQA Guidelines, Appendix G.
[76] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.

approval deny the public the opportunity to comment on the Project as modified to mitigate impacts.[77] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[78] Courts have held that simply requiring a project applicant to obtain a future report and then comply with the report's recommendations is insufficient to meet the standard for properly deferred mitigation.[79]

Here, the DEIR defers both analysis and mitigation to future reports prepared in accordance with applicable local, state, and federal regulations.[80] This deferral is improper because the DEIR fails to identify the specific future studies and mitigation which may or may not be required by applicable regulations. By failing to disclose what specific analysis and mitigation will be required for each potentially-present hazardous material, the DEIR improperly defers mitigation. The vague allusions to future analysis and mitigation also violate CEQA's requirement that mitigation measures must be incorporated into the design of the Project or "fully enforceable through permit conditions, agreements, or other legally binding instruments."[81]

In sum, the DEIR must be revised to disclose the Project's potentially significant hazards impacts and identify binding mitigation.

D. The Statement of Overriding Consideration Must Consider Whether the Project Provides Employment Opportunities for Highly Trained Workers

The DEIR concludes that the Project will have significant and unavoidable environmental impacts related to noise and vibration.[82] Therefore, in order to approve the Project, CEQA requires the City to adopt a statement of overriding considerations, providing that the Project's overriding benefits outweigh its environmental harm.[83] An agency's determination that a project's benefits outweigh

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[77] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th at pg. 1604, fn. 5.
[78] *Id.*
[79] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.
[80] DEIR, pg. IV.F-17.
[81] CEQA Guidelines, § 15126.4, subd. (a)(2).
[82] DEIR, VI-1-3.
[83] CEQA Guidelines, § 15043.

its significant, unavoidable impacts "lies at the core of the lead agency's discretionary responsibility under CEQA."[84]

In adopting a statement of overriding considerations, the City must set forth the reasons for its action, pointing to supporting substantial evidence in the administrative record.[85] This requirement reflects the policy that public agencies must weigh a project's benefits against its unavoidable environmental impacts, and may find the adverse impacts acceptable only if the benefits outweigh the impacts.[86] Importantly, a statement of overriding considerations is legally inadequate if it fails to accurately characterize the relative harms and benefits of a project.[87]

In this case, in order to approve the Project, the City must find that the Project's significant, unavoidable impacts are outweighed by the Project's benefits to the community. CEQA specifically references employment opportunities for highly trained workers as a factor to be considered in making the determination of overriding benefits.[88] Currently, there is not substantial evidence in the record showing that the Project's significant, unavoidable impacts are outweighed by benefits to the community. For example, the Applicant has not made any commitments to employ graduates of state approved apprenticeship programs or taken other steps to ensure employment of highly trained and skilled craft workers on Project construction. Therefore, the City would not fulfill its obligations under CEQA if it adopted a statement of overriding considerations and approved the Project.

IV. CONCLUSION

For the reasons discussed above, the DEIR for the Project remains wholly inadequate under CEQA. It must be thoroughly revised to provide legally adequate analysis of, and mitigation for, all of the Project's potentially significant impacts. These revisions will necessarily require that the DEIR be recirculated for 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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[84] *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392.
[85] Pub. Resources Code, § 21081, subd. (b); CEQA Guidelines, § 15093, subds. (a) and (b); *Cherry Valley Pass Acres & Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 357.
[86] Pub. Resources Code, § 21081(b); CEQA Guidelines, § 15093, subds. (a) and (b)
[87] *Woodward Park Homeowners Association v. City of Fresno* (2007) 150 Cal.App.4th 683, 717.
[88] Pub. Resources Code, § 21081, subds. (a)(3) and (b).

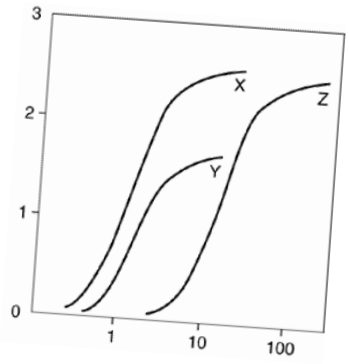
Thank you for your attention to these comments. Please include them in the record of proceedings for the Project.

Sincerely,

Aidan P. Marshall

Attachment
APM:acp

EXHIBIT A



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February 18, 2024

Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Attn: Mr. Aidan Marshall

Subject: Comments On New Beatrice West Project, Draft Environmental Impact Report (DEIR), Case Number: ENV-2020-3533-EIR

At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed materials related to the March 2024 City of Los Angeles (the City) DEIR of the above referenced project.

Clark's review of the materials in no way constitutes a validation of the conclusions or materials contained within the plan. If we do not comment on a specific item this does not constitute acceptance of the item.

Project Description:

According to the DEIR, The Project proposes the demolition of an existing 23,072-square-foot office building and two accessory buildings, totaling 7,188 square feet, and the retention of an 87,881 square-foot office building. Additionally, the Project proposes the construction of a new, eight-story office building with up to 196,100 square feet of office space, and 3,400 square feet of ground floor commercial space. The Project would total 199,500 square feet of floor area, for a Floor Area Ratio (FAR) of 1.46:1 and a maximum building height of 135 feet to the top of the parapet. Vehicle parking would be provided within a five-level parking structure (including three above-grade and two subterranean levels) and a surface parking lot.

