



3003 Runyon Canyon Project

Environmental Case: ENV-2016-4180-EIR
State Clearinghouse No.: 2018041016

Project Location: 3003 Runyon Canyon Road, Los Angeles, California, 90046

Community Plan Area: Hollywood

Council District: 4—Raman

Project Description: The irregular shaped Site is located within the Runyon Canyon Park area of the City and is approximately 0.5 miles south of Mulholland Drive in the Hollywood Hills. In particular, the Project Site is just west of US Highway 101 and the Hollywood Bowl landmark. The total area that composes the Project Site is approximately 197,435 square feet (approximately 4.5 acres). The Project Site is almost entirely vacant with the exception of an existing single-family residence known as the Headley/Handley House. The Headley/Handley House was designated a Los Angeles Historic-Cultural Monument (HCM) #563 on July 14, 1992; therefore, the Headley/Handley House is a “historical resource” pursuant to CEQA and subject to the provisions of the City of Los Angeles Historic Preservation Ordinance.

The Project proposes the construction of a multi-level, single-family residential structure along the western side of a modified prominent ridge on the Project Site. The proposed building would include a basement, first floor area, and second floor area totaling approximately 6,982 square feet in size not including the basement, which is excluded by the Department of Building and Safety. The proposed building would also include approximately 2,475 square feet of mechanical/electrical area, and approximately 7,769 square feet of covered patio area. There would also be an attached four-car garage. The existing historical structure would remain intact and is located on the opposing eastern facing side of the modified prominent ridge. As part of the Project, the existing structure would be reclassified as Accessory Living Quarters. Vehicular access to the Project would be provided via a driveway along North Runyon Canyon Road.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

CAJA Environmental Services, LLC

APPLICANT:

Manuel Valencia

March 2022

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1. Introduction

1. Purpose

The City of Los Angeles (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared the Final Environmental Impact Report (Final EIR) for the proposed 3003 Runyon Canyon Project (Project). This document, in conjunction with the Draft Environmental Impact Report (Draft EIR), comprises the Final EIR.

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

2. Organization of the Final EIR

Pursuant to Section 15132 of the CEQA Guidelines, this document includes the following sections, which combined with the Draft EIR, constitutes the Final EIR for the Project:

Section 1. Introduction: This section provides an introduction to the Final EIR, describes the purpose of the Final EIR, presents the contents of the Final EIR, provides a summary of the Project, provides an overview of the CEQA process, and the list of persons and agencies that submitted comments on the Draft EIR.

Section 2. Responses to Comments: This section includes responses to each of the significant environmental points raised in the comments submitted.

Section 3. Revisions, Clarifications, and Corrections to the Draft EIR: This section provides corrections and additions to the Draft EIR, based on and in response to comments received.

Section 4. Mitigation and Monitoring Program: This section includes all of the Mitigation Measures that have been identified to reduce or avoid the Project's environmental impacts. This section also notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

Appendices: The appendices to this document include copies of all the comments received on the Draft EIR and additional information cited to support the responses to comments.

3. Project Summary

The Project, located at 3003 North Runyon Canyon Road within the Runyon Canyon Park area of Los Angeles, proposes the construction of a multi-level, single-family residential structure along the western side of a modified¹ prominent ridge on the Project Site. The proposed building would include a basement, first floor area, and second floor area totaling approximately 6,982 square feet in size not including the basement, which is excluded by the Department of Building and Safety.² The proposed building would also include approximately 2,475 square feet of mechanical/electrical area, and approximately 7,769 square feet of covered patio area. There would also be an attached four-car garage. The existing historical structure (the Headley/Handley House) would remain intact and is located on the opposing eastern facing side of the modified prominent ridge. As part of the Project, the Headley/Handley House would be reclassified as Accessory Living Quarters. There is an existing pool and patio area associated with the existing structure, which would remain as part of the Project. In addition, a new pool would be constructed adjacent to the proposed residence, and the Project would also include an outdoor direct vent gas (propane) operated fireplace that would be enclosed with glass. The new building would become the primary residence on the Project Site and the historic residence would act as a guest house for the owner. Finally, the Project would include the construction of three retaining walls (designed for slopes with a ratio of 1.5:1), which would be constructed along the hillside at the mid-point of the northwest portion of the parcel. The height of the retaining walls would be a maximum of 10 feet, and the height would be lower than the current driveway along the northwest portion of the Project Site.³

In order to implement the Project, the Project Applicant is requesting approval of the following discretionary actions from the City:

1. Specific Plan Exception (SPE) to allow construction of a new Single-Family Dwelling to be located within 50 feet of a prominent ridge as specified in the Mulholland Scenic Parkway Specific Plan;
2. Mulholland Specific Plan Project Permit Compliance (SPP) for the Mulholland Scenic Parkway Specific Plan (MSP);
3. Zoning Administrator Determination (ZAD) to allow three (3) retaining walls instead of two (2) retaining walls of up to ten (10) feet in height;

¹ *The original ridgeline was significantly modified by the architect of the Headley/Handley house in the 1930s/1940s; as a result, the current ridgeline has been modified significantly from its original state.*

² *Including the basement, the total square footage of the proposed residence would be approximately 11,860 square feet. However, as discussed above, the Department of Building and Safety excludes the basement from the square footage calculation.*

³ *If the Department of Building and Safety requires slopes with a ratio of 2.0:1 (i.e., less steep), only two retaining walls would be required and the third retaining wall near the driveway would be eliminated.*

4. Zoning Administrator Determination (ZAD) to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be relocated on-site with no net export) so no haul route is required;
5. Certification of an Environmental Impact Report;
6. Haul route approval, if required, only if the Zoning Administrator's Determination to allow additional grading on-site is denied; and
7. Other discretionary and ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary street closure permits, grading permits, excavation permits, foundation permits, and building permits.

4. Overview of the CEQA Public Review Process for the Draft EIR

In compliance with the State CEQA Guidelines, the City, as Lead Agency for the Project, has provided opportunities for the public to participate in the environmental review process. As described below, throughout the environmental review process, an effort was made to inform, contact, and solicit input from the public and various Federal, State, regional, and local government agencies and other interested parties on the Project.

(a) Initial Study/Notice of Preparation/Scoping Meeting

At the onset of the environmental review process and pursuant to the provisions of 15082 of the State CEQA Guidelines, the City circulated a Notice of Preparation (NOP) on April 3, 2018, for a 30-day review period, ending on May 3, 2018. The purpose of the NOP was to give notification and formally convey that the City was preparing a Draft EIR for the Project, and to obtain comments regarding the scope and content of the environmental information to be included in the Draft EIR. The Initial Study and NOP are included as Appendix A and Appendix B, respectively, to the Draft EIR.

A public scoping meeting was held on April 17, 2018, at the Women's Club of Hollywood, 1749 N. La Brea Avenue, Los Angeles, CA 90046, from 5:00 PM to 7:00 PM, to provide interested individuals, groups, and public agencies the opportunity to view materials, ask questions, and provide written comments about environmental issues that should be evaluated in this Draft EIR.

Public comments received during the NOP circulation period and at the scoping meeting are provided in Appendix C, NOP and Scoping Comments, to the Draft EIR.

(b) Draft Environmental Impact Report

Following the circulation of the NOP, the City, serving as the Lead Agency, prepared technical studies and a Draft EIR to identify and evaluate the potential effects of the Project, indicate whether

any significant effects could be mitigated or avoided, and analyze potentially feasible alternatives to the Project.

In accordance with the provisions of Sections 15085(a) and 15087(a)(1) of the State CEQA Guidelines, the City: (1) published a Notice of Completion and Availability (NOA) of the Draft EIR in the Los Angeles Times and posted the notice with the Los Angeles City Clerk, indicating that the Draft EIR was available for review at the City's Department of City Planning (221 N. Figueroa Street, Suite 1350, Los Angeles, CA 90012); (2) provided copies of the NOA and Draft EIR to the Central Library and the John C. Fremont Branch Library; (3) posted the NOA and Draft EIR on the Department of City Planning's website (<http://planning.lacity.org>); (4) prepared and transmitted a Notice of Completion (NOC) as well as CD copies of the Draft EIR to the State Clearinghouse, Governor's office of Planning and Research for distribution to State Agencies; (5) sent a NOA to all property owners and occupants within 500 feet of the Project Site; and (6) sent a NOA to the last known names and addresses of all organizations and individuals who previously requested such notice in writing or attended public meetings about the Project. The Draft EIR was circulated for a 45-day public review and comment period, which commenced on August 22, 2019, and ended on October 7, 2019.

During the Draft EIR public review period, the City Planning Department received comment letters on the Draft EIR from agencies, organizations, and individuals through written correspondence and emails. Comments received during and after the public review period are presented and responded to in Section 2, Responses to Comments, of this Final EIR. The Draft EIR and this Final EIR will be submitted to the City decision makers for certification in connection with action on the Project.

5. Review and Certification of the Final EIR

Following the close of the Draft EIR public review and comment period, the City prepared a Final EIR, which includes responses to comments received on the Draft EIR, revisions to the Draft EIR, and a Mitigation Monitoring Program (MMP). Consistent with State law (Public Resources Code 21092.5), responses to agency comments will be provided to each commenting agency at least 10 days prior to the City certifying the Project EIR.

The Final EIR is available for public review at the following locations:

- Erin Strelch
City of Los Angeles, Department of City Planning
221 N. Figueroa Street, Suite 1350
Los Angeles, California 90012
Email: erin.strelch@lacity.org
- Los Angeles Central Library
630 West Fifth Street, Los Angeles, CA 90071

- John C. Fremont Branch Library
6121 Melrose Avenue, Los Angeles, CA 90038

The Final EIR is also available online at <https://planning.lacity.org/development-services/eir>

6. List of Commenters on the Draft EIR

The City of Los Angeles received a total of 36 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and distinct comments within each comment letter are also numbered. Comment letters from public agencies, businesses, and organizations are denoted with the prefix “A”, while comment letters from private individuals are denoted with the prefix “B”. Each comment letter has been divided into individual comments, which are numbered “1-1”, “2-1”, “3-1”, etc., with the first number indicating the comment letter number and the second number indicating the individual comment number within that letter.

The agencies, organizations and persons listed below provided written comments on the Draft EIR to the City of Los Angeles either during or shortly following the close of the formal public review period, which was from August 22, 2019 to October 7, 2019. Copies of the comments are included in Appendix A to this Final EIR.

(a) Public Agencies, Businesses, and Organizations

- A1. California Department of Transportation
- A2. Wastewater Engineering Services Division, LA Sanitation and Environment
- A3. Santa Monica Mountains Conservancy
- A4. The Federation of Hillside and Canyon Associations, Inc.
- A5. Upper Nichols Canyon Neighborhood Association
- A6. Hollywood Hills West Neighborhood Council
- A7. Bel Air-Beverly Crest Neighborhood Council
- A8. Hollywood Heritage, Inc.

(b) Private Individuals

- B1. Jamie T. Hall
- B2. John Tanner
- B3. Stacy Sillins and Elio Lupi
- B4. Michael Konik
- B5. Adam Raspler
- B6. Gwen C. Uman, Ph.D.
- B7. Curt Eddy and Jacqueline Reich
- B8. Kara Walters and Zane Lowe

- B9. Thomas Lavin
- B10. Mary Robinson
- B11. Fiona Heyes
- B12. Brad Willis
- B13. Gail Reynolds Natzler
- B14. Ellen Guylas
- B15. Toni Maier
- B16. Toni Maier
- B17. Linda Feferman
- B18. Verna Cornelius
- B19. Richard Kaufman
- B20. Alex Hardcastle
- B21. Merrin Dungey Drake
- B22. Bob Tzudiker
- B23. Alex Kakoyiannis
- B24. Lee Rose
- B25. Anastasia Mann
- B26. Jacquelin Sonderling
- B27. Thomas Watson
- B28. Holly Han

2. Responses to Comments

INTRODUCTION

Sections 21091(d) and 21092.5 of the Public Resources Code (PRC) and CEQA Guidelines Section 15088 govern the lead agency's responses to comments on a Draft EIR. Section 15088(a) of the CEQA Guidelines states that "[T]he lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments." In accordance with these requirements, this Section of this Final EIR provides responses to each of the written comments on the Draft EIR received during the public comment period.

Section 2, Responses to Comments, presents comments submitted during the public comment period for the Draft EIR from State, regional, and local government agencies, as well as from individuals and organizations. The City of Los Angeles received a total of 36 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and distinct comments within each comment letter are also numbered. Comment letters from public agencies, businesses, and organizations are denoted with the prefix "A", while comment letters from private individuals are denoted with the prefix "B". Each comment letter has been divided into individual comments, which are numbered "1-1", "2-1", "3-1", etc., with the first number indicating the comment letter number and the second number indicating the individual comment number within that letter. Table 2-1, below, provides a matrix of the environmental issues raised by each commenter regarding the Draft EIR.

As required by the CEQA Guidelines, Section 15088(c), the focus of the responses to comments is on the "disposition of significant environmental issues raised." Therefore, detailed responses are not provided to comments that do not relate to environmental issues.

Note that there may be spelling and/or grammar errors in the Comment Letters. These are replicated here exactly as they were delivered to the City.

Table 2-1
Matrix of Issues Raised in Comments Received on Draft EIR

Letter No.	Commenter Name/Agency	Project Description	Project Alternatives	Aesthetics	Air Quality	Biological Resources	Cultural/Tribal Resources	Energy	Geology and Soils	Hazards and Hazardous Materials	Hydrology and Water Quality	Land Use and Planning	Noise	Public Services	Transportation and Traffic	Utilities and Service Systems	Wildfire	Other
Public Agencies, Businesses, and Organizations																		
A1	Caltrans										X				X			
A2	LA Sanitation															X		
A3	Santa Monica Mountains Conservancy	X	X	X		X	X				X	X		X	X	X	X	X
A4	Federation of Hillside and Canyon Associations	X	X	X	X	X	X						X	X	X		X	X
A5	Upper Nichols Canyon Neighborhood Assn.	X				X	X							X				X
A6	Hollywood Hills West Neighborhood Council	X	X	X		X	X					X						X
A7	Bel Air-Beverly Crest Neighborhood Council													X				X
A8	Hollywood Heritage						X											
Private Individuals																		
B1	Jamie Hall	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X
B2	John Tanner			X														X
B3	Stacy Sillins and Elio Lupo	X				X												X
B4	Michael Konik																	X
B5	Adam Raspler					X							X		X			X
B6	Gwen Uman					X			X					X		X		X
B7	Curt Eddy and Jacqueline Reich					X								X				X
B8	Kara Walters and Zane Lowe			X														X
B9	Thomas Lavin					X								X				X
B10	Mary Robinson	X		X		X								X				X
B11	Fiona Heyes					X								X				X
B12	Brad Willis																	X
B13	Gail Reynolds Natzler					X								X				X
B14	Ellen Guylas					X								X				X
B15	Toni Maier					X									X			X
B16	Toni Maier (2)																	X
B17	Linda Feferman					X												X
B18	Verna Cornelius																	X
B19	Richard Kaufman					X												X

B20	Alex Hardcastle				X													X
B21	Merrin Dungey Drake				X													X
B22	Bob Tzudiker	X		X	X	X								X				
B23	Alex Kakoyiannis																	X
B24	Lee Rose																	X
B25	Anastasia Mann	X			X								X	X	X	X	X	X
B26	Jacquelin Sonderling	X			X			X		X		X		X				X
B27	Thomas Watson				X													X
B28	Holly Han				X								X					X
Table by CAJA Environmental Services, 2021.																		

LETTER NO. A1

Miya Edmonson
Department of Transportation
District 7 – Office of Regional Planning
100 S. Main Street, MS 16
Los Angeles, CA 90012

Comment No. A1-1

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced DEIR. The proposed project would involve the construction of a multilevel, single-family residential structure, totaling 11,284 square feet, along the western side of a modified prominent ridge within the Runyon Canyon Park area of the City of Los Angeles. The City of Los Angeles is the Lead Agency under the California Environmental Quality Act (CEQA).

The nearest State facility to the proposed project is the US-101. From reviewing the DEIR, Caltrans does not expect project approval to result in a direct adverse impact to the existing State transportation facilities.

Response to Comment No. A1-1

The comment re-states information about the Project and also states that Caltrans does not expect the Project to adversely impact existing State transportation facilities. This comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A1-2

However, please submit the Construction Traffic Management Plan detailing any delays on state facilities from construction trips for Caltrans' review. Any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We support the decision to limit large size truck trips to off-peak commute periods.

Response to Comment No. A1-2

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A1-3

As a reminder, storm water run-off is a sensitive issue for Los Angeles County. Please be mindful that the project needs to be designed to discharge clean run-off water.

If you have any questions about these comments, please contact Emily Gibson, the project coordinator, at Emily.Gibson@dot.ca.gov, and refer to GTS # 07-LA-2018-02783.

Response to Comment No. A1-3

The comment states the importance of complying with storm water management regulations, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. The Project will comply with all permit requirements and procedures regarding storm water runoff. Further, as stated on pages IV.I-14 and IV.I-15 of the Draft EIR (in Section IV.I, Hydrology and Water Quality), the Project would comply with the City's Low Impact Development (LID) Ordinance, the Storm Water Pollution Prevention Program (SWPPP), the National Pollutant Discharge Elimination System (NPDES) program, and the Standard Urban Stormwater Mitigation Plan (SUSMP), all of which would reduce the introduction of contaminants to storm water runoff during Project construction and operation to the maximum extent practicable.

LETTER NO. A2

Ali Poosti
Wastewater Engineering Services Division
LA Sanitation and Environment

Comment No. A2-1

This is in response to your August 22, 2019 Notice of Completion and Availability of Draft Environmental Impact Report for the proposed residential project located at 3003 Runyon Canyon, Los Angeles, CA 90046. LA Sanitation, Wastewater Engineering Services Division has received and logged the notification. Upon review, it has been determined 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 Christopher DeMonbrun at (323) 342-1567 or email at chris.demonbrun@lacity.org

Response to Comment No. A2-1

The comment states that the Wastewater Engineering Services Division of the Bureau of Sanitation has determined that the Project does not require any additional hydraulic analysis. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. A3

Pete Cooke
Site Mitigation and Restoration Program, Chatsworth Office
9211 Oakdale Avenue
Chatsworth, CA 91311

Comment No. A3-1

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Draft Environmental Impact Report (DEIR) for the proposed 3003 Runyon Canyon Project located on a prominent ridgeline half a mile interior to Runyon Canyon Park. The Conservancy is the principal State planning agency in the Santa Monica Mountains Zone.

Runyon Canyon Park is a significant and heavily used open space recreation area in the City of Los Angeles and the Santa Monica Mountains National Recreation Area. The current applicant has acquired property and elected to seek entitlements on a property surrounded with regionally significant public resources and values and located within the Mulholland Scenic Parkway. The City should not grant a single discretionary action unless the proposed project meets every test of minimizing harm to public resources and maximizing the full retention of such values.

Response to Comment No. A3-1

The comment provides information about the commenter and also provides the commenter's opinion about whether discretionary requests should be granted, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A3-2

Runyon Canyon Park combined with the Mountains Recreation and Conservation Authority's Trebek Open Space is the most easterly core habitat block in the Santa Monica Mountains west of the Cahuenga Pass. The DEIR is deficient for not addressing the importance of this core habitat block to the sustainability of medium and large-sized mammals in the range both between the 101 and 405 freeways but also east of the 101 freeway in Griffith Park and subsequently within the Los Angeles River and the North East Los Angeles hilltop areas.

Response to Comment No. A3-2

The comment erroneously states the Draft EIR did not account for the significance of the vicinity to wildlife movement and implies the Draft EIR did not provide an analysis of the effect of the Project on movement of medium- and large-sized animals in the vicinity. As discussed on pages IV.C-14 and -22 and Appendix E-2 of the Draft EIR, the analysis considered a wildlife movement

study, which was conducted for the Project Site by Cooper Ecological Monitoring in 2017⁴, and provided the following background from the report, which is pertinent to the comment:

The eastern Santa Monica Mountains are generally considered to lie between Sepulveda Pass in the west and Cahuenga Pass in the east. They represent the most highly-constricted portion of the Santa Monica range, which extends from Pt. Mugu in the west to Griffith Park and the Los Angeles River in the east. In response to a decade of development of small patches of open space that has constricted this corridor even further, on April 23, 2014, Los Angeles City Councilman Paul Koretz proposed a motion (#14-0518), to:

- *Issue any building or grading permits only once a project applicant ensures that they will “permanently accommodate wildlife habitat connectivity as part of their development projects”;*
- *Require easements and deed restrictions in perpetuity to project wildlife habitat connectivity;*
- *Formally designate the area as a “Regional Wildlife Habitat Linkage Zone” in the Municipal Code; and*
- *Require that each new building project undergo a “habitat connectivity and wildlife permeability review within areas of concern.”*

Consistent with Councilmember Koretz’ motion, the Draft EIR considered the study to address effects on wildlife movement.

As stated on pages IV.C-14 and -22 of the Draft EIR, the study determined that mule deer use the Project Site for foraging. However, because the Project Site is located adjacent to and is surrounded by open space, development on an already developed residential property would not substantially affect wildlife movement. Consequently, development of the Project was determined not to result in a significant impact to wildlife movement, including any inconsistencies with Motion #14-0518. As discussed in the Draft EIR, the proposed development, which occupies roughly the same footprint as an existing occupied structure and landscaped area of the property, is unlikely to result in any permanent negative impact to wildlife using the site. Currently, mule deer appear to be moving up onto the site to forage on ornamental vegetation from the surrounding fire road at the base of the ridge where the house is situated. There is nothing in the proposed new house plan that would appear to block this from continuing, provided the fence height is not raised. The fire road that winds around the base of the ridgetop to the south would continue to be open, so

⁴ *Cooper Ecological Monitoring. April 12, 2017. Habitat Connectivity and Wildlife Permeability Assessment APN 557-202-4006 3003 N. Runyon Canyon Rd. Los Angeles, CA 90046. Included as Appendix B to this Final EIR.*

mule deer and other species would continue to be able to move around the site to reach drainages east and west of the property.

As such, Section IV.C, Biological Resources, and Appendix E-2 of the Draft EIR addressed, through reference to the Cooper Ecological Monitoring Report (which is included in full in Appendix B of this Final EIR), the potential for wildlife movement through the Site within the Runyon Canyon environs and found no significant impact. It is also important to note that the Project does not propose changes to the existing fencing; therefore, the existing condition regarding access by mule deer to and through the Project Site would continue, resulting in no significant impact.

Additionally, the Project Site is not situated in a “natural” movement path for animals, even though mule deer are attracted to the Site to forage on ornamental vegetation. The southern limits of the Project Site, bounded by Runyon Canyon Road, includes a steep scarp that is nearly 90-degrees, making movement at this location highly restricted, if not impossible. Thus, animals approaching the Site from the south would move to the east or west within Runyon Canyon Park as noted by Cooper Ecological Monitoring (included in Appendix B of this Final EIR). It is also important to note that the southern boundary of Runyon Canyon Park abuts dense residential development and would not be a source of medium- or large-bodied mammals. In any case, as noted, the location of the current residence and future proposed residence are not within a natural movement path, which are located to the east and west and which in both cases are separated by the existing and future development by substantial elevation differences. Given these conditions, the Draft EIR concluded, consistent with the findings of the Cooper Ecological Monitoring Report, that the Project Site does not function as a natural part of a wildlife movement path, which does occur to the east and west and which would not be subject to significant adverse impacts associated with construction or long-term operation of the proposed residence.

Finally, a memorandum was prepared by Glenn Lukos Associates, dated December 1, 2020 (included in Appendix J of this Final EIR), to address wildlife movement of mountain lions, in light of the California Fish and Game Commission vote on April 16, 2020, to designate the Southern California population of mountain lions as a State Candidate Endangered Species. As discussed in this memo, the Project is not expected to have a substantial adverse impact on wildlife movement, including mountain lions, because the proposed development will generally occupy the same development footprint that an existing structure and landscaping (including turf grass) currently occupies. In addition, the existing fencing does not surround the property and will not be expanded or modified by the Project, thus allowing for the same access for wildlife as it currently provides. The lighting and windows of the proposed house have been designed to reduce nighttime light spillage and glare to reduce any potential impacts on wildlife use of the surrounding areas, including wildlife movement. Finally, the adjacent ridgelines, fire access roads, and Runyon Canyon Road will not be modified by the Project and therefore will still provide for unrestricted wildlife movement for local wildlife, including the mountain lion. As such, it was determined that the Project would not result in significant impacts on mountain lion movement.

Comment No. A3-3

The DEIR is further deficient for not addressing the Conservancy's adopted *Eastern Santa Monica Mountains Habitat Linkage Planning Map*. The attached figures show how Runyon Canyon Park, the Trebek Open Space, and private open space combine to form 353-acre Habitat Block No. 42 on that planning map. Since the map was adopted in 2017 our staff has determined through field verification that there are now no known viable large mammal movement routes from the Cahuenga Pass (Habitat Block No. 38) westward along the north slope of the range until reaching Habitat Block 35 that is anchored by the MRCA's Oakshire Open Space area. That means that the only adequate travel route for medium and large mammals to reach Habitat Block 38 and the Mulholland Drive bridge over the 101 freeway is through the northeastern one third of Runyon Canyon Park where the proposed project would be located. The habitat linkage/wildlife corridor analysis in the DEIR is totally inadequate because it does not address how in particular the northern portion of Runyon Canyon is critical to maintain adequate habitat connectivity to the Mulholland Drive -101 freeway overpass and on to the Griffith Park core habitat area.

Response to Comment No. A3-3

As a preliminary matter, refer to Response to Comment No. A3-2 for a discussion of the Draft EIR's analysis of Project impacts on wildlife movement. As described in that response, the Project does not propose any change in the existing fencing that surrounds the Project Site and therefore would not change access to and through the Project Site for medium and large animals, particularly the mule deer observed during site surveys. Further, as the Draft EIR noted, the Project Site is an already-developed residential property with steep topography, surrounded by open space, and development would not otherwise substantially constrain wildlife movement.

Regarding the specific map referenced in Comment No. A3-3, the "Wildlife Movement Map" contained in Appendix H of this Final EIR depicts the location for Habitat Block 38 and Habitat Block 35, which occur to the northeast and north of the Project Site, respectively. The Wildlife Movement Map also depicts a conceptual direct travel route for medium and large mammals between Habitat Blocks 35 and 38. The Wildlife Movement Map further depicts a conceptual travel route between Habitat Blocks 35 and 38 that would traverse the northernmost portion of Runyon Canyon Park using the Mulholland Drive corridor, as well as a travel route that would traverse the Project Site. As is evident on the Exhibit, wildlife movement between Habitat Blocks 35 and 38 would be far more likely to follow the "direct route" or across the northernmost edge of Runyon Canyon Park, which is already separated from the Project Site by existing development and is nearly 2,000 feet distant. Thus, the potential for wildlife movement between Habitat Blocks 38 and 35 through the Project Site exhibits a low probability and at best would be an extremely rare occurrence. Combined with the results of the Cooper Ecological Monitoring Report and the conditions described in Response to Comment No. A3-2 above, the Project would not result in significant impacts on wildlife movement between Habitat Blocks 35 and 38, and the conclusion of the Draft EIR stands.

Comment No. A3-4

Runyon Canyon Park is unique because it combines multiple trails, interesting terrain, and native vegetation communities proximate to the densely populated Hollywood area. The DEIR tries hard to downplay the permanent significant adverse visual and biological impacts of a three-story 13,306-foot-development area, with a 3-acre permanent brush clearance zone (partly on parkland), parallel 305-foot-long ten-foot-high retaining walls, and a special one-acre fill site to stash a minimum of 14,000 cubic yards of mountainside cut.

Response to Comment No. A3-4

While the comment correctly indicates that the proposed residence includes three stories, the comment fails to note that the residence is buried in such a manner that there would not be three stories above ground visible to either the public using the park or to wildlife. Thus, the comment does not accurately represent the appearance of the Project or its potential impacts. As described in Section IV.A, Aesthetics, of the Draft EIR:

The roof of the proposed home has been designed such that it would match the existing topography and the roof of the home would replace the existing ridgeline in-kind. In addition, the roof would be planted with grass (as formally provided in GHG-PDF-1). As a result, the Project is completely hidden from Mulholland Drive. The proposed residence is sited physically within the bluff (buried) so that the only face of the residence that would be visible is on the western elevation. The home has further been designed in a modern style with curvilinear roof lines that blend in with the natural topography. The proposed home would also be an earth-toned color to match the surrounding landscape and is designed to look like a natural land formation that grows out of the hillside and has no sharp angles. These design features of the Project have been provided above formally as Project Design Feature AES-PDF-1.

This analysis was based in part on visual simulations that depicted views of the Project Site from public areas during the day and night. These visual simulations were provided as Figures IV.A-1 to -5 in the Draft EIR. As discussed in more detail below in Responses A3-14 through A3-16, below, the Project lighting and windows have been designed to reduce nighttime light spillage and glare to reduce any potential impacts on wildlife use of the surrounding areas including wildlife movement. The commenter is also referred to the visual simulation included as Figure IV.A-6 in Response to Comment No. B1-73, which further shows views of the Project Site from the public areas on the West Trail during the day and night.

Based on those factors and data, the analysis contained in Draft EIR Section IV.A, Aesthetics, determined that the Project's visual impacts would be less than significant. The comment may disagree with the conclusion of the Draft EIR, but it does not provide substantial evidence to the contrary.

Regarding fuel modification, the commenter is referred to the Response to Comment No. A3-13, below.

Comment No. A3-5

The project description is deficient because it does not address this approximately one-acre fill area and its relationship to the proposed 14,000 cy of cut material. It is further deficient because it does not include the proposed private onsite wastewater treatment system, any improvements to North Runyon Road, and either the temporary or permanent impacts of trenching to provide utilities to the project site.

Response to Comment No. A3-5

The dirt from the cut area would be placed in the designated fill areas on the Project Site. The commenter is also referred to the Response to Comment No. B1-33 regarding the proposed fill sites. This response provides further detail about the location of the fill sites and also discusses the landscaping that would be provided at the fill sites and the visibility of the fill sites from other vantage points. The commenter is also referred to the Response to Comment No. B1-6, which provides a discussion the fill sites if the Department of Building and Safety requires slopes with a ratio of 2.0:1.

Regarding the private on-site wastewater treatment system (seepage pits), the commenter is referred to the Response to Comment No. B1-15. See also Draft EIR page IV.F-17, which shows the two possible locations for the proposed seepage pit.

The Project does not propose any changes to Runyon Canyon Road or the existing access to the Project Site. The Project is not expected to generate any additional traffic trips as there is currently a single-family residence on the Project Site, and the occupants of the existing residence would move into the new (proposed) single-family residence, with the existing residence reclassified as Accessory Living Quarters.

Utility infrastructure improvements required for the Project are discussed on page VI-4 of the Draft EIR (in Section VI, Other CEQA Considerations). As discussed therein, the Project Site is currently developed with an existing residence which is served by existing utilities and infrastructure (with the exception of sewer, as the Project Site has a private sewer disposal system). In addition, the existing building on the Project Site is not currently connected to natural gas infrastructure. While the Project may require minor local infrastructure upgrades to maintain and improve water and electricity lines on-site and in the immediate vicinity of the Project Site, such improvements would be limited to serving Project-related demand. The grading calculations do account for trenching required for utility service lines. Therefore, any infrastructure upgrades would not necessitate major local or regional utility infrastructure improvements that have not otherwise been accounted and planned for on a regional level.

Comment No. A3-6**Project Alternatives**

Because of the ecological, recreational, and visual public values of Runyon Canyon Park, the City's and the public's interest must be aggressively employed in the shaping of any development on the subject inholding parcel to absolutely assure the maximization and retention of every aspect of these public values. None of DEIR alternative projects comes even close to retaining these public values. None of DEIR alternative projects shows any creative attempt to place an additional residence on the site without it sticking out like a sore thumb. The DEIR range of alternatives is thus deficient to provide decision makers with an adequate range of options to reduce and minimize impacts to the values of this public resource.