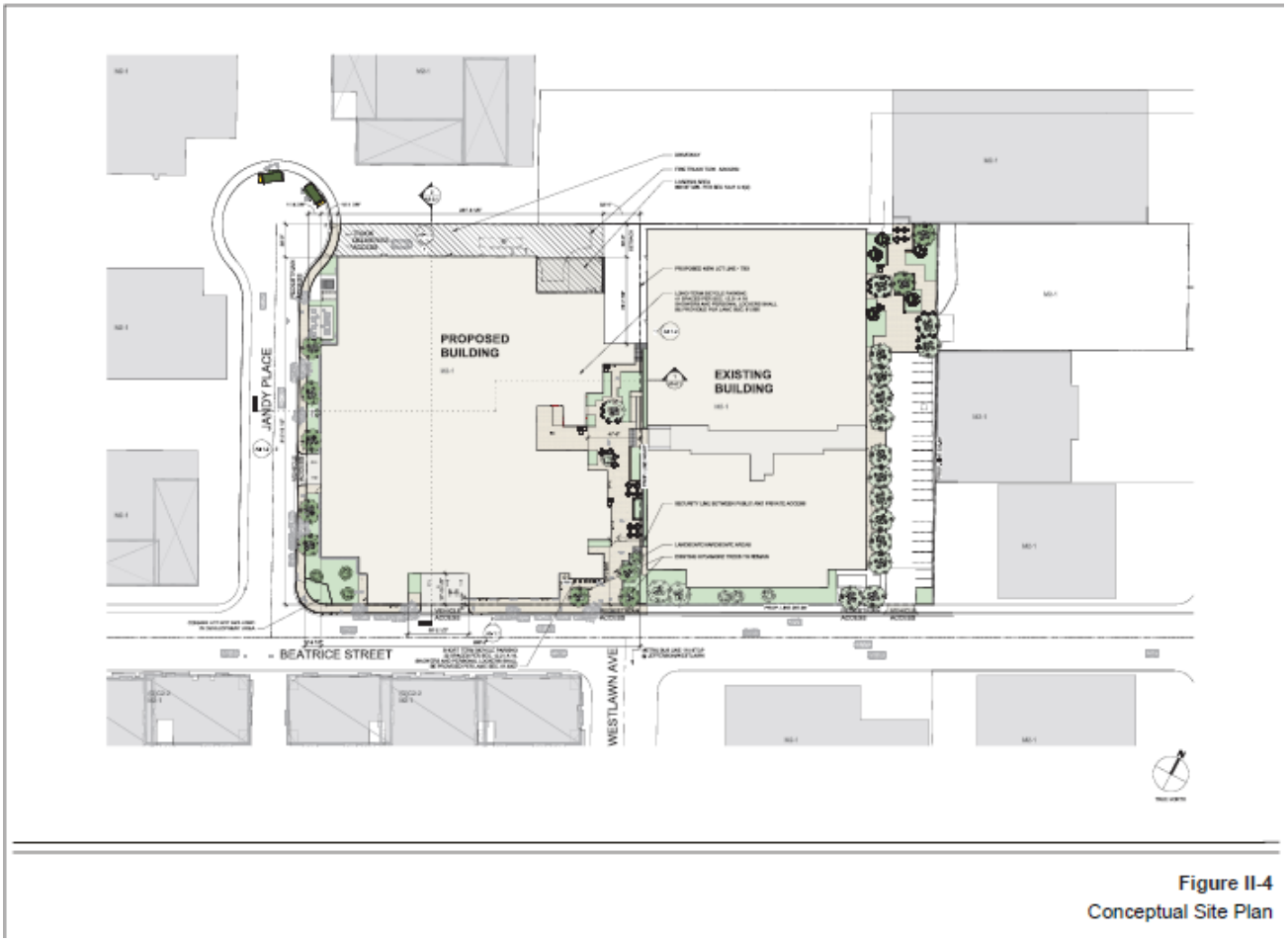

Figure 1: Conceptual Site Plan

The Project Site is currently occupied by a 23,072 square-foot office building and two accessory buildings of 5,044 square feet and 2,144 square feet at the 12575 West Beatrice Street address, and an 87,881 square-foot office building at 12541 West Beatrice Street. The existing 12575 West Beatrice structure will be demolished and the 12541 West Beatrice Street building will be retained.

Figure 2: Project Site Location

The Project Site is located in a commercial office and industrial low- and medium-rise, mixed use neighborhood. The area surrounding the Project site includes office, light industrial, and manufacturing uses along with multi-family and single-family residences.

The Project is anticipated to be constructed over a period of approximately 18 months, with completion anticipated in 2025. Construction activities would include approximately 59,000 cubic yards of soil being exported from the Project Site.

Specific Comments

1. The City's Air Quality Analysis Fails To Include A Quantitative Health Risk Analysis Of The Impacts Of Toxic Air Contaminants From The Construction Phase And Operational Phase Of The Project For The Nearest Sensitive Receptor(s)

The City has failed to conduct a numerical health risk analysis (HRA) for Project. According to the DEIR[1], potential TAC impacts are evaluated by conducting a qualitative analysis consistent with CARB's Air Quality and Land Use Handbook: A Community Health Perspective (CARB's Handbook), which provides recommendations regarding the siting of new sensitive land uses near potential sources of air toxic emissions (*e.g.,* freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities). This guidance is wholly inappropriate for determining the impact of emissions from the construction and operation of the Project Site on the sensitive receptors nearby. Rather this guidance is designed to assist in the siting of new sensitive land uses (e.g., residences, schools, daycare centers, playgrounds, or medical centers) near known emission sources. The proposed Project does not qualify as a sensitive land use.

The DEIR also claims that since the construction schedule is approximately 18 months, the Project would not result in long-term (i.e., 70-year) source of TAC emissions. In the City's analysis it claims that there is no need to evaluated long-term cancer impacts from a relatively short duration of exposure. [2] To support the idea that there is no substantial impact from TACs during the operation of the facility, the City assumes that given the limited number of delivery trucks expected at the Project Site that the Site would not be a substantial source of DPM. All of these assumptions are done without quantifying any of the potential emissions from the Project as required under CEQA. The determination of a significance threshold is based on a ***quantitative risk analysis*** that requires the City to perform a multistep, quantitative health risk analysis.

TACs, including diesel particulate matter (DPM)[3], contribute to a host of respiratory impacts and may lead to the development of various cancers. Failing to quantify those impacts places the community at risk for unwanted adverse health impacts. *Even brief exposures to the TACs could lead to the development of adverse health impacts over the life of an individual*.

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[1] City of Los Angeles. Draft Environmental Impact Report New Beatrice West Project. Dated January 2024. Pg IV.B-47-48.

[2] City of Los Angeles. Draft Environmental Impact Report New Beatrice West Project. Dated January 2024. Pg IV.B-66.

[3] Because DPM is a TAC, it is a different air pollutant than criteria particulate matter (PM) emissions such as PM10, PM2.5, and fugitive dust. DPM exposure causes acute health effects that are different from the effects of exposure to PM alone.

Diesel exhaust contains nearly 40 toxic substances, including TACs and may pose a serious public health risk for residents in the vicinity of the facility. TACs are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. The current California list of TACs includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death.[4,5,6] Fine DPM is deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death.[7] Exposure to DPM increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction.[8] DPM is a TAC that is recognized by state and federal agencies as causing severe health risk because it contains toxic materials, unlike $PM_{2.5}$ and PM_{10}.[9]

The inherent toxicity of the TACs requires the City to first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each

[4] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998; see also California Air Resources Board, Overview: Diesel Exhaust & Health, https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health#:~:text=Diesel%20Particulate%20Matter%20and%20Health&text=In%201998%2C%20CARB%20identified%20DPM,and%20other%20adverse%20health%20effects.

[5] U.S. EPA, Health Assessment Document for Diesel Engine Exhaust, Report EPA/600/8-90/057F, May 2002.

[6] Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005; http://www.edf.org/documents/4941_cleanerdieselhandbook.pdf, accessed July 5, 2020.

[7] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[8] Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998 Meeting.

[9] Health & Safety Code § 39655(a) (defining "toxic air contaminant" as air pollutants "which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the federal act (42 U.S.C. Sec. 7412 (b)) is a toxic air contaminant.")

of the chemicals of concern. Following that analysis, then the City can make a determination of the relative significance of the emissions.

No effort is made in the DEIR to quantify the potential health impacts from DPM generated by construction activities or operational activities from the Project on these sensitive receptors. The City's failure to perform such an analysis is clearly a major flaw in the DEIR and may be placing the residents of the adjacent structures at risk from the construction and operational phases of the Project.

2. The DPM Emissions From The Construction Phase Of The Project Will Result In A Significant Risk To The Sensitive Receptors Nearest The Project Site.

Using the CalEEMOD analysis provided in Appendix C to the DEIR, I have prepared an HRA of the impacts from DPM emissions from construction activities. The closest sensitive receptors to the Project Site are located at 12598-12554 Beatrice Street (directly across from the Project Site). Using the cumulative emissions of DPM listed in Table 2.3 of the Beatrice Street – Construction Onsite Custom Report, dated 10/6/2023, it is evident that construction activities will generate (on the low end) between 0.87 lbs of DPM per day in 2024 and 0.84 lbs of DPM per day in 2025.