The Alternatives section of the DEIR thus analyzes only two feasible project alternatives with regard to reduced project size (Alternative B), and alternate project placement (Alternative C). Even a cursory look at the topography of the subject property makes it clear that many other additional feasible project alternatives are possible. The limited scope of the Alternatives considered in the DEIR constitutes deficient analysis under CEQA.

The proposed project and the DEIR's proclaimed Environmentally Superior Alternative (Alternative B - Reduced Project) both require an exception to the Mulholland Specific Plan to build/grade with 50 feet of a prominent ridgeline. For the City to grant such an exception it should demand nothing less than a smaller-scale project that makes all efforts to minimize visual and biological impacts to public resources and values. Alternative B is a disingenuous feign of an attempt to provide decision makers with the appearance of a less damaging project. The 30 percent size reduction only applies to the 8,990 sf house and does not address reductions to the proposed 6,454 sf of covered patio area, 2,475 sf of mechanical/electrical area, and 5,207 sf of basement. Nor does it address the approximately one-acre fill slope and its parallel 300-foot-long and ten-foot-tall retaining walls.

Response to Comment No. A3-6

A reasonable range of alternatives to the Project was fully and completely analyzed in the Draft EIR. As stated in CEQA Guidelines Section 15126.6(a), "[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

An EIR need not consider multiple variations of the alternatives that it does consider. See *Village Laguna of Laguna Bch., Inc. v. Bd. of Supervisors*, 134 Cal. App. 3d 1022 (1982) (EIR not required

to evaluate a purportedly “obvious alternative” when it already considered a reasonable range). Further, the EIR should consider alternatives to a project as a whole, not merely alternative components. *Calif. Native Plant Soc. v. City of Santa Cruz*, 177 Cal. App. 4th 957, 993 (2009). Here, the comment merely suggests the Draft EIR should have considered variations on certain improvements provided with the proposed residence, but does not appear to provide any specific alternative the Draft EIR should have considered.

As stated on Draft EIR page V-2, the intent of the alternatives analysis is to reduce the significant impacts of the Project. As the Draft EIR determined that the Project would not result in any significant impacts, the three alternatives considered in the Draft EIR were selected based on the objectives established for the Project and the feasibility of potential alternatives. Further, as the known areas of controversy regarding biological resources and aesthetics were already incorporated into the objectives (see particularly the third and fourth objectives on Draft EIR p. V-1), the alternatives focused on designs that would, like the Project, minimize the visual appearance of the residence and associated improvements and would avoid impeding wildlife access to the Project Site, to the degree that access occurs. The reduction of the floor area in the basement would not result in any reduction to impacts of biological resources or aesthetics, because the structure would remain at the same height above grade level, and therefore was not considered as part of an alternative.

One alternative included in the Draft EIR, Alternative C, would not require a Specific Plan Exception, as it would be 50 feet below the ridgeline. Alternative C included in the Draft EIR assumed development of the Project Site with the same size house as the Project, but at a different location on the Project Site. Specifically, Alternative C would place the home down slope from the Project, 50 feet below the ridgeline, thereby not requiring a Specific Plan Exception for a new single-family home within 50 feet of a prominent ridge, as specified in the MSPSP. However, the analysis for Alternative C determined that Alternative C would not conform to the topography of the Project Site to the same extent as the Project, and that Alternative C would result in additional view and aesthetic impacts when compared to the Project. Finally, it was determined that Alternative C would require additional grading and excavation when compared to the Project, in order to construct an elevated driveway and additional retaining walls.

Regarding other alternative locations, although existing pads exist adjacent to the existing residence, such a placement would conflict with the Secretary of the Interior’s Standards relative to the Headley/Handley House and were not further considered in the Draft EIR. See also Appendix E of this Final EIR, which contains a memo prepared by GPA Consulting (the historic consultant) addressing a potential home located on top of the ridgeline. According to GPA Consulting, a home sited on the top of the bluff could cause a substantial adverse change in the significance of the Headley/Handley House, because it would introduce a new large element into the setting of the historic residence. As discussed on Draft EIR page IV.D-17 (in Section IV.D, Cultural Resources), the new residence would be sited on the opposite side of the bluff from the Headley/Handley House, nestled within a slope so as not to alter the hillside topography as viewed from the historic residence and to provide minimal visibility from the existing historic residence.

Comment No. A3-7

The DEIR states that the project applicant currently lives in the existing onsite 2,018 sf house. The DEIR shows a nice functional pool and thousands of square feet of level landscaped attached grounds with million dollar city views. The applicant clearly receives substantial economic benefit and residency from the property. The applicant has rights for a second habitable structure but the size, views, location, and orientation of such a structure are not unconditionally determined by-right by the applicant.

Response to Comment No. A3-7

The Project Applicant is undergoing the entitlement process for the Project. As discussed on page II-9 of the Draft EIR, the Project Applicant is requesting approval of certain discretionary actions from the City in order to construct the Project as proposed.

Comment No. A3-8

In its correspondence to the City, the Conservancy has repeatedly emphasized that any new habitable structures must be moved much closer to the existing house to adequately reduce impacts. Potential new house locations closer to the existing house means northward away from nose of the prominent ridge. All impacts are significantly reduced by such re-siting. The existing house is 24 feet tall. A new, 2,500 sf, single-story, 18-foot-tall house could be carefully sited on the flat pads on the ridgeline within approximately 40 feet of the existing house. The pool area, driveway, and thousands of square feet of landscaping could be maintained in their current juxtaposition. There could potentially be a 2,000 sf basement below the new house. Views of the house from public viewing areas could be reduced placing earthen berms in key areas. The public and all immediate neighbors would be getting a far better deal out granting a Specific Plan exception with a house designed within these parameters.

The key issue is that the City has the full authority to limit the project to such a well-sited, approximately 2,500 sf house. There is no legal basis to successfully challenge the City's desire to reduce impacts to a crown jewel park in an era of population growth and increasing usage pressure on existing parkland. There are a myriad other new house footprints that would achieve the same level of impact reduction and meet all of the qualifications of not substantially disrupting the values of the existing historic residence. All such footprints would thoroughly fulfill all four of the DEIR Project Objectives.

Response to Comment No. A3-8

While the comment notes the preference for a new home that is sited physically closer on the Project Site to the existing home, this would be in conflict with the Secretary of the Interior's Standards relative to the Headley/Handley House. As discussed on Draft EIR page IV.D-17 (in Section IV.D, Cultural Resources), the new residence would be sited on the opposite side of the bluff from the Headley/Handley House, nestled within a slope so as not to alter the hillside

topography as viewed from the historic residence. The new primary residence will be minimally visible from the existing historic residence. The new residence is designed to echo the historic setting of curving slopes. Therefore, changes to the setting of the Headley/Handley House will not impact the integrity of setting or the ability of the historic residence to convey its significance as an organic design in a hilltop setting. The new residence is designed in a style that is clearly distinguishable from Lloyd Wright's design for the Headley/Handley House. The design of the new residence would not create a false sense of historical development on the Project Site. Thus, the Project complies with Standard 3 of the Secretary of the Interior's Standards.

Also, refer to Response to Comment A3-6 for a discussion of the selection of the alternatives in the Draft EIR. As stated in that response, an alternative location for the residence was considered.

Finally, as discussed on page IV.J-14 of the Draft EIR (in Section IV.J, Land Use and Planning), the Hillside Ordinance allows a maximum floor area of 38,373 square feet. Therefore, a home built on the Project Site would not be limited to 2,500 square feet.

Comment No. A3-9

To begin, the City should not certify the DEIR for reasons stated in this letter and the remainder of the public record. The City should not consider any project that requires a Zoning Administrator Determination for retaining wall variances. Any project on the site should work with the existing topography. Retaining walls are indicative of not working with the topography. There is great hypocrisy in the DEIR conclusions that mass grading in every compass direction of the existing historic residence will maintain its required minimum historic characteristics.

Response to Comment No. A3-9

Regarding the proposed retaining walls, as discussed on page II-2 of the Draft EIR, the Project includes the construction of three retaining walls (designed for slopes with a ratio of 1.5:1). If the Department of Building and Safety requires slopes with a ratio of 2.0:1 (i.e., less steep), only two retaining walls would be required and the third retaining wall near the driveway would be eliminated. Figures II-22 (New) through II-24 (New) in Section 3, Revisions, Clarifications, and Corrections, provide a site plan and elevations showing the two retaining walls under this scenario.

As discussed on Draft EIR page II-3, the Project was designed to be built into the hillside and the home itself sits below the disturbed ridgeline on the western slope of the property and is completely hidden from Mulholland Drive. The location of the proposed home built into the hillside is a result of input from GPA Consulting (see memo contained in Appendix E of this Final EIR) that a large residence sited on the top of the bluff (where the existing concrete pad is located) would likely result in a significant impact on the Headley/Handley House because it would adversely change its integrity of setting. Contrary to the comment, the proposed residence is sited physically within the bluff (partially buried) so that the only face of the residence that would be visible is on the western elevation. It has further been designed in a manner in which the

curvilinear structure and rooflines blend in with the natural topography. The proposed home would be an earth-toned color to match the surrounding landscape (consistent with the Mulholland Scenic Parkway Specific Plan Color Wheel), and is designed to appear as a natural land formation in the hillside. The Project has been designed in an earthen shelter manner and includes grass roofs, stone surfaces, and deepened roof overhangs. Also, as discussed on page IV.J-14 of the Draft EIR (in Section IV.J, Land Use and Planning), the Hillside Ordinance allows a maximum floor area of 38,373 square feet. Therefore, a home built on the Project Site would not be limited to 2,500 square feet.

Further, any house built on the Project Site that retains the integrity of the existing residence (and therefore not built on the top of the bluff) would require retaining walls. See also Appendix E of this Final EIR, which contains a memo prepared by GPA Consulting (the historic consultant) addressing a potential home located on top of the ridgeline. According to GPA Consulting, a large home sited on the top of the bluff could cause a substantial adverse change in the significance of the Headley/Handley House because it would introduce a new large element into the setting of the historic residence.

The remainder of the comment provides the commenter's opposition to the requested Zoning Administrator Determination to allow a third retaining wall, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A3-10

Compatibility with Mulholland Specific Plan

A second house appears to be approvable on subject ridgeline without a Specific Plan exception if the required grading volume is less than 1,000 cubic yards. The Specific Plan allows the Planning Director to approve up to 1,000 cubic yards of grading on a prominent ridge if five findings can be made. Those findings are easily made for the 2,500 sf re-sited second house alternative projects addressed above. The DEIR shall remain deficient until it includes at least two such alternatives.

Response to Comment No. A3-10

Regarding the proposed alternatives selected for analysis in the Draft EIR, the commenter is referred to the Response to Comment No. A3-6, above.

Comment No. A3-11

The unsubstantiated DEIR analysis of how the project meets the Specific Plan requirements for visual character is deficient because the analysis only addresses a fraction of the park area and scenic resources.

Response to Comment No. A3-11

A detailed discussion of the Project's consistency with the Mulholland Scenic Parkway Specific Plan (MSPSP) is provided in Appendix J of the Draft EIR. As discussed therein, the Project would be substantially consistent with the guidelines and policies contained in the MSPSP. While the Project requests a Specific Plan Exception to allow construction of the proposed home within 50 feet of a prominent ridge as specified in the MSPSP, the proposed home has been designed such that it would be built into the hillside and the home itself sits below the disturbed ridgeline on the western side of the property. In addition, the proposed home is completely hidden from Mulholland Drive. The Project has been designed to meet the requirements of the MSPSP for height, sensitivity to topography, and bulk of structures. Further, as shown in Figures IV.A-1 to -5 of the Draft EIR and described in the accompanying aesthetics impact analysis, the Project is only visible from a limited number of public vantage points and from specific directions; it is not visible from everywhere in the park. Finally, additional views have been added to the Final EIR (see Section 3, Revisions, Clarifications, and Corrections, specifically Figure IV.A-6). This figure provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.

Thus, the Project would result in less than significant impacts related to scenic vistas, including major vista points identified in the MSPSP. As such, Project impacts with respect to the MSPSP would be less than significant.

Comment No. A3-12

The DEIR shall remain deficient until analyzes the findings by the Planning Director that are necessary per the Specific Plan to develop within 200 feet of parkland.

Response to Comment No. A3-12

The comment erroneously states the Draft EIR failed to provide an analysis of the relevant findings required for the MSPSP. As stated in Response to Comment No. A3-11, a detailed discussion of the Project's consistency with the MSPSP is provided in Appendix J of the Draft EIR. This includes an analysis of the Project's consistency with Guideline 16. As stated therein, the Project is one of two single-family home sites located within the boundaries of Runyon Canyon Park, and hikers regularly access the perimeter of the Project Site as part of the popular hiking trails at Runyon Canyon. The Project is sensitive to the surrounding park use and is sited on an already disturbed pad directly adjacent to an existing residence. The implementation of the Project would therefore not affect the public use of the area or property that is part of the Project parcel.

Comment No. A3-13**Additional Biological Impact**

Because the DEIR did not address the importance of Runyon Canyon Park as part of a habitat block in the larger connected Eastern Santa Monica Mountains ecosystem or the role that the northeastern corner of the park plays in facilitating wildlife movement to the Mulholland Drive - 101 freeway overpass, it shall remain deficient.

Response to Comment No. A3-13

Runyon Canyon Park is part of a habitat block in the larger connected Eastern Santa Monica Mountains ecosystem and exhibits potential for facilitating wildlife movement in the area. The Project requires grading of approximately 1.41 acres, which includes areas that consist almost entirely (1.35 acres combined) of developed, ornamental, turf, and existing fuel modification areas plus additional brush thinning (not removal) for fuel modification. For this reason, and for the reasons provided in Responses to Comment Nos. A3-3 and A3-4, above, the Project would not result in significant impacts with respect to wildlife movement.

Comment No. A3-14

As proposed the project has no protections against wildlife blocking or ugly fencing or further development expansion. The DEIR has no measurable or enforceable standards or locations for indoor or outdoor lighting. In addition the DEIR is deficient for not addressing that the City does not have, nor has ever demonstrated the capacity to have, adequate enforcement for lighting or landscaping conditions in the Mulholland Specific Plan area.

Response to Comment No. A3-14

With respect to “development expansion,” the Project could not be increased in size from what was analyzed in the Draft EIR and specifically permitted in the requested land use approvals without seeking further approvals and undergoing subsequent environmental review. With regard to “wildlife blocking,” the existing fencing would not be modified, as described in Response to Comment No. A3-2. As noted in the same response, the Cooper Ecological Monitoring Report stated that there would be no impacts to mule deer use of the Site if the fence is not raised, which is not proposed as part of the Project. Thus, there would be no substantial impacts and thus no significant impacts to wildlife use of the site for movement or foraging.

The remainder of the comment provides the commenter’s opinions about City enforcement of lighting and landscaping conditions, which are acknowledged for the record and which will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A3-15

Both the proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip limitations in either the day or nighttime. An area that is now quite dark would experience substantial irreversible change in regard to all night illumination. The DEIR fails to quantify this additional light and its potential deleterious impacts on wildlife from insects to mammals to birds. Reptiles lie on hot roads at night during the summer too.

Response to Comment No. A3-15

As noted in Section IV.A, Aesthetics, of the Draft EIR, the Project has been designed to reduce potential impacts from light and glare such that the Project would not introduce “substantial” light to the surroundings that would affect nighttime use by wildlife including impacts to wildlife movement by large mammals. Specifically, as noted on Draft EIR page IV.A-13:

The Project has been designed to be built into the hillside with 5- to 10-foot roof overhangs over the windows and patios of the proposed home. The windows of the home would be low E-glass and set deep into and under the roof overhangs. Low E-glass windows reduce the overall emissivity of the window, thereby reducing the re-radiated light emitted from the window. Exterior patio lights would be placed only for walking accessibility and would be downward facing and shielded and would not shine into the park or upwards towards the sky. All light would be directed inward, where possible. The light inside the home would be reduced at night due to the glazing being recessed into the building.

Given the Project design, the very limited light emanating from the Project would be directed toward the west, which consists of a canyon-ridgeline and canyon, which would not be subject to measurable light spillage. In addition, the traffic generated by the use of the proposed residence would be the same as for the existing residence, as the same residents would live on the Project Site. Even if the Accessory Living Quarters were occupied by guests, the number of vehicle trips would remain largely consistent, as only a small number of daily trips would result. Therefore, light from vehicle trips to the proposed residence would also remain largely consistent. Thus, the Project’s impacts with respect to lighting would be less than significant, including as relative to large mammal movement.

Comment No. A3-16

These light impacts are exacerbated because they would be in the northeastern corner of the park which is the only adequate movement corridor out of the park eastward towards Cahuenga Pass. As proposed the project and all of its development DEIR alternatives would result in unavoidable significant adverse impacts to the sustainability of many species in the eastern Santa

Monica Mountains ecosystem. The DEIR conclusion that the project would not result in such significant impacts just because wildlife movement is not blocked and because there are no special status species is flawed and fails to consider evidence provided in the Conservancy's Notice of Preparation comments.

Response to Comment No. A3-16

As noted in Response to Comment No. A3-15, above, potential light impacts would not be significant. Also, as noted, the limited light originating from the residence at nighttime would be directed to the west and there would be no potential light spillage to the east or northeast that could adversely affect movement by large mammals out of the park to the northeast. This is because the northern and eastern portions of the residence are effectively subterranean and landscaped and have no potential for any light spillage that could affect wildlife movement through the eastern portions of Runyon Canyon Park or in the northern portions of the park. While limited potential exists for light spillage to the west, this potential has been substantially reduced by the inclusion of Project Design Feature AES-PDF-1 in Section IV.A, Aesthetics, and as shown in Figure IV.A-5. Furthermore, areas to the west consist of a series of canyons and ridgelines that would not receive substantial light spillage from the residence and therefore would not be significantly impacted.

Relative to the Project's potential impacts to the sustainability of many species in the eastern Santa Monica Mountains ecosystem, the Project would not have significant impacts on such sustainability due to the factors described above.

Comment No. A3-17

The DEIR is further deficient because it does not address potential implications of permanent habitat conversion for fuel modification on public land. Annual fuel modification zones (particularly on the drier south face of the range) inevitably lead to a habitat type conversion that favors non-native annual weeds. Those directly impacted zones can then adversely affect proximate areas thus increasing the impact footprint. In essence the proposed project would permanently degrade approximately two acres of existing public chaparral habitat. The conversion of two acres of habitat in the sensitive eastern Santa Monica Mountains ecosystem is a significant impact. That impact must be avoided in this case by siting the project to result in no additional fuel modification on public land and to maximize the overlap of any newly required fuel modification perimeter with the existing fuel modification zone of the existing onsite house.

Response to Comment No. A3-17

The Project would require expansion of existing fuel modification areas to 0.59 acre of chaparral composed of common species including sugar bush (*Rhus ovata*), laurel sumac (*Malosma*

laurina), toyon (*Heteromeles arbutifolia*), and big pod ceanothus (*Ceanothus megacarpus*).^{5,6,7} Each of these alliances are ranked as S4 by the California Natural Diversity Database and thus have no special status. In accordance with the Appendix G of the CEQA Guidelines, which “considers loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated habitat or plant community,” impacts through thinning to 0.59 acre of common chaparral species would not be considered significant. Further, a portion of the additional 0.59 acres that would be subject to fuel modification is the road and does not contain vegetation that would require thinning. Exhibit 4 attached to the Biological Technical Report (Appendix E-2 of the Draft EIR) shows the fuel modification zone, including the 0.59 acres of area not previously subject to brush thinning. It is also important to note, as set forth in Response to Comment No. A3-18, below, that the Project landscaping proposes drought-tolerant chaparral, scrub, and perennial grassland species native to the Santa Monica Mountains that would provide additional habitat for a suite of fauna that would include insects, reptiles, avifauna, and small and large mammals. While this is not required and is not “mitigation” it will further enhance the habitat values within the Runyon Canyon Park environs.

Comment No. A3-18

The DEIR is further deficient for not addressing the footprint expansion of the park’s Argentine ant population with the extension irrigation that would be necessary to both establish and maintain vegetation on the proposed new two acres of manufactures slopes adjacent to parkland. If such slopes are not irrigated the vegetation cover would be insufficient to prevent high levels of erosion into public parkland.

Response to Comment No. A3-18

The Project landscape plans will incorporate drought tolerant native chaparral, scrub, and perennial grass species that are also acceptable for use in fuel modification areas. Irrigation would be limited to amounts consistent with natural rainfall during typical years (*i.e.*, not to exceed 125-percent of average annual rainfall) to ensure establishment and survival while not promoting the spread of Argentine ant into areas of adjacent open space. In order to prevent erosion during establishment of the native chaparral, scrub, and perennial grasses, all slope areas of 2:1 or steeper would be protected using an erosion control blanket or other suitable means approved by

⁵ According to the letter contained in Appendix M-1 of this Final EIR, there are no City of Los Angeles protected trees or shrubs on the Project Site or in close proximity to the Project Site that would be impacted by the Project.

⁶ According to the letter contained in Appendix M-2 of this Final EIR, there are no City of Los Angeles protected trees or shrubs within the expanded fuel modification area.

⁷ As further clarified in the letter contained in Appendix M-3 of this Final EIR, while the biological resources technical report contained in Appendix E-2 of the Draft EIR indicated toyon in the expanded fuel modification area, it only indicated individual toyon, and did not indicate that the toyon were large enough to meet the protected criteria of 4 inches in cumulative diameter measured at 54 inches above grade. The letter contained in Appendix M-3 of this Final EIR confirms that there are no trees or shrubs in the expanded fuel modification area that would be considered protected within the City’s Protected Tree Ordinance.

the Project landscape architect. The commenter is referred to Section 3, Revisions, Clarifications, and Corrections, of this Final EIR for an updated plan set, including an updated landscape plan.

Comment No. A3-19

Addition Visual Impact

The DEIR is further deficient for totally failing to address visual impacts from the West Ridge Hiking Trail in the park. Over a quarter-mile of continuous trail at a substantially higher elevation looks directly down on the proposed development area. That view is directly onto the west side of the development area where the proposed house is sited. The DEIR fails to address that public agencies just invested over \$7 million to buy the land that holds this section of existing public trail. That trail includes destination points that are scenic vistas. The DEIR does not adequately analyze potential impacts to these scenic vistas.

Response to Comment No. A3-19

Draft EIR Figures IV.A-1 through IV.A-4 (in Section IV.A, Aesthetics) provide views of the Project from different vantage points within Runyon Canyon Park. As shown in these figures, the view of the western elevation of the proposed home is only available from limited vantage points on the public hiking trail looking to the north and east, and would not be visible from other vantage points within Runyon Canyon Park. Further, additional views have been added to the Final EIR (see Section 3, Revisions, Clarifications, and Corrections, specifically Figure IV.A-6). This figure provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.

The portion of the comment about the City recently purchasing a portion of this section of trail is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration; however, the impact analysis considers all potential public vantage points, and such a purchase has no bearing on the existing physical conditions of the Project Site vicinity or on the physical effects of the Project as evaluated in the Draft EIR.

Comment No. A3-20

The proposed project places over 13,000 square feet of development and two acres of fill slopes on prominent terrain that is flanked by heavily-used public trails. The dry south facing chaparral slopes do not exhibit much green or dark color in the summer and fall months. Irrigated grass and succulent roofs and glass windows provide imagery in direct contrast to the existing dry season landscape. In addition the project would be surrounded by a distinct band of cleared chaparral (2.88 acres) for fire protection. In no way can such a project be aesthetically integrated into the park viewshed. The degree of contrast is too great. The project would thus substantially degrade the existing visual character and quality of public views of the site and its surroundings. Why

would the City even contemplate such visual degradation when so many less damaging feasible alternatives have been described in this letter?

Response to Comment No. A3-20

The Project landscape plans will incorporate drought tolerant native chaparral, scrub, and perennial grass species that are also acceptable for use in fuel modification areas. Although some change would occur in association with the development, the change is not necessarily adverse nor even significant, given the plan to provide a plant palette consistent with the neighboring vegetation communities. Specifically, the area of the proposed fill sites and retaining walls would be planted with mixed chaparral plants to mimic the variety and layout of the adjacent native chaparral. The plant colors would be consistent with the natural colors of the Santa Monica Mountains, and would also be consistent with the Santa Monica Mountain Plant Color Wheel.

Irrigation would be limited to amounts consistent with natural rainfall during typical years (*i.e.*, not to exceed 125-percent of average annual rainfall) to ensure establishment and survival while not promoting the spread of Argentine ant into areas of adjacent open space. In order to prevent erosion during establishment of the native chaparral, scrub, and perennial grasses, all slope areas of 2:1 or steeper would be protected using an erosion control blanket or other suitable means approved by the Project landscape architect. The commenter is referred to Section 3, Revisions, Clarifications, and Corrections, of this Final EIR for an updated plan set, including an updated landscape plan.

Comment No. A3-21

The DEIR fails to address the fact that the shown fuel modification perimeter extends eastward beyond North Runyon Road. The fuel modification area is a permanent change in visual appearance that is recognizable from distance most times of year and increasingly so due to global warming effects. The DEIR visual impact analysis must explore if that east facing fuel modification zone is visible from public locations in the Mulholland Scenic Corridor.

Response to Comment No. A3-21

Regarding fuel modification, as discussed on Draft EIR page IV.O-17 (in Section IV.O, Wildfire), the Project Applicant currently follows fuel modification requirements and maintains approximately 2.88 acres of fuel modification zones as required by the Los Angeles Fire Department. As part of the Project, there would be an additional 0.59 acres of fuel modification that would be subject to thinning. Further, a portion of the additional 0.59 acres that would be subject to fuel modification is the road and does not contain vegetation that would require thinning. Exhibit 4 attached to the Biological Technical Report (contained in Appendix E-2 of the Draft EIR) shows the fuel modification zone, including the 0.59 acres of area not previously subject to brush thinning. The maintenance of these fuel modification zones would continue with development of the Project. As discussed in the Biological Technical Report, the habitats affected by the additional

0.59 acres of fuel modification are not special status, and therefore, impacts to biological resources would be less than significant.

The maintenance of the fuel modification zone does not mean that all vegetation would be removed from this area. Instead, it means that vegetation would be thinned as required by the Los Angeles Fire Department. Further, as described previously, a portion of the additional 0.59 acres of fuel modification is the road/hiking trail, and therefore does not currently contain any vegetation. Finally, Figure IV.A-8 (New) and Figure IV.A-9 (New), included in Section 3 of this Final EIR, provide sight line views from Mulholland Drive looking west towards the Project Site. Based on these views, the fuel modification zone located to the east of the Project Site would be minimally visible, if at all, from public locations in the Mulholland Scenic Corridor, due in part to the mountains and grade changes within Runyon Canyon Park. For these reasons, the additional 0.59 acres of fuel modification would not result in a significant aesthetic impact. In addition, as wildfires become more common as a result of global warming, adherence to fuel modification requirements becomes increasingly important.

Comment No. A3-22

Although the park is closed at night, it is a public resource, and by permission, researchers and groups can take night and full moon hikes in the park. Both the proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip number or time limitations in either the day or nighttime. An area that is now quite dark would experience substantial irreversible change in regard to all night illumination and thus result in substantial dark sky impacts and nighttime enjoyment of the park. For the above reasons both the proposed project and all of its development alternatives would result in unavoidable significant adverse visual impacts.

Response to Comment No. A3-22

As discussed in Section IV.C, Biological Resources, no significant increase in lighting would be associated with the Project following construction, as it consists of a single-family residence and exterior lighting would be limited to lighting systems typical of single-family residence. All exterior lighting would be directed downward and would be positioned such that it does not illuminate adjacent native habitats. The analysis contained in Section IV.C, Biological Resources, therefore determined that lighting impacts to biological resources would be less than significant, given the lack of special-status species associated with the native habitats adjacent to the Project Site and the minimal amount of new lighting associated with the Project. There will be no increase in vehicle trips, as stated on page IV.M-8 of the Draft EIR, because the Project will remain a single-family house without any additional residents and the existing dwelling will be converted into Accessory Living Quarters.

Comment No. A3-23**Miscellaneous DEIR Deficiencies**

The DEIR fails to adequately explain how the project disturbance footprint could change between the two scenarios of retaining 14,000 cy of cut on site or exporting it offsite. For example do the parallel 305-foot-long retaining walls remain in the dirt export scenario?

Response to Comment No. A3-23

If the Zoning Administrator's Determination to allow a third retaining wall is approved, the fill sites would cover approximately 54,358 square feet of the Project Site area. If the Zoning Administrator's Determination to allow a third retaining wall is not approved, the cut soils would need to be exported off-site, rather than placed in a fill site on the Project Site. In this scenario, two retaining walls would still be constructed as part of the Project.

Comment No. A3-24

The applicant has cut an extensive network of trails on slopes exceeding 35 percent with some leading directly to parkland. The DEIR must address if these trail would remain with any approved project and if their impacts should be considered cumulatively in the DEIR.

Response to Comment No. A3-24

The existing trails on the Property are an existing condition, and are therefore not an impact of the Project. The Project may cause some paths to be removed or covered, as the paths provide access to the brush thinning zones. However, these are not public trails and there is no impact to public park use.

Comment No. A3-25

North Runyon Road is a not a public street. How does the proposed project avoid the City requirement that new development must be on parcels that abut a Public street? The existing road is a paved fire road that is closed to public motor vehicle access per the DEIR.

Response to Comment No. A3-25

The commenter is referred to the Response to Comment No. B1-24 regarding the development of the Project on North Runyon Canyon Road. As discussed in that response, development of the Project on North Runyon Canyon Road would be consistent with Municipal Code requirements.

Comment No. A3-26

To ensure that North Runyon Canyon Road is never lit, the DEIR must include a mitigation measure that prohibits lighting of the road to benefit the proposed project property.

Response to Comment No. A3-26

Draft EIR Section IV.A, Aesthetics, determined that the Project would result in less than significant impacts with respect to lighting. Further, the Project does not propose lighting North Runyon Canyon Road. Therefore, no mitigation would be required. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A3-27

The DEIR is flawed in its analysis of public services. The proposed project site is surrounded by at least 650 feet of downslope chaparral on every side and is at least one half mile from any non-wildland terrain. It is doubtful if Runyon Canyon was on fire that a City fire truck would enter the park to protect the subject houses.

Response to Comment No. A3-27

The Draft EIR acknowledges the Project Site's location within a Very High Fire Hazard Severity Zone (VHFHSZ). As discussed in Draft EIR Section IV.L, Public Services, as the Los Angeles Fire Department (LAFD) currently serves the existing residence on the Project Site, and also currently serves the needs of hikers in Runyon Canyon Park, the construction of a new home on the Project Site would only nominally affect the need for fire protection services at the Project Site. In addition, based on the Project Site's location within a Very High Fire Hazard Severity Zone, the Project Applicant currently follows fuel modification requirements and maintains an approximately 2.88 acres of fuel modification zones as required by the LAFD. The maintenance of the fuel modification zones would continue with development of the Project. As stated on page IV.L-15, LAFD will be involved as part of the plan check process, will ensure that the Project provides adequate emergency access that meets the requirements of the Municipal Code, and will enforce all necessary conditions of approval for the Project.