Beatrice Street - Construction Onsite Custom Report, 10/6/2023

2025	1.07	1.32	1.40	< 0.005	0.05	0.13	0.18	0.05	0.01	0.06

2.3. Construction Emissions by Year, Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—
2024	2.40	21.6	23.4	0.04	0.94	5.57	6.00	0.87	1.17	2.04
2025	31.2	23.6	25.6	0.04	0.91	2.60	3.51	0.84	0.26	1.10
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—
2024	2.62	23.7	26.7	0.04	1.08	5.34	6.42	0.99	1.17	2.04
2025	2.22	19.6	20.9	0.04	0.77	1.86	2.62	0.70	0.19	0.89

Using the lowest value of 0.84 lbs per day; assuming an area of construction equal to 6,786 square meters (based on Google Earth) for the new construction; limiting the construction activities to 8-hours per day; an emission rate of 1.99 x 10^{-6} grams per second per meter squared is calculated.

Assuming that emissions will be limited to an eight-hour period during weekdays, it is possible to calculate an averaged emissions over the whole construction site. Using AERMOD, the US EPA's

preferred air dispersion model, it is possible to calculate the concentrations of DPM from the construction area at the closest receptors located at 12598-12554 Beatrice Street. AERMOD is an acronym for the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee's Dispersion Model. AERMOD contains the necessary algorithms to model air concentrations from a wide range of emission source types, including stack-based point sources, fugitive area sources, and volume sources. The modeling domain with the building around the Project site are indicated in the figure below. The green area is the source area of DPM from construction of the Project.

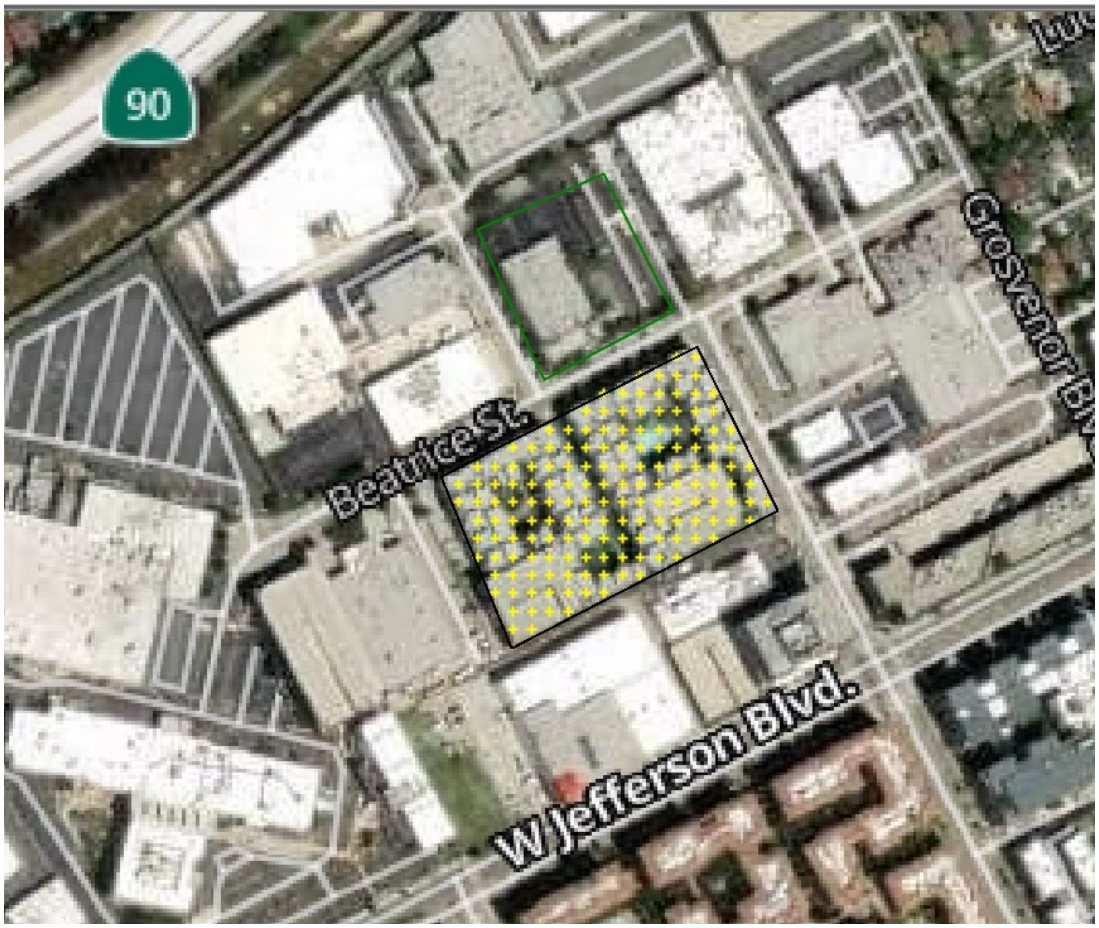


Figure 3: Model Domain

Using the meteorological data from SCAQMD for the Los Angeles International Airport monitoring station (closest met station to the Project site), limiting the emissions to an 8-hour period on weekdays, the concentrations at the 12598-12554 Beatrice Street buildings were calculated and are summarized below.

Table 1: DPM Concentrations Modeled For Construction Phase

Receptor	X	Y	ug/m^3
Maximum 12598-12554 Beatrice Street	369288	3760929.5	1.13
Average 12598-12554 Beatrice Street	-	-	0.418
Minimum 12598-12554 Beatrice Street	-	-	0.187

Figure 4: Model output showing DPM concentrations from 2024 through 2025

Using the OEHHA's Toxic Hot Spot Emissions Guidance, the cancer risk to the most sensitive population, infants less than 3 years old was calculated. The maximum cumulative risk for exposure of infants at the 12598-12554 Beatrice Street buildings during the 1.5 years of construction is 210 in 1,000,000, much greater than the 10 in 1,000,000 threshold outlined by SCAQMD, resulting in a significant impact.

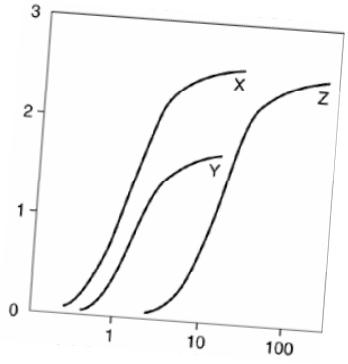
Using the average values of the DPM modeled results in an average risk for exposure of infants at the 12598-12554 Beatrice Street buildings during the 1.5 years of construction is 77.8 in 1,000,000, much greater than the 10 in 1,000,000 threshold outlined by SCAQMD, resulting in a significant impact. The results of the air model and the health risk analysis are attached as an appendix to this letter.

The City must quantify and disclose these significant impacts in a revised DEIR, and incorporate additional mitigation to reduce health risk to less than significant levels.

Conclusion

The facts identified and referenced in this comment letter lead me to reasonably conclude that the Project could result in significant impacts if allowed to proceed. An environmental impact report should be prepared to address these substantial concerns.

Sincerely,



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James J. J. Clark, Ph.D.

Principal Toxicologist

Toxicology/Exposure Assessment Modeling

Risk Assessment/Analysis/Dispersion Modeling

Education:

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

Professional Experience:

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

LITIGATION SUPPORT

Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009

Client: Environmental Litgation Group, Birmingham, Alabama

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Summary judgment for defendants.

Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W

Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.

Client: Rose, Klein, Marias, LLP, Long Beach, California

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Settlement in favor of plaintiff.

Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

Case Result: Settlement in favor of defendant.

Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247

Client: Richard G. Berger Attorney At Law, Buffalo, New York

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

Case Result: Judgement in favor of defendant.