As stated on Draft EIR page IV.L-16, operational impacts to fire and emergency medical services, including impacts to LAFD facilities and equipment, response distances, access, and emergency response, the Project Site location in a VHFHSZ, and the ability of the fire suppression water infrastructure system to provide the necessary fire flows would not result in substantial adverse physical impacts requiring new, expanded, or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

Comment No. A3-28

The DEIR is deficient because it bases multiple impact analysis on the premise that just one couple (the existing couple) will permanently occupy both houses. The DEIR analysis on traffic in regards to biological, visual, and recreation impacts does not address the probable scenario that the house will host parties and larger families in the near term. Thus all of the mitigation measures

that address these issues are flawed because the traffic and visitor volumes cannot be controlled or enforced by the lead agency. Some such limits must be established to make impact analysis conclusions.

Response to Comment No. A3-28

The Project includes the development of a single-family home, with the reclassification of the existing home as Accessory Living Quarters. Therefore, the traffic generated by the use of the proposed residence would be the same as for the existing residence, as the same residents would live on the Project Site. Further, even if the Accessory Living Quarters were occupied by guests, the number of vehicle trips would remain largely consistent, as only a small number of daily trips would result. Further, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Project would also be required to comply with the City’s Home-Sharing Ordinance, which places restrictions on short-term rentals. As the Project would be required to comply with these existing regulations, no mitigation measures would be required.

Comment No. A3-29

Another example of an unenforceable mitigation measure is the proposed green roofs covered with grass and succulents. Those roofs are key visual mitigation measures in the DEIR. However the City cannot enforce the maintenance and appearance of those green roofs. A derelict owner or mandatory water use cutbacks could result in brown roofs with shedding plant materials thus exposing underlying metal. The project must be designed to not be visually intrusive by re-siting it and cutting the house size by 75 percent.

Response to Comment No. A3-29

As discussed in the Response to Comment No. B1-3, the green roof is part of the Project’s design and has been formally included in the Draft EIR as Project Design Feature GHG-PDF-1. Contrary to the comment, GHG-PDF-1 is a design feature of the Project and is not a mitigation measure. The green roof would be planted with mixed meadow/meadow edge native grasses, which require similar water demand as drought-tolerant plantings, and would be watered using a dripline irrigation system.

The remainder of the comment provides the commenter’s opinion about the size of the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Further, the comment provides no evidence to support the claimed requirement for a 75 percent reduction in the size of the house (which also does not specify how this reduction would apply), or any other specific reduction. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A3-30

The DEIR is further flawed because it provides no detail about the proposed onsite wastewater treatment plant. Has the site perked?

Response to Comment No. A3-30

The commenter is referred to the Response to Comment No. B1-15, which discusses the proposed on-site sewage disposal system (seepage pit). See also Draft EIR page IV.F-17, which shows the two possible locations for the proposed seepage pit.

Comment No. A3-31

The DEIR is further flawed because there is no analysis of how the project's drainage and runoff will be handled when it hits parkland. Will the City require V-ditches on the approximately one-acre fill slope? Will the City require energy dissipaters where onsite drainage contacts parkland? There are multiple potential biological, geological, recreational, and visual impacts that could result from the handling of onsite runoff. This is a major and fatal omission in the DEIR.

Response to Comment No. A3-31

Regarding drainage from the Project, the commenter is referred to the Response to Comment No. B1-67, which discusses how the Project will comply with requirements from the Department of Building and Safety.

Comment No. A3-32

Further correspondence and notice regarding this project should be sent to the attention of Paul Edelman, Deputy Director of Natural Resources and Planning, at King Gillette Ranch, 26800 Mulholland Highway, Calabasas, California 91302.

Response to Comment No. A3-32

The comment provides general concluding information, which is acknowledged for the record and which will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. A4

Charley Mims
The Federation of Hillside and Canyon Associations, Inc.
PO Box 27404
Los Angeles, CA 90027

Comment No. A4-1

The Federation of Hillside and Canyon Associations (“Federation”) founded in 1952 represents 42 resident and homeowner associations spanning the Santa Monica Mountains. The mission of the Federation is to promote those policies and programs which will best preserve the natural topography and wildlife of the mountains and hillsides for the benefit of all the people of Los Angeles. At its September 17 meeting the Federation voted unanimously to oppose the proposed project at 3003 Runyon Canyon Road. The project is compliant with neither the Mulholland Scenic Parkway Specific Plan nor with the Baseline Hillside Ordinance.

In May, 2015, the Federation wrote a letter to the Mulholland Design Review Board opposing any deviations from the Mulholland Scenic Parkway Specific Plan that are requested to benefit 3003 Runyon Canyon Road. Deviations from the Scenic Plan establish precedents that erode the integrity of the Specific Plan. Notwithstanding the Specific Plan, the roofline of the proposed house is located at the top of a prominent ridge and requires a Specific Plan Exception.

In addition, the location and proposed size of the project requires 14,000 cubic yards of grading and the creation of three retaining walls. These proposed project features require a second Specific Plan Exception as well as a retaining wall variance. It is apparent that little, if any, attention has been paid to designing a project that conforms to the natural topography of the land, which is required by the Specific Plan. (Specific Plan, section 6.C pp. 14-15.) The very purpose of the Specific Plan is to “minimize grading and assure that graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains” and to “preserve the natural topographic variation within the Inner *and Outer* Corridors of the Specific Plan area. (Specific Plan, section 2, p. 3 [emphasis added].)

Response to Comment No. A4-1

The comment provides information about the commenter and also notes the commenter’s opposition to the Project, particularly the requested Specific Plan Exception, but the comment does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration

Regarding the design of the Project, as discussed on page II-3 of the Draft EIR, the Project was designed to be built into the hillside and the home itself sits below the disturbed ridgeline on the

western slope of the property and is completely hidden from Mulholland Drive. The proposed residence is sited physically within the bluff (partially buried) so that the only face of the residence that would be visible is on the western elevation. It has further been designed in a manner in which the curvilinear structure and rooflines blend in with the natural topography. The proposed home would be an earth-toned color to match the surrounding landscape (consistent with the Mulholland Scenic Parkway Specific Plan Color Wheel), and is designed to appear as a natural land formation in the hillside. The Project has been designed in an earthen shelter manner and includes grass roofs, stone surfaces, and deepened roof overhangs.

Comment No. A4-2

In determining the project's square footage, the applicant claims the square footage of the basement doesn't count. Project drawings clearly show, however, that the 5,207 square foot "basement" includes a long line of floor-to-ceiling glass, open to daylight. The applicant explained that the basement will contain a theater, gym, and a bedroom, obviously all habitable space. Including all that habitable space makes this a three-story project with an actual square footage of 13,306 square feet, much larger than is disclosed in the project description. CEQA requires an accurate project description. (*stopthemillenniumhollywood.com v. City of Los Angeles*. (2019) 39 Cal.App.5th 1, 16) The additional mechanical/electrical space at 2,375 sq. ft. is larger than many homes.

Response to Comment No. A4-2

Regarding the Project's square footage, the commenter is referred to the Response to Comment No. B1-2.

Comment No. A4-3

The analysis of alternative projects is inadequate. Little effort appears to have been made to design a residence that complies with the Mulholland Scenic Plan or the Baseline Hillside Ordinance. In 1995 an application to build a large home on this site was correctly denied by the City. The Mulholland Design Review Board asked the applicant to come back with a smaller project; he did not. Nor did he consider a project further from the ridgeline.

Response to Comment No. A4-3

A reasonable range of alternatives to the Project was fully and completely analyzed in the Draft EIR. As stated in CEQA Guidelines Section 15126.6(a), "[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public

participation...There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

As stated on Draft EIR page V-2, the intent of the alternatives analysis is to reduce the significant impacts of the Project. As the Draft EIR determined that the Project would not result in any significant impacts, the three alternatives were selected based on the objectives established for the Project and the feasibility of the alternatives considered. Alternative C included in the Draft EIR assumed development of the Project Site with the same size house as the Project, but at a different location on the Project Site. Specifically, Alternative C would place the home down slope from the Project, 50 feet below the ridgeline, thereby not requiring a Specific Plan Exception for a new single-family home within 50 feet of a prominent ridge, as specified in the MSPSP. However, the analysis for Alternative C determined that Alternative C would not conform to the topography of the Site to the same extent as the Project, and that Alternative C would result in additional view and aesthetic impacts when compared to the Project. Finally, it was determined that Alternative C would require additional grading and excavation when compared to the Project, in order to construct an elevated driveway and additional retaining walls.

The comment notes a prior application for a home on the Project Site, and also provides the commenter’s opinion in opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Further, in 1999, an approximately 8,500-square-foot residence was approved for the Project Site (case number CPC 96-0318 (DRB)(MSP), prior approval documents are included in Appendix L of this Final EIR). Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A4-4

The DEIR does not adequately address the impact of the project on hikers. The only project access is via a paved fire road/trail in the Park. “An easement for road purposes to be used in common with others” was granted in January, 1945. That trail provides the *only* access for hikers entering the Park from Mulholland Dr. That is the road that construction vehicles will have to use. With a larger house on the site, one can anticipate more traffic permanently on the shared road which will make the trail more dangerous for hikers. How will the applicant assure that hikers will still have safe access to their Park? Further, the City requires that new developments be on parcels that abut a public street. Runyon Canyon Road is a *fire road*, closed to motor vehicles, and not a public street. The DEIR fails to adequately address the conflict.

Response to Comment No. A4-4

As stated on Draft EIR page IV.M-8 (in Section IV.M, Transportation/Traffic), the Project would not result in any change in the ability of pedestrians and hikers to access Runyon Canyon Road and the other hiking trails throughout the park, as development would be confined to the Project Site. During construction, the Construction Traffic Management Plan (Project Design Feature TR-PDF-1) would ensure the adoption of safety procedures creating a safe environment for those

accessing the adjacent park. Therefore, the Draft EIR determined that impacts related to pedestrian access and safety would be less than significant. Finally, the Project proposes development of a new single-family home on the Project Site. However, the Project is estimated to generate a negligible amount of daily and peak hour trips as there is currently a single-family residence on the Project Site, and the occupants of the existing residence would move in to the new (proposed) single-family residence, with the existing residence reclassified as Accessory Living Quarters. Therefore, the Project would result in a less than significant impact with respect to trip generation during Project operation, and would therefore not make the trail more dangerous for hikers.

In addition, the commenter is referred to the Response to Comment No. B1-24, which discusses Runyon Canyon Road's qualification as a deemed approved Private Street.

Comment No. A4-5

Nor does the DEIR adequately address the impact on hiker views. The project will be highly visible to hikers using the west trail through Runyon Canyon Park.

Response to Comment No. A4-5

Draft EIR Figures IV.A-1 through IV.A-4 (in Section IV.A, Aesthetics) provide views of the Project from different vantage points within Runyon Canyon Park. As shown in these figures, the view of the western elevation of the proposed home is only available from limited vantage points on the public hiking trail looking to the north and east, and would not be visible from other vantage points within Runyon Canyon Park. Additional views have been added to the Final EIR (see Section 3, Revisions, Clarifications, and Corrections, specifically Figure IV.A-6). This figure provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.

Comment No. A4-6

The DEIR did not fully analyze the air quality during the multi-year construction. The grading of 14,000 cubic yards of dirt will raise huge amount of particulate matter. This will have a detrimental effect on the health of the average of 5,000 hikers a day on the west trail and the east trail. Since both trails are steep hikers are not casually walking along, but breathing heavily and inhaling a lot of particulate matter. Additionally, the noise of the heavy equipment will disturb hikers' peaceful enjoyment of the park.

Response to Comment No. A4-6

As stated on page II-8 of the Draft EIR, no net export is expected for the Project, unless the Zoning Administrator's Determination is denied. If haul trucks are required (if the requested Zoning Administrator's Determination is denied relative to allowing the proposed grading and balancing of all soils on-site, and relative to permitting the third proposed retaining wall), it is estimated that

there would be approximately 1,181 haul trips. This is based on the export of approximately 16,529 cubic yards of soil (accounting for export required as a result of trenching for utilities and also factoring in the expansion potential of the soil), and assuming the use of haul trucks with a capacity of 14 cubic yards. This information has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. An updated air quality analysis based on the updated number of haul trips (if the requested Zoning Administrator's Determination is denied) has been summarized in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, and the associated technical modeling is included in Appendix D of this Final EIR. The updated analysis shows that Project construction emissions would continue to be below the South Coast Air Quality Management District's (SCAQMD) thresholds of significance, and therefore, impacts would continue to be less than significant.

Regarding noise from construction equipment, the analysis contained in Draft EIR Section IV.K, Noise, found that Project impacts with respect to construction noise would be less than significant.

Comment No. A4-7

The DEIR fails to recognize the importance of Runyon Canyon Park to wildlife connectivity. As the hillsides continue to be developed it is more important than ever that we preserve connectivity from one open space to another. This project will bring more vehicles and more light pollution to the area. The three retaining walls would create an additional barrier to wildlife connectivity.

Response to Comment No. A4-7

Relative to wildlife movement, the Project would not have adverse impacts on wildlife movement as addressed in detail in Responses to Comment Nos. A3-2, A3-3, A3-4, A3-17, A3-18, A3-19, and A3-20. Further, as discussed in Section IV.C, Biological Resources, it was determined that lighting impacts to biological resources would be less than significant, given the lack of special-status species associated with the native habitats adjacent to the Project Site. Therefore, if some construction activities were to occur during the evening hours, the associated impacts with respect to lighting would be less than significant.

Comment No. A4-8

The project proposes three acres of *permanent* brush clearance. This removes valuable habitat for animals and birds. When native plants are removed, non-native grasses tend to replace them. The brush clearance leaves that area subject to erosion which would wash soil down into Runyon Canyon Park. The DEIR fails to provide appropriate mitigation to address expected soil erosion.

Response to Comment No. A4-8

Regarding fuel modification (brush clearance), as discussed on Draft EIR page IV.O-17 (in Section IV.O, Wildfire), the Project Applicant currently follow fuel modification requirements and maintains approximately 2.88 acres of fuel modification zones as required by the Los Angeles

Fire Department. As part of the Project, there would be an additional 0.59 acres of fuel modification that would be subject to thinning. Further, a portion of the additional 0.59 acres that would be subject to fuel modification is the road and does not contain vegetation that would require thinning. Exhibit 4 attached to the Biological Technical Report (contained in Appendix E-2 of the Draft EIR) shows the fuel modification zone, including the 0.59 acres of area not previously subject to brush thinning. The maintenance of these fuel modification zones would continue with development of the Project. This information has been corrected in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. In addition, the landscape plan that is proposed for the area around the new house is populated with native, drought-tolerant plant materials as required by the Mulholland Scenic Corridor Specific Plan.

Comment No. A4-9

What will be the impact on the Headley-Handley House, City of Los Angeles Historic-Cultural Monument #563? The applicant described removing the kitchen. Why? The plan is to designate the Lloyd Wright-designed residence an Accessory Dwelling Unit to enable the applicant to build his much larger residence on the property. Removal of the kitchen would diminish the historic and cultural value of the Headley/Handley House.

Response to Comment No. A4-9

The HCM designation for the Headley-Handley House is limited to the exterior of the historic house. Nevertheless, the only change proposed for the kitchen is the removal of the stove. Appliances are not typically considered character-defining features of historic houses. Furthermore, it should be noted that the house was originally designed in 1945 as a multiuse storage, garage, and stable structure that was to support a main residence that was planned, but not constructed. In 1949, the multiuse structure was converted into living quarters. Therefore, converting the existing house into Accessory Living Quarters is not contrary to its history.

Comment No. A4-10

The basic issue here is the problem of having a private residence in the middle of a City Park. There is already one residence there—the problem should not be compounded by building a second residence. The DEIR Historic Report describes a 1964 attempt by then-property owner Hartford to give his Runyon Canyon property to the City for use as a park. The city rejected his offer and had to purchase the property twenty years later to create Runyon Canyon Park. The City could have purchased the remaining property when Handley died in 1990; again the City declined to do so. That was a lost opportunity.

Response to Comment No. A4-10

The comment notes the commenter's desire for the City to purchase the Project Site, but does not state a specific concern or question regarding the adequacy of the analysis of environmental

impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A4-11

The most appropriate Alternative Project is No Project. A private residence in the middle of a City park is awkward at best. The best alternative would be for the applicant to either donate or sell the property to the City to be incorporated into Runyon Canyon Park.

The Hillside Federation urges the City to deny the project and make every effort to acquire the property to expand the opens space in Runyon Canyon Park.

Response to Comment No. A4-11

The comment expresses the commenter's opposition to the Project and the desire for the City to purchase the Project Site, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. A5

Upper Nichols Canyon Neighborhood Association

Comment No. A5-1

The Upper Nichols Canyon Neighborhood Association (UNCNA) covers 650 residents in the area abutting Runyon Canyon on the east. We strenuously oppose the proposed 3003 Runyon Canyon Road project located in Runyon Canyon Park as described in the DEIR report. Runyon Canyon Park is one of our treasured urban parks in Los Angeles, conservatively used by over 2 million people a year. As a neighbor of this Park, our association takes our stewardship very seriously. This project does not belong in the Park. We strongly support the letters of opposition from the Santa Monica Mountains Conservancy, the Hillside Federation, and the Hollywood Hills West Neighborhood Council.

Response to Comment No. A5-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Responses to comments made by the Santa Monica Mountains Conservancy, the Hillside Federation, and the Hollywood Hills West Neighborhood Council are provided in Letter Nos. A3, A4, and A6, respectively, of this Final EIR.

Comment No. A5-2

First, it is clear that the DEIR fails to address the magnitude of this project. Initially listed at 8,099 sq. ft., embedded in the DEIR are additional square foot figures (and two infinity pools) that drastically increase the total area so it does not comply with Mulholland Specific Plan's Guideline 50 and Guideline 2 and the previous recommendation from the MDRB to a more appropriate size. The bulk of this 4.5 acreage is listed as 20-50% slope, and the percentages should be recalculated to match the buildable area.

Response to Comment No. A5-2

As discussed on page II-2 of the Draft EIR, the Department of Building of Safety excludes the basement from the square footage calculation, and also excludes areas for mechanical and electrical equipment. Nevertheless, the commenter's opinion regarding the size of the Project is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Finally, the commenter is referred to the Response to Comment No. B1-2 regarding the Project's square footage, including an updated table showing the square footage calculation.

Comment No. A5-3

The request for a change in the Historical Designation of the existing Headley/Handley house is another arrogant snub to architectural values and should be denied. This is not an “Accessory Living Quarters” building. This is a federally historic-registered property. It doesn’t matter if Lloyd Wright oversaw the carport or not, the carport structure should not be demolished and according to the standards requirements, “New work ...will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the project site and its environment.” The owner purchased this property with the transparency of owning a Lloyd Wright historical property and this designation must not change.

Response to Comment No. A5-3

As stated in the comment, as part of the Project, the Headley/Handley House would be reclassified as Accessory Living Quarters. However, this change would not change the historic designation of this building. As discussed in the Historical Resource Report (included as Appendix F-1 of the Draft EIR) and on Draft EIR page IV.D-16 (in Section IV.D, Cultural Resources), the Headley/Handley House was originally designed as a storage, garage, and stable structure in 1945. Therefore, the change in classification from primary residence to Accessory Living Quarters would not change the historical resource’s site or environment. Accordingly, the reclassification as Accessory Living Quarters would not conflict with the *Secretary of the Interior’s Standards* and impacts with respect to historic resources were determined to be less than significant.

With regard to the carport, as stated in the Historical Resource Report (included as Appendix F-1 of the Draft EIR) and on Draft EIR page IV.D-15, the carport is not a character-defining feature of the property because it does not contribute to the historic residence’s significance, nor is it an excellent example of organic architecture (the reason the Headley/Handley House is significant). Therefore, demolition of the carport would not result in any significant impacts with respect to historic resources.

Comment No. A5-4

In the Initial Study, (April 2018), of this project, it is unclear how 14 out of 19 environmental factors that were checked containing a “Potentially Significant Impact” designation, have been demoted to “Less Than Significant”. The park hasn’t changed since April 2018; in fact, the numbers of park visitors have increased, and it is surprising that every category in the current DEIR has magically changed to a different designation.

Response to Comment No. A5-4

The Initial Study is prepared at the beginning of the environmental review process to determine whether a project *may* have a significant adverse effect on the environment, requiring further study. In the case of this Project, the Initial Study concluded that the Project may have one or more significant effects (subjects classified as having a “Potentially Significant Impact”), and

therefore, a Draft EIR was prepared. The Draft EIR included additional technical analyses and ultimately determined that the Project would not result in any significant impacts.

Comment No. A5-5

Upper Nichols Canyon Neighborhood Association strongly opposes the project at 3003 Runyon Canyon Road. Runyon Canyon Park can't sustain a project of this magnitude and it would irrevocably change this unique urban wilderness park. It is up to all of us to protect it for the rich wildlife it sustains and for current and future generations of Angelenos who not only use it recreationally but who seek to preserve the little remaining open space in the Hollywood Hills.

Response to Comment No. A5-5

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Finally, the Project would not interfere with public access to Runyon Canyon Park, and the Project Site is a privately owned parcel that is zoned and designated for single-family residential use. Contrary to the comment, the Project Site is not zoned for open space uses.

LETTER NO. A6

Anastacia Mann, President
Hollywood Hills West Neighborhood Council
7995 Hollywood Blvd
Los Angeles, CA 90048

Comment No. A6-1

The Hollywood Hills West Neighborhood Council (HHWNC) is one of the certified neighborhood councils in the City of Los Angeles. This site is located in HHWNC's area.

At a meeting of HHWNC's Board on September 18, 2019, HHWNC's Board passed two motions with regard to Manuel Valencia's proposed project for this site.

Motion #1 -was passed unanimously (18 to 0).

Motion: On September 4, 2019, HHWNC's Parks and Open Space Committee voted to recommend that the Board oppose the proposed project for 3003 N. Runyon Canyon Road in any form because of (i) the proposed project's significant adverse impacts on the wildlife and their habitat, and park-goers, and (ii) the proposed project's failing to comply with the requirements of the Mulholland Scenic Parkway Specific Plan, which was adopted in 1992.

This opposition is supported by historical precedent. The Los Angeles City Planning Commission previously rejected a 10,000 square foot proposed project for this site in 1995.

Response to Comment No. A6-1

The comment provides information about a motion that was passed at the HHWNC Board Meeting in opposition to the Project, which is acknowledged for the record and which will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports ([Tree Report](#) and [Biological Technical Report](#)) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

The Project's compliance with the Mulholland Scenic Parkway Specific Plan (MSPSP) is discussed in Draft EIR Section IV.J, Land Use, and also in Draft EIR Appendix J (Mulholland Scenic Parkway Specific Plan Consistency Analysis). The analysis provided in Appendix J demonstrates that the Project would be substantially consistent with the guidelines and policies contained in the MSPSP. While the Project requests a Specific Plan Exception to allow construction of the proposed home within 50 feet of a prominent ridge as specified in the MSPSP, the proposed home has been designed such that it would be built into the hillside, sit below the

disturbed ridgeline on the western side of the property, and be completely hidden from Mulholland Drive. The Project has been designed to meet the requirements of the MSPSP for height, sensitivity to topography, and bulk of structures. Thus, the Project would result in less than significant impacts related to scenic vistas, including major vista points identified in the MSPSP. As such, the Draft EIR determined that Project Land Use and Planning impacts with respect to the MSPSP would be less than significant.

Comment No. A6-2

Motion #2 - was passed by a vote of 16 to 3.

Motion: On August 22, 2019, the City's Department of Planning released a draft environmental impact report (DEIR) on a proposed project at this site for public comment up until October 7, 2019.

Manuel Valencia owns the site, which is approximately 4.5 acres of privately owned property inside Runyon Canyon Park. The site includes approximately 3 acres of hillsides and 1.5 acres of a sloped pad.

There is a Lloyd Wright designed house on the site. The existing house is approximately 2,018 square feet. It is known as the Headley/Handley House. The City designated it as Historic Cultural Monument #563 in 1991. Under the proposed project, the Heather/Handley house would remain intact and largely unchanged after some kitchen appliances are removed.

The main thrust of Mr. Valencia's proposed project is to seek approval for, and to construct, a second structure on the site. The DEIR's notice of availability describes his proposal this way:

"The Project proposes the construction of a multi-level, single family residential structure along the western side of a modified prominent ridge on the Project Site. The proposed building would include a basement, first floor and second floor area tallying 8099 square feet in size not including the basement, which is excluded by the Department of Building and Safety. There would also be an attached four car garage. The existing historical structure would remain intact, and is located on the opposing eastern side of the modified prominent ridge. As part of the Project, the owner is requesting that the existing structure be reclassified as Accessory Dwelling Quarters. Vehicular access to the Project would be provided via a driveway along North Runyon Canyon Drive.

At an HHWNC PLUM Committee meeting on September 5, 2019, and following a presentation from the applicant's representatives and a discussion, the PLUM Committee voted (5 to 1) to recommend to the Board that the Board should adopt the following motion:

HHWNC opposes the proposed project for 3003 N. Runyon Canyon Road as being inappropriate for the site under the Mulholland Scenic Parkway Specific Plan and the Mulholland Design and Preservation Guidelines (collectively, the Mulholland Specific Plan).

Under the Mulholland Specific Plan, the proposed project is far larger than what would be appropriate for the site, too tall (even though some of the proposed project would be buried into the hillside site), too massive and incompatible with the neighborhood.

Response to Comment No. A6-2

The comment provides information about a motion that was passed at the HHWNC Board Meeting in opposition to the Project, which is acknowledged for the record and which will be forwarded to the decision-making bodies for their review and consideration.

As stated in the Draft EIR, the Headley-Handley House, which was designated as Los Angeles Historic-Cultural Monument (HCM) #563 on July 14, 1992, would remain intact with development of the Project (Draft EIR page II-1). The HCM designation is limited to the exterior of the historic house. Nevertheless, the only change proposed for the kitchen is the removal of the stove. Appliances are not typically considered character-defining features of historic houses. Furthermore, it should be noted that the house was originally designed in 1945 as a multiuse storage, garage, and stable structure that was to support a main residence that was planned, but not constructed. In 1949, the multiuse structure was converted into living quarters. Therefore, converting the existing house into Accessory Living Quarters is not contrary to its history.

Regarding the Project's consistency with the MSPSP, the commenter is referred to Response to Comment No. A6-1, above. The Project Site is zoned RE40-1-H, which allows a maximum height of 30 feet. The Project consists of three floor levels, with each level no more than a floor-to-floor interior height of 10 feet. The proposed residence tiers back against the slope so that at no point would the residence have an exposed building height over 30 feet consecutively. The Baseline Hillside Ordinance (BHO) allows a maximum floor area of 38,373 square feet and as shown in Revised Table II-2 (see Section 3, Revisions, Clarifications, and Corrections, of this Final EIR), the total BHO floor area is 14,751 square feet, which includes 7,769 square feet of covered patio space. Therefore, the Project would be consistent with the existing zoning requirements related to height and floor area.

The remainder of the comment provides the commenter's opinions regarding the Project, which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A6-3

HHWNC believes that:

(i) the City should not grant the applicant's request to treat the existing Headley/Handley House, which is Los Angeles' cultural historic monument #563, as "Accessory Living Quarters" in order to permit the construction of a second house on the site.

Response to Comment No. A6-3

The comment provides the commenter's opinion about reclassifying the Headley-Handley House as Accessory Living Quarters, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the commenter's opinion is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

In addition, as discussed in Response to Comment No. A6-2, converting the existing house into Accessory Living Quarters is not contrary to its history.

Comment No. A6-4

(ii) the City should not approve the grading being proposed with this proposed project. The proposed grading involves too much grading to the site, which is a designated prominent ridge under the Mulholland Specific Plan.

(iii) the City should not approve the applicant's request to build a third retaining wall on the site, which would be needed to hold back much of the grading which the applicant is requesting to do on the site because the City should not be able to find, as required under the Mulholland Specific Plan, that the proposed grading should be kept to a minimum, assure that graded slopes have a natural appearance, and preserve the site's natural topography;

Response to Comment No. A6-4

The comment provides the commenter's opinions about the grading and retaining walls proposed for the Project, which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the Project's consistency with the MSPSP, the commenter is referred to Response to Comment No. A6-1, above. In addition, the Project has been specifically designed to tuck into the existing topography of the Project Site and to avoid unnecessary grading and retaining walls. The Project is sited at an existing flat pad on the Site, minimizing development on the overall parcel to a small percentage, and has been designed to be compatible with the existing historic resource on the Site.

Comment No. A6-5

(iv) the proposed project is not adequately described in the draft environmental impact report (DEIR) for the Planning Department's case no. ENV-2016-4180-EIR and State Clearinghouse no. 2018041016).

Response to Comment No. A6-5

The comment provides the commenter's opinion about the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A6-6

(v) the DEIR doesn't accurately and fairly describe the proposed project, and does not analyze the proposed project's likely environmental impacts under the applicable law(s), including the Mulholland Specific Plan.

Response to Comment No. A6-6

Regarding the Project's consistency with the MSPSP, the commenter is referred to Response to Comment No. A6-1, above.

The remainder of the comment provides the commenter's opinion about the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A6-7

The DEIR applies an LA Department of Building and Safety practice to exclude basement space from the proposed project's description of the proposed project's square footage. The LADBS practice ignores the clear language in the Mulholland Specific Plan's proposed "Project" definition. The Project definition includes the space in all structures and any changes in use to land other than interior remodeling. No citation is provided for LADBS efforts in any DEIR to change the applicable laws.

The DEIR ignores the (i) the Mulholland Specific Plan's provision which is more restrictive than (and trumps) the LADBS's application of its understanding of the City's Municipal Code, and (ii) the Mulholland Design Review Board's practice of treating "basement space" which opens to daylight as non-exempt space in proposed projects.

These two errors resulted in the DEIR treating over 5,200 square feet of the proposed project's "basement" as exempt when it is not exempt. The proposed project really seems to be a three story house and approximately 42' high

Response to Comment No. A6-7

The commenter is referred to the Response to Comment No. B1-2 regarding the Project's square footage.

Comment No. A6-8

(vi) the proposed options of no build, build smaller, or build on a different part of the site, do not provide sufficient analysis of the facts in this situation or the applicable law(s). For example, while the DEIR states that the proposed project's impact on views from Mulholland Drive will not be significant, the Mulholland Specific Plan provides that a proposed project's impacts in all directions should be considered, rather than just from Mulholland Drive. This proposed project's likely impacts on Runyon Canyon Park and the surrounding neighborhoods would be significant.

Response to Comment No. A6-8

The comment seems to refer to the three alternatives analyzed in Section V, Alternatives, of the Draft EIR. As stated on Draft EIR page V-2, the intent of the alternatives analysis is to reduce the significant impacts of the Project. As the Draft EIR determined that the Project would not result in any significant impacts, the three alternatives were selected based on the objectives established for the Project and the feasibility of the alternatives considered.

Contrary to the comment, the Draft EIR also examines whether the proposed home would be viewable from within Runyon Canyon Park. Draft EIR Figures IV.A-1 through IV.A-4 (in Section IV.A, Aesthetics) provide views of the Project from different vantage points within Runyon Canyon Park. As shown in these figures, the view of the western elevation of the proposed home is only available from limited vantage points on the public hiking trail looking to the north and east, and would not be visible from other vantage points within Runyon Canyon Park. Additional views have been added to the Final EIR (see Section 3, Revisions, Clarifications, and Corrections, specifically Figure IV.A-6). This figure provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.

Comment No. A6-9

(vii) the City should deny the proposed project also because the applicant ignored the Mulholland Design Review Board's recommendation to come back to that advisory board with a proposed house of 5,500 square feet. The proposed project seems to exceed 24,000 square feet. We believe that the proposed project doesn't not comply with the MDRB's recommendation(s), and would be far too large and otherwise inappropriate for this prominent and historic site.

Response to Comment No. A6-9

The comment provides information about the Mulholland Design Review Board's recommendation regarding the size of the proposed home, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Further, the historic report (included as Appendix F-1 to the Draft EIR) concluded that the Project would not cause a significant impact with respect to the Headley/Handley House.