SELECTED AIR MODELING RESEARCH/PROJECTS

Client – Confidential

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

Client – Confidential

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client – City of Santa Monica, Santa Monica, California

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

Client: Omnitrans, San Bernardino, California

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

Client: Confidential, San Francisco, California

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

Client: Confidential, Minneapolis, Minnesota

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

Client – United Kingdom Environmental Agency

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS

Client: Ameren Services, St. Louis, Missouri

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

Client: City of Santa Clarita, Santa Clarita, California

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Immanent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment.*

Client – Confidential, Los Angeles, California

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

PUBLIC HEALTH/TOXICOLOGY

Client: Brayton Purcell, Novato, California

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

Client: Confidential, San Francisco, California

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

Client: Confidential, San Francisco, California

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

Client: Confidential, San Francisco, California

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

Client: Covanta Energy, Westwood, California

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

Client – United Kingdom Environmental Agency

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (M*t*BE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of M*t*BE. The results of the evaluation have been used as a briefing tool for public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of M*t*BE, and is suspected to be the primary cause of M*t*BE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

Client – Confidential, Los Angeles, California

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been were used as a briefing tool for non-public health professionals.

Client – Ministry of Environment, Lands & Parks, British Columbia

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

Client: Confidential, Los Angeles, California

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client: Kaiser Venture Incorporated, Fontana, California

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS

Client: Confidential, Atlanta, Georgia

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

Client: Confidential, Escondido, California

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

Client: Confidential, San Francisco, California

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

Client: Confidential, Bogotá, Columbia

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia The risk assessment was used as the basis for the remedial goals and closure of the site.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

Client: Confidential, Los Angeles, California

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

Client: Confidential, Los Angeles, California

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

Client –Dominguez Energy, Carson, California

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

Kaiser Ventures Incorporated, Fontana, California

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

ANR Freight - Los Angeles, California

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

Kaiser Ventures Incorporated, Fontana, California

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

Unocal Corporation - Los Angeles, California

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

Client: Confidential, Los Angeles, California

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

Client: Confidential, San Francisco, California

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

Client: Confidential, San Francisco, California

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

IT Corporation, North Carolina

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

Professional Associations

American Public Health Association (APHA)
Association for Environmental Health and Sciences (AEHS)
American Chemical Society (ACS)
California Redevelopment Association (CRA)
International Society of Environmental Forensics (ISEF)
Society of Environmental Toxicology and Chemistry (SETAC)

Publications and Presentations:

Books and Book Chapters

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Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equialency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. Organohalogen Compounds, Volume 70 (2008) page 002254.

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Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13th Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.

Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.

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Risk Calculations For Diesel Exhaust

$Risk_{inh\text{-}res} = Dose_{air} * CPF * ASF * ED/AT$

$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$

Variable	Description	Units	Value
$Risk_{inh\text{-}air}$	Residential inhalation cancer risk	Unitless	Calculated
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
CPF	Inhalation cancer potency factor	$(mg/kg\text{-}day)^{-1}$	Chemical Specific
ASF	Age sensitivity factor for a specified age group	Unitless	Calculated
ED	Exposure duration (in years) for a specified age group	years	Calculated
AT	Averaging time for lifetime caner risk	years	70
FAH	Fraction of time spent at home	Unitless	Calculated

Variable	Description	Units	Value
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
C_{air}	Concentration in air	ug/m^3	1.13E+00
{BR/BW}	Daily Breathing rate normalized to body weight	L/kg body weight-day	Calculated
A	Inhalation absorption fraction	Unitless	1
EF	Exposure frequency (days/365 days)	Unitless	Calculated
10^{-6}	migrograms to milligrams conversion, liters to cubic meters conversion	Unitless	Calculated

Residential Exposures

Age Group	Risk	Age Sensitivity	FAH	ED	CPF	Dose Air	Cair	BR/BW	A	EF
3rd Trimester	1.31E-05	10	0.85	0.25	1.1	0.000391166	1.13	361	1	0.958904
0<2	1.97E-04	10	0.85	1.25	1.1	0.001181082	1.13	1090	1	0.958904
2<9	0.00E+00	3	0.72	0	1.1	0	0	861	1	0.958904
2<16	0.00E+00	3	0.72	0	1.1	0	0	745	1	0.958904
16<30	6.25E-06	1	0.73	1.5	1.1	0.000362993	1.13	335	1	0.958904
16-70	0.00E+00	1	0.73	0	1.1	0	0	290	1	0.958904

3rd trimeseter to 2	2.10E-04
3rd trimester to 30	2.17E-04
3rd trimester to 70	**2.10E-04**

Risk Calculations For Diesel Exhaust

$Risk_{inh\text{-}res} = Dose_{air} * CPF * ASF * ED/AT$

$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$

Variable	Description	Units	Value
$Risk_{inh\text{-}air}$	Residential inhalation cancer risk	Unitless	Calculated
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
CPF	Inhalation cancer potency factor	$(mg/kg\text{-}day)^{-1}$	Chemical Specific
ASF	Age sensitivity factor for a specified age group	Unitless	Calculated
ED	Exposure duration (in years) for a specified age group	years	Calculated
AT	Averaging time for lifetime caner risk	years	70
FAH	Fraction of time spent at home	Unitless	Calculated

Variable	Description	Units	Value
$Dose_{air}$	Daily inhalation dose	mg/kg-day	Calculated
C_{air}	Concentration in air	ug/m^3	4.18E-01
{BR/BW}	Daily Breathing rate normalized to body weight	L/kg body weight-day	Calculated
A	Inhalation absorption fraction	Unitless	1
EF	Exposure frequency (days/365 days)	Unitless	Calculated
10^{-6}	migrograms to milligrams conversion, liters to cubic meters conversion	Unitless	Calculated

Residential Exposures

Age Group	Risk	Age Sensitivity	FAH	ED	CPF	Dose Air	Cair	BR/BW	A	EF
3rd Trimester	4.83E-06	10	0.85	0.25	1.1	0.000144697	0.418	361	1	0.958904
0<2	7.29E-05	10	0.85	1.25	1.1	0.000436896	0.418	1090	1	0.958904
2<9	0.00E+00	3	0.72	0	1.1	0	0	861	1	0.958904
2<16	0.00E+00	3	0.72	0	1.1	0	0	745	1	0.958904
16<30	2.31E-06	1	0.73	1.5	1.1	0.000134275	0.418	335	1	0.958904
16-70	0.00E+00	1	0.73	0	1.1	0	0	290	1	0.958904

3rd trimeseter to 2	7.78E-05
3rd trimester to 30	8.01E-05
3rd trimester to 70	**7.78E-05**

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** BREEZE AERMOD
** Trinity Consultants
** VERSION  11.0

CO STARTING
CO TITLEONE  New Beatrice Center
CO TITLETWO  DPM From Construction
CO MODELOPT  DFAULT  CONC  NODRYDPLT  NOWETDPLT
CO RUNORNOT  RUN
CO AVERTIME  ANNUAL
CO POLLUTID  OTHER
CO FINISHED

SO STARTING
SO ELEVUNIT  METERS
SO LOCATION  DTWOU003  AREAPOLY  369178.2  3761000.1  3.66
** SRCDESCR  New Building Construction
SO SRCPARAM  DTWOU003  1.99E-06  5  6  1.4
SO AREAVERT  DTWOU003  369178.2 3761000.1  369247.1 3761030.4  369285.2 3760954.9
369214.4 3760917.5
SO AREAVERT  DTWOU003  369211.5 3760923.4  369178.2 3761000.1
SO SRCGROUP  ALL
SO FINISHED