Comment No. A6-10

The DEIR states that the City declined to purchase the site in 1992. That seems like an error which should be corrected now ---and just like the City purchased Mt. Lee from the Howard Hughes Investment Trust several years ago.

Response to Comment No. A6-10

The comment notes the commenter's desire for the City to purchase the Project Site, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. A6-11

In addition, the City's 1995 decision to deny an application to build a large home on this site seems entirely correct. It was a precedent setting decision which HHWNC asks the City to follow now in 2019 by turning down this proposed project.

Response to Comment No. A6-11

The comment notes a prior application for a home on the Project Site, and also provides the commenter's opinion in opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Further, in 1999, an approximately 8,500-square-foot residence was approved for the Project Site (case number CPC 96-0318 (DRB)(MSP), prior approval documents are included in Appendix L of this Final EIR). Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. A7

Robin Greenberg, President
Bel Air-Beverly Crest Neighborhood Council
PO Box 252007
Los Angeles, CA 90025

Comment No. A7-1

The Bel Air-Beverly Crest Neighborhood Council (BABCNC) represents hillside communities in the City of Los Angeles. We advocate for 27,000 residents.

On September 25, 2019, a Brown-Act notice public meeting was held by the BABCNC. With a quorum of 24 board members present, the Bel Air Beverly Crest Neighborhood Council unanimously voted to oppose the proposed project at 3003 Runyon Canyon (“Project”) due to the significant environmental impacts of the Project. While this project is not within BABCNC’s jurisdiction, many of our constituents visit the park. The Project will cause significant, unnecessary impacts to the park-going experience both during the construction process and after the home is constructed. The park provides a refuge from the urban environment for millions of citizens each year. The applicant already enjoys the use of a home on the property that has been designated a Historic Cultural Monument. Therefore, the applicant has sufficient beneficial use of the property. This is not the case where an applicant seeks to develop on vacant land. The City should be exploring opportunities for expanding the park – not green lighting a large mansion directly in the middle of it.

Response to Comment No. A7-1

The comment provides information about a motion that was passed at the BABCNC Board Meeting in opposition to the Project, and also provides the commenter’s opinions about the Project. These comments are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The comment refers to the “significant environmental impacts of the Project.” However, as discussed throughout the Draft EIR, all Project impacts would be less than significant.

During both construction and operation, the Project would not interfere with public access to Runyon Canyon Park. Further, during construction, the Construction Traffic Management Plan (Project Design Feature TR-PDF-1) would ensure the adoption of safety procedures creating a safe environment for those accessing the adjacent park. Regarding noise from construction equipment, the analysis contained in Draft EIR Section IV.K, Noise, found that Project impacts with respect to construction noise would be less than significant.

Finally, the comment expresses the preference for the City to explore opportunities to expand the park. However, the Project Site is a privately owned parcel that is zoned and designated for single-family residential use.

LETTER NO. A8

Richard Adkins, President
Hollywood Heritage, Inc
P.O. Box 2586
Hollywood, CA 90078

Comment No. A8-1

The Board of Directors of Hollywood Heritage, its Preservation Issues Committee, and its members thank you for the opportunity to review and comment on the EIR for project designed for 3003 Runyon Canyon.

The project documents state that the “Project Site contains the existing single-family residence known as the Headley/Handley House. The Headley/Handley House was designated a Los Angeles Historic-Cultural Monument (HCM) #563 on July 14, 1992; therefore, the Headley/Handley House is a “historical resource” pursuant to CEQA and subject to the provisions of the City of Los Angeles Historic Preservation Ordinance.”

It continues, “As part of the Project, the owner is requesting that the existing structure be reclassified as a “guest house,” with kitchen, but no physical changes would be made to that structure as part of the Project. The new primary residence would become the primary building on the Project Site.”

Hollywood Heritage has reviewed the historic report in the appendix of the EIR and concurs with the reports’ findings that the historic property will not be impacted and that the new construction follows and is compatible with the Secretary of the Interior’s Standards.

Response to Comment No. A8-1

The comment provides general introductory information, reiterates information from the Draft EIR regarding the Headley/Handley House, and states that the commenter (Hollywood Heritage) concurs with the conclusions of the historic report that was included in the Draft EIR. These comments are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B1

Jamie Hall
 Channel Law Group, LLP
 8383 Wilshire Blvd., Suite 750
 Beverly Hills, CA 90211

Comment No. B1-1

This comment letter has been written at the request of the Runyon Canyon Coalition (RCC), which this firm is representing without compensation on a pro-bono basis. This comment letter addresses the adequacy of the Draft Environmental Impact Report (DEIR) for the 3003 Runyon Canyon residential project.⁸ As detailed in this letter, the DEIR provides an inaccurate and incomplete picture of both the proposed project, and the potential environmental impacts of the proposed project, and must be augmented and recirculated. In addition, as demonstrated in this comment letter, the project as proposed is not consistent with the City's Municipal Code and should therefore be denied.

Response to Comment No. B1-1

The comment provides information about the commenter and also provides general comments about the Project and the EIR, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, responses to the specific comments are provided below in Responses to Comment Nos. B1-2 through B1-90.

Comment No. B1-2**INTRODUCTION**

The proposed project is located in the center of the City's Runyon Canyon Park on an approximately 4.5 acre (197,779 square foot) irregular privately-owned parcel. The project parcel has a land use designation of Minimum Residential, is zoned RE40-1- H, is subject to Zi-2462 modifications to single-family zones and single-family hillside area regulations, and is in the outer corridor of the Mulholland Scenic Parkway Specific Plan area. The project site is not served by a public roadway; access to the site is via a narrow poorly maintained fire road (North Runyon Canyon Road) that would be classified as a Substandard Hillside Limited Street⁹, that is closed to public motor vehicle access, which is accessed from Mulholland Drive, and which is used as a trail by Runyon Canyon Park users. Despite this, no improvements or widening of Runyon Canyon

⁸ *This letter was prepared with the assistance of Susan O'Carroll, Ph.D. of Pareto Planning and Environmental Services.*

⁹ *SUBSTANDARD HILLSIDE LIMITED STREET is a street (public or private) with a width less than 36 feet and paved to a roadway width of less than 28 feet.*

Road are included in the proposed project. Existing sewers also do not service the project site and a private disposal system is proposed as part of the project. The project also requires installation of a new fire hydrant.

The proposed single-family home would include a basement, first floor area, and second floor area. The first and second floors would total approximately 8,099 square feet in size; including the basement, the total square footage of the residence would be approximately 13,306 square feet. In addition to the 13,306 square foot residence, the proposed project includes: a mechanical/electrical area, which at 2,475 square feet is larger than both the median single-family home in the United States and in Los Angeles;¹⁰ a 6,454 square-foot covered patio area that is more than 3.5 times the size of the median single-family home in Los Angeles; and five parking spaces (four-car garage plus one off-street parking space). Given the description in the DEIR, it appears that the proposed residence thus totals 22,235 square feet inclusive of basement, first and second floors, mechanical area and covered patio areas. The proposed development is thus clearly excessive in size. Given its size and design, the new residence is likely to be used for substantial entertaining, something not considered or addressed in the DEIR.

As part of the project, the DEIR states that the existing two-story Headley/Handley Historic House would be reclassified as Accessory Living Quarters, despite the fact it has been used as a residence for many years. According to ZIMAS,¹¹ the existing house has three bedrooms and three bathrooms and is 2,018 square feet in size.

The proposed project involves construction along the western side of a prominent ridge. The project includes construction of three retaining walls. The proposed residence would be partially buried. Construction requires 28,012 cubic yards of grading, with 14,008 cubic yards of cut and fill balanced on-site.¹² Seventeen non-protected “significant” trees would be removed as part of the project.

The proposed project will require 3.33 acres of fuel modification for the proposed residence. It is unclear if this in addition to existing fuel modification requirements or inclusive of existing fuel modification requirements.

Despite the excessive size of the proposed residence, its location in the heart of a City park, and its proximity to a historical resource, the DEIR concludes that it will have only two impacts requiring mitigation: mitigation for nesting birds and mitigation for possible discovery of paleontological resources. The DEIR analysis therefore does not pass the smell-test.

¹⁰ *The median US home is 2,430 square feet and the median home in Los Angeles is 1,800 square feet per: <https://www.propertyshark.com/Real-Estate-Reports/2016/09/08/the-growth-of-urban-american-homes-in-the-last-100-years/>*

¹¹ *<http://www.zimas.lacity.org/reports/df28e16fb42a39d40bf76a08ea12e.pdf>*

¹² *Note: the grading amounts on the DEIR do not match: 14,008 cubic yards of cut and fill equals 28,016 cubic yards of grading, not 28,012 cubic yards as specified on page II-8, further indication of the sloppy nature of the DEIR.*

Response to Comment No. B1-2

The comment reiterates information about the Project, and provides the commenter's opinions about the Project, all of which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The comment is correct that the Project does not propose any changes to Runyon Canyon Road or the existing access to the Project Site. The Project is not expected to generate any additional traffic trips as there is currently a single-family residence on the Project Site, and the occupants of the existing residence would move into the new (proposed) single-family residence, with the existing residence reclassified as Accessory Living Quarters.

Regarding the size of the proposed home, the Mulholland Scenic Parkway Specific Plan and the Baseline Hillside Ordinance require different square footage calculations. Therefore, an updated Table II-2 has been provided below and has also been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR:

**REVISED Table II-2
Summary of Proposed Uses**

Proposed Project	
<i>Total Area (Specific Plan)</i>	
Basement	
Livable Space	4,878 sf
Mechanical/Electrical Area ¹	453 sf
Covered Patio	180 sf
First Floor (Ground)	
Livable Space	3,413 sf
Mechanical/Electrical Area ¹	851 sf
Covered Patio	2,312 sf
Garage	923 sf
Second Floor	
Livable Space	3,046 sf
Mechanical/Electrical Area ¹	1,171 sf
Covered Patio	5,457 sf
<i>Total Livable Space</i>	<i>11,337 sf</i>
<i>Total Mechanical/Electrical Area</i>	<i>2,475 sf</i>
<i>Total Covered Patio Area</i>	<i>7,949 sf</i>
<i>Garage</i>	<i>923 sf</i>
<i>Baseline Hillside Ordinance (BHO) Floor Area</i>	
<i>First Floor (Ground)</i>	<i>3,413 sf</i>
<i>Second Floor</i>	<i>3,046 sf</i>
<i>Garage</i>	<i>523 sf</i>
<i>Covered Patio</i>	<i>7,769 sf</i>
<i>Total BHO Floor Area</i>	<i>14,751 sf</i>
Existing Residence	
Accessory Living Quarters	2,018 sf
<i>sf = square feet</i>	
¹ <i>Includes mechanical and electrical room, pool equipment room, stairs, and elevator.</i>	
<i>Source: Ameen Ayoub Design Studio, November 26, 2019.</i>	

The comment is correct that the Project would provide its own sewer disposal system on-site (see Draft EIR pages VI-24 and VI-25).

The comment is also correct that the Project would include a new fire hydrant as stated in Project Design Feature FIR-PDF-1. The location of the new hydrant (and the four existing hydrants) are shown on the Approved Fire Hydrant and Access Plan, which was approved by the Los Angeles Fire Department on August 9, 2018, and which is included as Appendix I-2 of the Draft EIR.

Regarding fuel modification, as discussed on Draft EIR page IV.O-17 (in Section IV.O, Wildfire), the Project Applicant currently follows fuel modification requirements and maintains approximately 2.88 acres of fuel modification zones as required by the Los Angeles Fire Department. As part of the Project, there would be an additional 0.59 acres of fuel modification that would be subject to thinning. Further, a portion of the additional 0.59 acres that would be subject to fuel modification is the road and does not contain vegetation that would require thinning. Exhibit 4 attached to the Biological Technical Report (contained in Appendix E-2 of the Draft EIR) shows the fuel modification zone, including the 0.59 acres of area not previously subject to brush thinning. The maintenance of these fuel modification zones would continue with development of the Project. This information has been corrected in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

The comment states that the “new residence is likely to be used for substantial entertaining.” However, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise. Further, the claimed use of the house for substantial entertaining is speculative and vague, as the same family will occupy the proposed residence. Similarly, the statements in the comments regarding the alleged excessive size of the proposed residence are irrelevant and misleading, particularly within the context of the design and concealment of the building, and that subjective impression does not provide any specific comment regarding the analysis.

Regarding the impacts identified in the Draft EIR, the comment states that additional mitigation should be required, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. To the extent that the comments that follow address specific concerns, these responses to comments will address them.

Comment No. B1-3

COMMENTS ON DEIR SECTIONS

I. EXECUTIVE SUMMARY

California Environmental Quality Act (CEQA) Guidelines Section 15123(b) requires that the summary shall identify:

- (1) Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect;
- (2) Areas of controversy known to the Lead Agency including issues raised by agencies and the public; and
- (3) Issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.

The Executive Summary (pages I-1 to I-21) fails to identify all of the Project Design Features (see pages II-5 to II-7: AES-PDF-1, BIO-PDF-1, CUL-PDF-1, CULPDF-2, GHG-PDF-1, FIR-PDF-1, TR-PDF-1) or to provide the text of the design features that are included as part of the project in order to reduce impacts to a level which the DEIR considers to be less than significant. More importantly, these “Project Design Features” are clearly mitigation measures intended to reduce project impacts.

In *Lotus v. Department of Transportation* (2014) 223 Cal. App. 4th 645 (“*Lotus*”), Caltrans was found to have certified an insufficient EIR based on its failure to properly evaluate the potential impacts of a highway project. The *Lotus* court found that Caltrans erred by:

. . . incorporating the proposed mitigation measures into its description of the project and then concluding that any potential impacts from the project will be less than significant. As the trial court held, the “avoidance, minimization and/or mitigation measures,” as they are characterized in the EIR, are not “part of the project.” They are mitigation measures designed to reduce or eliminate the damage to the redwoods anticipated from disturbing the structural root zone of the trees by excavation and placement of impermeable materials over the root zones. ***By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA.***

(*Id.* at 655–656, *emph. added.*) The court ordered Caltrans’ certification of the EIR be set aside, finding:

. . . this shortcutting of CEQA requirements subverts the purposes of CEQA by omitting material necessary to informed decisionmaking and informed public participation. It precludes both identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences. The deficiency cannot be considered harmless.

In both failing to identify the project design features in the Executive Summary and in calling mitigation measure design features so as to avoid the identification of actually project impacts, the DEIR fails to comply with a requirement of CEQA. The DEIR must be revised to identify the impacts these design features are intended to mitigation, to reclassify the design features as mitigation measures, and the DEIR must be recirculated to allow the public to assess the adequacy of these measures in mitigating the pre-mitigation impacts that the DEIR must disclose.

Response to Comment No. B1-3

Draft EIR Section I, Executive Summary, includes a listing of all mitigation measures required for the Project (see pages I-10 through I-11 and I-15 through I-16). As noted in the comment, Section II, Project Description, includes a listing of all Project Design Features (PDFs) that are included as part of the Project (see pages II-5 through II-7 of the Draft EIR). Contrary to the comment, these PDFs are not mitigation measures that are required to reduce impacts of the Project to less-than-significant levels. Rather, a number of the PDFs are inherent to the design of the Project, including AES-PDF-1, CUL-PDF-1, GHG-PDF-1, and FIR-PDF-1, which respectively include the proposed siting and design features of the residence, as incorporated into the development proposal, as well as proposed structural and infrastructure elements of the Project, such as the proposed fire hydrant. The remaining PDFs have been provided as additional standard requirements of the City regarding features such as energy efficiency and drought-tolerant plans, preparation of construction management plans, and fencing for protected trees. Further, even without these measures, Project impacts would still be less than significant. BIO-PDF-1, for example, states that although there would be no impacts to protected trees as a result of the Project, the Project would further ensure that a walnut tree located outside of the Project grading limits is not impacted by Project construction activities. Similarly, CUL-PDF-2 restates regulatory requirements related to archaeological resources and human remains. The Project must comply with these requirements, and therefore, they would not qualify as a mitigation measure. Finally, TR-PDF-1 states that the Project would include a Construction Traffic Management Plan (CTMP), which would include street closure information, detour plans, haul routes (if required), staging plans, and plans to facilitate traffic and pedestrian movement. The CTMP is not required to reduce the Project's impacts, and therefore is not appropriate as a mitigation measure; however, it is included as part of the Project to further manage the Project's construction activities. Further, if a haul route is required, the City routinely requires measures similar to those in the CTMP.