RE STARTING
RE ELEVUNIT  METERS
RE DISCCART  369198.0  3760779.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369208.0  3760779.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369198.0  3760789.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369208.0  3760789.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369218.0  3760789.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369228.0  3760789.5  4.27  4.27
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** RCPDESCR  closest receptors
RE DISCCART  369198.0  3760799.5  4.27  4.27
** RCPDESCR  closest receptors
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RE DISCCART  369228.0  3760799.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369238.0  3760799.5  4.27  4.27
** RCPDESCR  closest receptors
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RE DISCCART  369278.0  3760869.5  4.27  4.27
** RCPDESCR  closest receptors
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** RCPDESCR  closest receptors
RE DISCCART  369298.0  3760869.5  4.27  4.27
** RCPDESCR  closest receptors
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RE DISCCART  369308.0  3760869.5  4.27  4.27
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** RCPDESCR  closest receptors
RE DISCCART  369238.0  3760889.5  4.27  4.27
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RE DISCCART  369248.0  3760889.5  4.27  4.27
** RCPDESCR  closest receptors
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** RCPDESCR  closest receptors
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** RCPDESCR  closest receptors
RE DISCCART  369278.0  3760889.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369288.0  3760889.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369298.0  3760889.5  4.27  4.27
** RCPDESCR  closest receptors
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RE DISCCART  369308.0  3760889.5  4.27  4.27
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RE DISCCART  369298.0  3760919.5  4.27  4.27
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RE DISCCART  369288.0  3760929.5  4.27  4.27
** RCPDESCR  closest receptors
RE DISCCART  369298.0  3760929.5  4.27  4.27
** RCPDESCR  closest receptors
RE FINISHED

ME STARTING
ME SURFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New
```

```
Beatrice West Project DEIR\KLAX_V9_ADJU\KLAX_v9.SFC"
** SURFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New
Beatrice West Project DEIR\KLAX_V9_ADJU\KLAX_v9.SFC"
ME PROFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New
Beatrice West Project DEIR\KLAX_V9_ADJU\KLAX_v9.PFL"
** PROFFILE  "C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New
Beatrice West Project DEIR\KLAX_V9_ADJU\KLAX_v9.PFL"
ME SURFDATA  23174 2012
ME UAIRDATA  3190 2012
ME PROFBASE  30  METERS
ME FINISHED

OU STARTING
OU FILEFORM  FIX
OU PLOTFILE  ANNUAL  ALL  ALL`ANNUAL.plt  10000
OU FINISHED


  *** Message Summary For AERMOD Model Setup ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            3 Warning Message(s)
 A Total of            0 Informational Message(s)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     356       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used
      0.50
 ME W187     356       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 OU W565     360       PERPLT: Possible Conflict With Dynamically Allocated FUNIT
  PLOTFILE

 ***********************************
 *** SETUP Finishes Successfully ***
 ***********************************

 *** AERMOD - VERSION 22112  ***   ***  New Beatrice Center
                            ***        02/18/24
 *** AERMET - VERSION  16216 ***   ***  DPM From Construction
                             ***       13:46:50

                                       PAGE   1
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
```

```
                                                   ***     MODEL SETUP OPTIONS SUMMARY
  ***
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - -

 ** Model Options Selected:
      * Model Uses Regulatory DEFAULT Options
      * Model Is Setup For Calculation of Average CONCentration Values.
      * NO GAS DEPOSITION Data Provided.
      * NO PARTICLE DEPOSITION Data Provided.
      * Model Uses NO DRY DEPLETION. DDPLETE  =  F
      * Model Uses NO WET DEPLETION. WETDPLT  =  F
      * Stack-tip Downwash.
      * Model Accounts for ELEVated Terrain Effects.
      * Use Calms Processing Routine.
      * Use Missing Data Processing Routine.
      * No Exponential Decay.
      * Model Uses RURAL Dispersion Only.
      * ADJ_U*   - Use ADJ_U* option for SBL in AERMET
      * CCVR_Sub - Meteorological data includes CCVR substitutions
      * TEMP_Sub - Meteorological data includes TEMP substitutions
      * Model Assumes No FLAGPOLE Receptor Heights.
      * The User Specified a Pollutant Type of: OTHER

 **Model Calculates ANNUAL Averages Only

 **This Run Includes:      1 Source(s);       1 Source Group(s); and     160
Receptor(s)

                with:      0 POINT(s), including
                           0 POINTCAP(s) and      0 POINTHOR(s)
                 and:      0 VOLUME source(s)
                 and:      1 AREA type source(s)
                 and:      0 LINE source(s)
                 and:      0 RLINE/RLINEXT source(s)
                 and:      0 OPENPIT source(s)
                 and:      0 BUOYANT LINE source(s) with a total of     0 line(s)
                 and:      0 SWPOINT source(s)


 **Model Set To Continue RUNning After the Setup Testing.

 **The AERMET Input Meteorological Data Version Date:  16216

 **Output Options Selected:
          Model Outputs Tables of ANNUAL Averages by Receptor
          Model Outputs External File(s) of High Values for Plotting (PLOTFILE
Keyword)
```

 **NOTE: The Following Flags May Appear Following CONC Values: c for Calm Hours
                                                                 m for Missing
Hours
                                                                 b for Both Calm
and Missing Hours

 **Misc. Inputs: Base Elev. for Pot. Temp. Profile (m MSL) =   30.00 ; Decay
Coef. =   0.000   ; Rot. Angle =   0.0
                  Emission Units = GRAMS/SEC   ;
Emission Rate Unit Factor =   0.10000E+07
                  Output Units   = MICROGRAMS/M**3

 **Approximate Storage Requirements of Model =   3.5 MB of RAM.

 **Input Runstream File: aermod.inp

 **Output Print File: aermod.out

 *** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

                                                *** AREAPOLY SOURCE DATA ***

               NUMBER EMISSION RATE   LOCATION OF AREA BASE   RELEASE NUMBER
  INIT.   URBAN EMISSION RATE
   SOURCE   PART. (GRAMS/SEC   X   Y   ELEV.   HEIGHT OF VERTS.
   SZ   SOURCE SCALAR VARY
     ID   CATS.   /METER**2)   (METERS) (METERS) (METERS) (METERS)
(METERS)   BY
 -
- -

 DTWOU003   0   0.19900E-05 369178.2 3761000.1   3.7   5.00   6
   1.40   NO

 *** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

*** SOURCE IDs DEFINING SOURCE GROUPS ***

SRCGROUP ID	SOURCE IDs
ALL	DTWOU003 ,

*** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
(METERS)

(369198.0, 3760779.5, 4.3, 4.3, 0.0); (369208.0, 3760779.5, 4.3, 4.3, 0.0);
(369198.0, 3760789.5, 4.3, 4.3, 0.0); (369208.0, 3760789.5, 4.3, 4.3, 0.0);
(369218.0, 3760789.5, 4.3, 4.3, 0.0); (369228.0, 3760789.5, 4.3, 4.3, 0.0);
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(369208.0, 3760799.5, 4.3, 4.3, 0.0); (369218.0, 3760799.5, 4.3, 4.3, 0.0);
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     ( 369278.0, 3760819.5,       4.3,       4.3,       0.0);         ( 369288.0,
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     ( 369198.0, 3760829.5,       4.3,       4.3,       0.0);         ( 369208.0,
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     ( 369238.0, 3760829.5,       4.3,       4.3,       0.0);         ( 369248.0,
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     ( 369258.0, 3760829.5,       4.3,       4.3,       0.0);         ( 369268.0,
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     ( 369278.0, 3760829.5,       4.3,       4.3,       0.0);         ( 369288.0,
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     ( 369198.0, 3760839.5,       4.3,       4.3,       0.0);         ( 369208.0,
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     ( 369218.0, 3760839.5,       4.3,       4.3,       0.0);         ( 369228.0,
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     ( 369238.0, 3760839.5,       4.3,       4.3,       0.0);         ( 369248.0,
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     ( 369278.0, 3760839.5,       4.3,       4.3,       0.0);         ( 369288.0,
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     ( 369298.0, 3760839.5,       4.3,       4.3,       0.0);         ( 369308.0,
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     ( 369168.0, 3760849.5,       4.3,       4.3,       0.0);         ( 369178.0,
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     ( 369208.0, 3760849.5,       4.3,       4.3,       0.0);         ( 369218.0,
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     ( 369268.0, 3760849.5,       4.3,       4.3,       0.0);         ( 369278.0,
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     ( 369308.0, 3760849.5,       4.3,       4.3,       0.0);         ( 369318.0,
3760849.5,       4.3,       4.3,       0.0);
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*** DISCRETE CARTESIAN RECEPTORS ***
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)
(METERS)

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(369308.0, 3760859.5, 4.3, 4.3, 0.0); (369318.0, 3760859.5, 4.3, 4.3, 0.0);
(369328.0, 3760859.5, 4.3, 4.3, 0.0); (369178.0, 3760869.5, 4.3, 4.3, 0.0);
(369188.0, 3760869.5, 4.3, 4.3, 0.0); (369198.0, 3760869.5, 4.3, 4.3, 0.0);
(369208.0, 3760869.5, 4.3, 4.3, 0.0); (369218.0, 3760869.5, 4.3, 4.3, 0.0);
(369228.0, 3760869.5, 4.3, 4.3, 0.0); (369238.0, 3760869.5, 4.3, 4.3, 0.0);
(369248.0, 3760869.5, 4.3, 4.3, 0.0); (369258.0, 3760869.5, 4.3, 4.3, 0.0);
(369268.0, 3760869.5, 4.3, 4.3, 0.0); (369278.0, 3760869.5, 4.3, 4.3, 0.0);
(369288.0, 3760869.5, 4.3, 4.3, 0.0); (369298.0, 3760869.5, 4.3, 4.3, 0.0);
(369308.0, 3760869.5, 4.3, 4.3, 0.0); (369318.0, 3760869.5, 4.3, 4.3, 0.0);
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(369208.0, 3760879.5, 4.3, 4.3, 0.0); (369218.0, 3760879.5, 4.3, 4.3, 0.0);

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     ( 369308.0, 3760879.5,       4.3,       4.3,       0.0);         ( 369318.0,
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 *** AERMOD - VERSION 22112  ***   ***  New Beatrice Center
                           ***        02/18/24
 *** AERMET - VERSION  16216 ***   ***  DPM From Construction
                           ***        13:46:50

                                   PAGE   6
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*
```

*** METEOROLOGICAL DAYS SELECTED FOR PROCESSING ***

(1=YES; 0=NO)

```
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1   1 1 1
1 1 1 1 1 1 1   1 1 1 1 1 1 1 1 1 1
            1 1 1 1 1 1 1 1 1 1   1 1 1 1 1 1
```

NOTE: METEOROLOGICAL DATA ACTUALLY PROCESSED WILL ALSO DEPEND ON WHAT IS INCLUDED IN THE DATA FILE.

*** UPPER BOUND OF FIRST THROUGH FIFTH WIND SPEED CATEGORIES ***

(METERS/SEC)

1.54, 3.09, 5.14, 8.23, 10.80,

*** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

*** UP TO THE FIRST 24 HOURS OF METEOROLOGICAL DATA ***

Surface file: C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New Beatrice W Met Version: 16216
Profile file: C:\Users\jclar\OneDrive\Clark and Associates\Project 242 - ABJC - New Beatrice W
Surface format: FREE

Profile format: FREE

Surface station no.: 23174 Upper air station no.: 3190
Name: UNKNOWN Name: UNKNOWN

Year: 2012 Year: 2012

First 24 hours of scalar data

YR	MO	DY	JDY	HR	H0	U*	W*	DT/DZ	ZICNV	ZIMCH	M-O LEN	Z0	BOWEN	ALBEDO	REF WS	WD	HT	REF TA	HT
12	01	01	1	01	-5.9	0.105	-9.000	-9.000	-999.	82.	17.6	0.10	2.55	1.00	1.35	246.	10.1	282.5	2.0
12	01	01	1	02	-21.8	0.218	-9.000	-9.000	-999.	244.	52.3	0.10	2.55	1.00	2.67	268.	10.1	282.0	2.0
12	01	01	1	03	-10.3	0.139	-9.000	-9.000	-999.	127.	23.6	0.10	2.55	1.00	1.76	311.	10.1	281.4	2.0
12	01	01	1	04	-3.3	0.080	-9.000	-9.000	-999.	55.	14.1	0.10	2.55	1.00	0.97	280.	10.1	282.0	2.0
12	01	01	1	05	-10.9	0.144	-9.000	-9.000	-999.	131.	24.4	0.10	2.55	1.00	1.81	267.	10.1	281.4	2.0
12	01	01	1	06	-20.5	0.205	-9.000	-9.000	-999.	223.	46.3	0.10	2.55	1.00	2.52	283.	10.1	282.5	2.0
12	01	01	1	07	-5.5	0.101	-9.000	-9.000	-999.	83.	16.9	0.10	2.55	1.00	1.30	324.	10.1	281.4	2.0
12	01	01	1	08	-4.3	0.096	-9.000	-9.000	-999.	71.	18.6	0.10	2.55	0.55	1.23	90.	10.1	282.5	2.0
12	01	01	1	09	45.7	0.183	0.378	0.007	43.	188.	-12.2	0.10	2.55	0.32	1.67	106.	10.1	289.2	2.0
12	01	01	1	10	117.3	0.180	0.751	0.007	131.	184.	-4.5	0.10	2.55	0.24	1.42	105.	10.1	293.8	2.0
12	01	01	1	11	168.5	0.173	1.222	0.005	391.	173.	-2.8	0.10	2.55	0.21	1.25	27.	10.1	297.5	2.0
12	01	01	1	12	186.3	0.227	1.521	0.005	680.	260.	-5.7	0.10	2.55	0.20	1.86	63.	10.1	299.2	2.0
12	01	01	1	13	190.2	0.253	1.817	0.005	1136.	306.	-7.7	0.10	2.55	0.20	2.16	300.	10.1	296.4	2.0
12	01	01	1	14	160.2	0.448	1.842	0.005	1405.	720.	-50.6	0.10	2.55	0.21	4.68	276.	10.1	291.4	2.0
12	01	01	1	15	108.6	0.466	1.661	0.005	1520.	764.	-83.9	0.10	2.55	0.24	5.02	270.	10.1	289.9	2.0
12	01	01	1	16	37.3	0.455	1.167	0.005	1543.	737.	-228.8	0.10	2.55	0.33	5.10	270.	10.1	288.1	2.0
12	01	01	1	17	-31.4	0.381	-9.000	-9.000	-999.	569.	159.8	0.10	2.55	0.59	4.54	268.	10.1	287.5	2.0
12	01	01	1	18	-36.0	0.365	-9.000	-9.000	-999.	529.	146.4	0.10	2.55	1.00	4.37	274.	10.1	286.4	2.0
12	01	01	1	19	-29.6	0.301	-9.000	-9.000	-999.	398.	99.5	0.10	2.55	1.00	3.63	271.	10.1	286.4	2.0
12	01	01	1	20	-21.0	0.213	-9.000	-9.000	-999.	239.	49.9	0.10	2.55	1.00	2.61	271.	10.1	286.4	2.0

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 12 01 01   1 21  -10.3  0.140 -9.000 -9.000 -999.  128.     24.0  0.10   2.55
1.00    1.77  281.   10.1  286.4    2.0
 12 01 01   1 22  -22.9  0.230 -9.000 -9.000 -999.  265.     58.3  0.10   2.55
1.00    2.81  270.   10.1  285.9    2.0
 12 01 01   1 23  -37.0  0.374 -9.000 -9.000 -999.  550.    154.2  0.10   2.55
1.00    4.48  272.   10.1  285.9    2.0
 12 01 01   1 24  -24.0  0.243 -9.000 -9.000 -999.  299.     65.0  0.10   2.55
1.00    2.96  274.   10.1  285.9    2.0


 First hour of profile data
 YR MO DY HR HEIGHT F  WDIR    WSPD AMB_TMP sigmaA  sigmaW  sigmaV
 12 01 01 01   10.1 1  246.    1.35   282.6   99.0  -99.00  -99.00

 F indicates top of profile (=1) or below (=0)
 *** AERMOD - VERSION 22112  ***   ***  New Beatrice Center
                            ***        02/18/24
 *** AERMET - VERSION  16216 ***   ***  DPM From Construction
                           ***        13:46:50

                                    PAGE   8
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*

                   *** THE ANNUAL AVERAGE CONCENTRATION    VALUES AVERAGED OVER   5
YEARS FOR SOURCE GROUP: ALL      ***
                                    INCLUDING SOURCE(S):     DTWOU003    ,

                                              *** DISCRETE CARTESIAN RECEPTOR POINTS
***

                                         ** CONC OF OTHER    IN MICROGRAMS/M**3
                    **

       X-COORD (M)   Y-COORD (M)        CONC                       X-COORD (M)
Y-COORD (M)        CONC
 - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
- - - - - - - - - - - - - - - - - - - - - - - - - - - - - -
         369198.00    3760779.50        0.19015                      369208.00
3760779.50        0.18715
         369198.00    3760789.50        0.20831                      369208.00
3760789.50        0.20482
         369218.00    3760789.50        0.20133                      369228.00
3760789.50        0.19793
         369188.00    3760799.50        0.23344                      369198.00
3760799.50        0.22940
         369208.00    3760799.50        0.22531                      369218.00
3760799.50        0.22124
         369228.00    3760799.50        0.21730                      369238.00
3760799.50        0.21356
         369248.00    3760799.50        0.21006                      369188.00
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3760809.50 0.25894
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3760809.50 0.24927
369218.00 3760809.50 0.24447 369228.00
3760809.50 0.23984
369238.00 3760809.50 0.23549 369248.00
3760809.50 0.23141
369258.00 3760809.50 0.22755 369268.00
3760809.50 0.22370
369178.00 3760819.50 0.29476 369188.00
3760819.50 0.28919
369198.00 3760819.50 0.28340 369208.00
3760819.50 0.27756
369218.00 3760819.50 0.27182 369228.00
3760819.50 0.26632
369238.00 3760819.50 0.26118 369248.00
3760819.50 0.25638
369258.00 3760819.50 0.25174 369268.00
3760819.50 0.24702
369278.00 3760819.50 0.24191 369288.00
3760819.50 0.23615
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3760829.50 0.29772
369238.00 3760829.50 0.29157 369248.00
3760829.50 0.28581
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3760829.50 0.27420
369278.00 3760829.50 0.26762 369288.00
3760829.50 0.26013
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3760839.50 0.35208
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3760839.50 0.28755
369298.00 3760839.50 0.27647 369308.00
3760839.50 0.26425
369318.00 3760839.50 0.25111 369328.00

*** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

*** THE ANNUAL AVERAGE CONCENTRATION VALUES AVERAGED OVER 5 YEARS FOR SOURCE GROUP: ALL ***
INCLUDING SOURCE(S): DTWOU003 ,

*** DISCRETE CARTESIAN RECEPTOR POINTS ***

** CONC OF OTHER IN MICROGRAMS/M**3 **

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
369328.00	3760849.50	0.25628	369338.00	3760849.50	0.23976
369168.00	3760859.50	0.51049	369178.00	3760859.50	0.50244
369188.00	3760859.50	0.49124	369198.00	3760859.50	0.47795
369208.00	3760859.50	0.46376	369218.00	3760859.50	0.44981
369228.00	3760859.50	0.43693	369238.00	3760859.50	0.42517
369248.00	3760859.50	0.41371	369258.00		

3760859.50 0.40145
369268.00 3760859.50 0.38766 369278.00
3760859.50 0.37213
369288.00 3760859.50 0.35500 369298.00
3760859.50 0.33655
369308.00 3760859.50 0.31716 369318.00
3760859.50 0.29728
369328.00 3760859.50 0.27742 369178.00
3760869.50 0.58963
369188.00 3760869.50 0.57683 369198.00
3760869.50 0.56015
369208.00 3760869.50 0.54160 369218.00
3760869.50 0.52321
369228.00 3760869.50 0.50639 369238.00
3760869.50 0.49104
369248.00 3760869.50 0.47567 369258.00
3760869.50 0.45880
369268.00 3760869.50 0.43986 369278.00
3760869.50 0.41899
369288.00 3760869.50 0.39664 369298.00
3760869.50 0.37323
369308.00 3760869.50 0.34924 369318.00
3760869.50 0.32519
369328.00 3760869.50 0.30171 369198.00
3760879.50 0.66585
369208.00 3760879.50 0.64092 369218.00
3760879.50 0.61590
369228.00 3760879.50 0.59335 369238.00
3760879.50 0.57266
369248.00 3760879.50 0.55128 369258.00
3760879.50 0.52764
369268.00 3760879.50 0.50172 369278.00
3760879.50 0.47414
369288.00 3760879.50 0.44554 369298.00
3760879.50 0.41638
369308.00 3760879.50 0.38710 369318.00
3760879.50 0.35835
369218.00 3760889.50 0.73337 369228.00
3760889.50 0.70223
369238.00 3760889.50 0.67341 369248.00
3760889.50 0.64303
369258.00 3760889.50 0.61027 369268.00
3760889.50 0.57590
369278.00 3760889.50 0.54071 369288.00
3760889.50 0.50515
369298.00 3760889.50 0.46950 369308.00
3760889.50 0.43418
369318.00 3760889.50 0.40003 369238.00
3760899.50 0.79484
369248.00 3760899.50 0.75329 369258.00

3760899.50   0.71121
         369268.00   3760899.50   0.66878   369278.00
3760899.50   0.62602
         369288.00   3760899.50   0.58295   369298.00
3760899.50   0.53968
         369308.00   3760899.50   0.49690   369248.00
3760909.50   0.89085
         369258.00   3760909.50   0.84538   369268.00
3760909.50   0.79730
         369278.00   3760909.50   0.74665   369288.00
3760909.50   0.69398
         369298.00   3760909.50   0.63998   369308.00
3760909.50   0.58641
         369268.00   3760919.50   0.99798   369278.00
3760919.50   0.93354
         369288.00   3760919.50   0.86403   369298.00
3760919.50   0.79156
         369288.00   3760929.50   1.12822   369298.00
3760929.50   1.02352

 *** MODELOPTs: RegDFAULT CONC ELEV NODRYDPLT NOWETDPLT RURAL ADJ_U*

                                   *** THE SUMMARY OF MAXIMUM ANNUAL RESULTS
AVERAGED OVER   5 YEARS ***

                                    ** CONC OF OTHER   IN MICROGRAMS/M**3
                **

                        NETWORK
GROUP ID   AVERAGE CONC   RECEPTOR (XR, YR,
ZELEV, ZHILL, ZFLAG) OF TYPE GRID-ID
- -
- - - - - - - - - - - - - - - - - -

ALL   1ST HIGHEST VALUE IS   1.12822 AT (369288.00, 3760929.50,
4.27,   4.27,   0.00) DC
          2ND HIGHEST VALUE IS   1.02352 AT (369298.00, 3760929.50,
4.27,   4.27,   0.00) DC
          3RD HIGHEST VALUE IS   0.99798 AT (369268.00, 3760919.50,
4.27,   4.27,   0.00) DC
          4TH HIGHEST VALUE IS   0.93354 AT (369278.00, 3760919.50,
4.27,   4.27,   0.00) DC
          5TH HIGHEST VALUE IS   0.89085 AT (369248.00, 3760909.50,

```
4.27,     4.27,    0.00)  DC
          6TH HIGHEST VALUE IS       0.86403 AT (  369288.00,  3760919.50,
4.27,     4.27,    0.00)  DC
          7TH HIGHEST VALUE IS       0.84538 AT (  369258.00,  3760909.50,
4.27,     4.27,    0.00)  DC
          8TH HIGHEST VALUE IS       0.79730 AT (  369268.00,  3760909.50,
4.27,     4.27,    0.00)  DC
          9TH HIGHEST VALUE IS       0.79484 AT (  369238.00,  3760899.50,
4.27,     4.27,    0.00)  DC
         10TH HIGHEST VALUE IS       0.79156 AT (  369298.00,  3760919.50,
4.27,     4.27,    0.00)  DC


 *** RECEPTOR TYPES:  GC = GRIDCART
                      GP = GRIDPOLR
                      DC = DISCCART
                      DP = DISCPOLR
 *** AERMOD - VERSION 22112  ***   ***  New Beatrice Center
                         ***        02/18/24
 *** AERMET - VERSION  16216 ***   ***  DPM From Construction
                       ***        13:46:50

                                  PAGE  11
 *** MODELOPTs:    RegDFAULT  CONC  ELEV  NODRYDPLT  NOWETDPLT  RURAL  ADJ_U*

 *** Message Summary : AERMOD Model Execution ***

  --------- Summary of Total Messages --------

 A Total of            0 Fatal Error Message(s)
 A Total of            3 Warning Message(s)
 A Total of          718 Informational Message(s)

 A Total of        43848 Hours Were Processed

 A Total of          458 Calm Hours Identified

 A Total of          260 Missing Hours Identified (  0.59 Percent)


    ******** FATAL ERROR MESSAGES ********
               ***  NONE  ***


    ********   WARNING MESSAGES   ********
 ME W186     356       MEOPEN: THRESH_1MIN 1-min ASOS wind speed threshold used
      0.50
 ME W187     356       MEOPEN: ADJ_U* Option for Stable Low Winds used in AERMET

 OU W565     360       PERPLT: Possible Conflict With Dynamically Allocated FUNIT
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PLOTFILE

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  ***********************************
  *** AERMOD Finishes Successfully ***
  ***********************************
```

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Via Email

January 30, 2024

Bob Babajian, Planning Assistant
City of Los Angeles Planning Department
City of Los Angeles
221 N. Figueroa St. Suite 1350
Los Angeles, CA 90012
Bob.babajian@lacity.org

Re: Comment on Draft Environmental Impact Report, New Beatrice West Project (SCH #2020120119, ENV-2020-3533-EIR)

Dear Mr. Babajian:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for the New Beatrice West Project (SCH #2020120119, ENV-2020-3533-EIR), which proposes the construction of a new, eight-story office building with up to 196,100 square feet of office space, and 3,400 square feet of ground floor commercial space, and a five-level parking structure located at 12531-125553 West Beatrice Street, 12565-12575 West Beatrice Street, and 5410-5454 South Jandy Place in the City of Los Angeles. ("Project").

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Planning Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist*., 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

Richard Drury
Lozeau Drury LLP

Carole & Paul Suzuki
12462 Beatrice Street
Los Angeles CA 90066
(pcsuzuki@yahoo.com)
-And other neighbors identified below-

Bob Babjian
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles CA 90012
Bob.Babajian@lacity.org

Re: New Beatrice West Project ENV-2020-3533-EIR

Dear Mr. Babjian,

Thank you for the outreach to our neighborhood relating to the New Beatrice West Project, which is just up the street from our homes. The draft EIR indicates that the ultimate project will include 811 new parking spaces and approximately 3000 additional daily vehicle trips in the area of the project.

Several neighbors (identified below) in the unincorporated County neighborhood approximately 1/2 block to the east of the project location are joining with me in requesting that the intersection of Grosvenor and Beatrice be controlled with a three way stop sign, similarly to the intersection of Beatrice and Westlawn, also near the project location. At this time, there is no stop sign for cars traveling in the north/south direction on Grosvenor. This is a current concern for our neighborhood given existing traffic; and with additional traffic resulting from this project, the problem will only worsen.

Our neighborhood has no sidewalks; and there is no sidewalk on the east side of Grosvenor. If we walk around the block, then we have to either cross Grosvenor to the sidewalk on the west side of the street, or we walk in Grosvenor - in the street. People from all over the neighborhood walk along, and in, Grosvenor. This includes kids on bicycles; people walking dogs and people just walking for better health.

We are concerned about the speed reached by typical traffic on Grosvenor. The EIR notes that the speed limit on Grosvenor is 25 miles per hour, however cars travel well in excess of that speed on a daily basis. A three way stop sign (and posting of a speed limit sign) would help to reduce the speed for vehicles traveling north/south on

Grosvenor. These measures would lessen the hazard not only to pedestrians but also to cars turning onto Grosvenor from Beatrice.

We are therefore asking for a three way sign to be posted at the intersection of Grosvenor and Beatrice. We are also copying the offices of Supervisor Holly Mitchell as our neighborhood is within the unincorporated County and Grosvenor straddles both the City and the unincorporated County. Please advise if you need any further information from our neighborhood about this request. Thanks much for your attention to this concern.

Sincerely,

Carole & Paul Suzuki - 12462 Beatrice Street Carole Suzuki

Steve Berry - 12446 Beatrice Street
Christina & Drew Morgan - 12466 Beatrice Street

Sunhee Joo - 12471 Beatrice Street

Robert Ishida - 12433 Aneta Street

Theresa Kelly - 12425 Beatrice Street

Mickey Shockley - 12460 Lucile Street

Louis and Joyce Gottlieb - 12445 Beatrice Street

Ryan and Rachael Churchill - 12413 Beatrice Street

Cary and Amanda Gries - 12461 Beatrice Street

Charlie Camacho - 12474 Beatrice Street

Teresa Walters - 12467 Beatrice Street

Cc: Supervisor Holly Mitchell - (HollyJMitchell@bos.lacounty.gov)