Comment No. B1-4

The Executive Summary also fails to identify the project alternatives or to identify the issues associated with the choice among alternatives. The DEIR thus fails to comply with this mandatory requirement of CEQA. These omissions are emblematic of the poor quality of the DEIR.

Response to Comment No. B1-4

Draft EIR Section V, Alternatives, contains an analysis of three alternatives to the Project. In addition, a summary of the three alternatives has been added to Section I, Executive Summary (see Section 3, Revisions, Clarifications, and Corrections, of this Final EIR). The remainder of the comment provides the commenter's opinion about the EIR, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B1-5**II. PROJECT DESCRIPTION**

The Project Description narrative in the DEIR is incomplete and inaccurate. It defies common sense that a residence of this size and design is not intended as a party house and is only intended to be used by four occupants, as assumed in the CalEEMod runs done for the project (see DEIR Appendix D). The DEIR needs to disclose the anticipated number and size of parties/events to be held at the residence on an annual and monthly basis. Without this information the traffic, air quality and noise analyses are unlikely to be inaccurate and the DEIR underestimates project impacts.

Response to Comment No. B1-5

The comment provides a subjective and speculative claim regarding the purpose of the proposed residence based only on its size, and ignores that the Project applicant and his family will occupy the residence. The Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property.

In addition, a memo was prepared to further assess operational noise impacts from outdoor social events or gatherings held on the patios of the proposed home (see Appendix C of this Final EIR for the full memo and associated technical modeling). The memo assumed that the patios could host outdoor social events that include dozens of attendees who socialize, including drinking, eating, and conversation, and determined that based on the existing noise levels in the surrounding neighborhoods, there would be no audible increase in ambient noise levels at surrounding residences as a result of gatherings held on the outdoor patios of the proposed home. Finally, the following project design feature (NOI-PDF-1) has been added to prohibit the use of outside amplified noise at the Project Site, which would further reduce the Project’s already less than significant noise impacts. This measure has also been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

NOI-PDF-1 The use of outside amplified noise will be prohibited at the Project Site.

Comment No. B1-6

Page II-2 indicates that: “the Project would include the construction of three retaining walls, which would be constructed along the hillside at the mid-point of the northwest portion of the parcel. The height of the retaining walls would be a maximum of 10 feet, and the height would be lower than the current driveway along the northwest portion of the Project Site.” However, the Geotechnical Report contained in Appendix G indicates on page 4 that the: “residence will be notched into the slope and will be supported with retaining walls up to 13 feet high.” The project description needs

to provide information on any retaining walls associated with the construction of the actual residence and their visibility as these have the potential to result in aesthetic impacts.

Response to Comment No. B1-6

While the Geotechnical Report evaluated retaining walls up to 13 feet in height, the Project does not include any retaining walls over 10 feet in height, consistent with the limitations of the City's Baseline Hillside Ordinance. As stated on Draft EIR page II-2, the Project includes the construction of three retaining walls, each with a maximum height of 10 feet: two retaining walls below the driveway and one retaining wall connecting to the existing retaining wall in rear of the carport extending to the proposed residence. The updated plan set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR shows the locations of the three proposed retaining walls (see specifically Proposed Overall West Site Elevation, New Figure II-6.5). As with the proposed home, views of the retaining walls would only be available from a limited portion of Runyon Canyon Road, where the trail curves and the western face of the home is visible. This information regarding the limited visibility of the retaining walls has also been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

The proposed retaining walls below the driveway (as shown in Figure II-6.5) would retain soils onsite ("fill sites") in order to reduce the volume of export, and have been designed for slopes with a ratio of 1.5:1. If the Department of Building and Safety requires slopes with a ratio of 2.0:1 (i.e., less steep), the fill sites would cover a larger area, although the amount of dirt would remain the same. If the Project requires slopes with a ratio of 2.0:1, only two retaining walls would be required and the maximum height of the retaining walls would still be 10 feet. See Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, for a discussion and figures (see specifically Figures II-22 through II-24) showing the retaining walls to accommodate slopes with a ratio of 2.0:1.

Comment No. B1-7

The Geotechnical Report in Appendix G indicates on page 4 that a "tunnel from the existing residence is planned to access a wine cellar adjacent to the proposed residence." Is this still a part of the proposed project? If so, information on the location of such a tunnel, the amount of earth to be removed, and how it will be connected to the existing historical resource must be provided in the project description. This information is necessary to ensure the accuracy of the historical resource impact assessment and the air quality and construction-related impact assessments.

Response to Comment No. B1-7

The Project does not include a tunnel from the existing residence to the proposed residence. Instead, the Project includes an "Access Passageway," which is a covered open-air patio area that provides access from the existing residence to the proposed residence. See the updated plan

set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (specifically Proposed Ground Floor Plan, New Figure II-3.5).

Comment No. B1-8

Page II-2 indicates that the proposed project includes approximately 2,475 square feet of mechanical/electrical area, but this is not included in Table II-2. Is this a separate structure, part of the basement area or what? The project description fails to disclose what kind of mechanical/electrical equipment will be contained in this 2,475-foot area, its intended uses, and why such a large area for mechanical/electrical equipment is needed. The need for 2,475-feet of mechanical/electrical area to support a single-family home is very unusual. Given that the area allocated for mechanical/electrical equipment is larger than the median home in Los Angeles and the United States, it is important to know what type of equipment will be located in this area, and how that equipment contributes to the utility demands of the proposed project. In the absence of such information, it is likely that project impacts have been, at best, not fully disclosed, and at worst underestimated. This extreme need for mechanical/electrical equipment may also provide important information regarding the intended uses of the property that is important to an understanding of potential project impacts. For example, it is likely indicative of the fact that the property may be used for substantial entertaining, which would have potential traffic and/or noise impacts.

Response to Comment No. B1-8

There are mechanical/electrical and vertical circulation areas located on each level of the proposed home: 453 square feet in the basement; 851 square feet on the first floor; and 1,171 square feet on the second floor. These spaces would account for stairs, an elevator, pool and irrigation equipment, HVAC equipment, electrical panel, power batteries, firefighting cistern tank (2,500 gallons), audio/video equipment, a water heater tank (40 gallons), and generator. See the updated plan set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (specifically Proposed Basement Floor Plan, Proposed First Floor Plan, and Proposed Second Floor Plan). Thus, these spaces consolidate a number of systems, many of which are typically located outside and are visible on the exterior. Consequently, the mechanical/electrical space identified in the Project plans does not imply or create a need for additional analysis.

Further the analysis of Project impacts with respect to utilities is based on the size of the proposed home, and therefore, the analysis contained in the Draft EIR (Section VI, Other CEQA Considerations) accurately estimated the Project's demand for utilities. Nevertheless, updated utility demand calculations based on specific equipment included as part of the Project have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As discussed in Section 3 of the Final EIR, the Project's impacts with respect to utilities and service systems would continue to be less than significant, based on the updated demand calculations.

Finally, as stated in Response to Comment No. B1-5, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

Comment No. B1-9

Page II-2 indicates that the 2,018 square foot Headley/Hadley House would both remain intact and be reclassified as Accessory Living Quarters. Section 12.03 of the City’s Municipal Code defines Accessory Living Quarters as:

ACCESSORY LIVING QUARTERS. An accessory building used solely as the temporary dwelling of guests of the occupants of the premises; such dwelling having no kitchen facilities and not rented or otherwise used as a separate dwelling unit. **(Added by Ord. No. 107,884, Eff. 9/23/56.)**

Given that the existing home clearly has kitchen facilities (see Figure II-1), it does not qualify as Accessory Living Quarters.¹³ Any attempt to reclassify it as Accessory Living Quarters is contrary to the Municipal Code.¹⁴ Similarly the existing single-family residence cannot be reclassified as an Accessory Dwelling Unit (ADU) since it exceeds the maximum size for an ADU under both State law¹⁵ and the City’s proposed ADU ordinance,¹⁶ both of which specify a maximum ADU size of 1,200 square feet. The proposed project thus includes the de facto rezoning of the property to allow for two single-family homes on the same lot. Or, the proposed project includes alterations to the historical resource that have not been disclosed in the DEIR and which would result in cultural resource impacts that have not been identified in the DEIR. The DEIR and the project description are fatally flawed in that they fail to address the fact that the proposed project is not consistent with the requirements of the City’s Municipal Code and would necessitate rezoning or other forms of discretionary approval not disclosed in the DEIR. Similarly, the DEIR is fatally

¹³ *The attempt to pass the existing residence off as accessory living quarters as part of the project and the DEIR calls into question the honesty of the DEIR and the applicant.*

¹⁴ *If the existing historical residence is modified to meet the definition of accessory living quarters, something that would be highly suspect given ADU regulations, it would likely result in a significant cultural resources impact, which has not been addressed in the DEIR.*

¹⁵ <http://www.hcd.ca.gov/policy-research/AccessoryDwellingUnits.shtml>

¹⁶ <https://planning.lacity.org/ordinances/docs/ADU/Ordinance.pdf>

flawed in that it fails to identify the failure of the proposed project to comply with City zoning requirements as a land use impact.

Response to Comment No. B1-9

The Project does not involve the reclassification of the Headley/Handley House as an Accessory Dwelling Unit (ADU).

The kitchen (stove) would be removed from the Headley/Handley House, and therefore, consistent with the City's definition of an Accessory Living Quarters under the Los Angeles Municipal Code (LAMC). As described in pages 12-31 of Appendix F-1 to the Draft EIR, the Historic-Cultural Monument designation is limited to the exterior of the historic house. Nevertheless, the only change proposed for the kitchen is the removal of the stove. Appliances are not typically considered character-defining features of historic houses, and are not identified as a character-defining feature of the Headley/Handley House. As further described on page 18 of Appendix F-1 of the Draft EIR, the house was originally designed in 1945 as a multiuse storage, garage, and stable structure that was to support a main residence that was planned, but not constructed. In 1949, the multiuse structure was converted into living quarters, and a new modern stove was recently added. Therefore, the report concludes on page 18 that converting the existing house into Accessory Living Quarters is not contrary to its history, and that the removal of features that do not contribute to the house's architectural style would not result in a loss of historical significance of the resource. Therefore, the unsupported speculation in the comment regarding historic impacts was previously addressed in the Draft EIR.

Comment No. B1-10

Page II-2 indicates that the “proposed building would also include approximately 2,475 square feet of mechanical/electrical area, and approximately 6,454 square feet of covered patio area.” Table II-2 – Summary of Proposed Uses should therefore also include the patio and mechanical/electrical area uses and indicate whether they are exempt from being included in the project square footage calculation. This is necessary so that the reader understands the full size of the proposed project. The DEIR should include the plan sheet with the project description information so that the reader can crosscheck the narrative against the project plans. It would be useful to include the full set of plan sheets as an appendix to the DEIR.

Response to Comment No. B1-10

The comment is correct that the Project includes approximately 2,475 square feet of mechanical/electrical area. The Project would also include approximately 7,769 square feet of covered patio area. The commenter is referred to Response to Comment No. B1-2 regarding the Project's square footage, including an updated table showing the square footage calculation. Regarding the location of the mechanical/electrical areas and covered patio areas, the commenter is also referred to the updated plan set that has been included in Section 3, Revisions,

Clarifications, and Corrections, of this Final EIR (specifically Proposed Basement Floor Plan, Proposed First Floor Plan, and Proposed Second Floor Plan).

Comment No. B1-11

Page II-5 states that the project would comply with the Los Angeles Green Building Code. It is not sufficient to merely state the project complies, substantial evidence to that effect must be provided in the DEIR. In the absence of such substantial evidence the potential for impacts remains.

Response to Comment No. B1-11

The Project must comply with the Los Angeles Green Building Code, and before building permits are issued, the Los Angeles Department of Building and Safety would confirm that the requirements are met. As the construction drawings and specifications are prepared, and refined during the plan check process, the Project will include more specific information regarding building systems and construction materials that comply with the current building codes. Moreover, the Green Building Code provides specifications and performance measures that the Project must meet for ministerial permit issuance. In addition, the Project includes Project Design Feature GHG-PDF-1, which provides additional sustainability features that have been incorporated into the Project, such as a green roof planted with mixed meadow/meadow edge native grasses and water-efficient landscaping. The analysis of the Project in the Draft EIR properly considered what is known and reasonably foreseeable regarding the Project at the schematic level of design, and the comment provides no substantial evidence to the contrary. The comment also does not provide any evidence that the Project would violate applicable building codes.

Comment No. B1-12

The project description should provide information in the existing amount of fuel modification and the with-project amount of fuel modification

Response to Comment No. B1-12

As discussed on Draft EIR page IV.O-17 (in Section IV.O, Wildfire), the Project Applicant currently implements fuel modification in accordance with applicable requirements of the Los Angeles Fire Department and maintains approximately 2.88 acres of fuel modification zones. The Project includes an additional 0.59 acres of area subject to fuel modification (as shown in Exhibit 4 of the Biological Technical Report, contained in Appendix E-2 of the Draft EIR). The maintenance of these fuel modification zones would continue with development of the Project.

Comment No. B1-13

Given the large size of the proposed project, the project description should quantify the anticipated number and size of truck trips required for hauling construction materials to the project site. This

is important to an understanding of whether the proposed project will result in construction-related impacts to the historical resource or hazard impacts along the fire road access that is used as a trail for park users.

Response to Comment No. B1-13

If haul trucks are required (if the requested Zoning Administrator's Determination is denied), it is estimated that there would be approximately 1,181 haul trips (round trips). This is based on the worst-case scenario export of approximately 16,529 cubic yards of soil (accounting for export required as a result of trenching for utilities and also factoring in the expansion potential of the soil), and assuming the use of haul trucks with a capacity of 14 cubic yards. Assuming a hauling period of 21 working days, there would be an average of approximately 56 round trips per day, or approximately seven round trips per hour (assuming an eight-hour work day). This information has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. An updated air quality analysis based on the updated number of haul trips (worst-case scenario, if the requested Zoning Administrator's Determination is denied) has been summarized in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, and the associated technical modeling is included in Appendix D of this Final EIR. The updated analysis shows that Project construction emissions would continue to be below the South Coast Air Quality Management District's (SCAQMD) thresholds of significance, and therefore, impacts would continue to be less than significant. All trucks would also be covered to avoid any dirt in the air.

As discussed on page II-8 of the Draft EIR, if a haul route is required, trucks would travel from the Project Site to Mulholland Drive to the 101 freeway (northbound and southbound ramps). In addition, the Project includes Project Design Feature TR-PDF-1, which states that the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes (if required), and staging plans. The CTMP would be reviewed by LADOT prior to the start of construction. The CTMP would also ensure the adoption of safety procedures creating a safe environment for those accessing the adjacent public park during Project construction, including during hauling (see Draft EIR page IV.M-7), and would maintain construction traffic controls to ensure adequate emergency access. Pedestrian access to Runyon Canyon Park during any hauling would be maintained through the implementation of safety procedures, as part of the Project's CTMP.

Further, as stated on Draft EIR page IV.M-7, construction activities and materials delivery and loading would occur during off-peak hours on certain days and would not be a regular event. New Project Design Feature TR-PDF-2 has been provided below (and also in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR) to ensure that all material deliveries would occur during off-peak hours, which would further reduce the already less than significant impacts with respect to construction traffic. Further, traffic impacts are assessed on the basis of peak-hour traffic. Deliveries and hauling would occur at off-peak hours, and therefore, would not generate significant traffic impacts.

TR-PDF-2 All construction material deliveries will occur during off-peak hours.

Regarding impacts to the Headley/Handley House, as discussed in Draft EIR Section IV.D, all impacts as a result of the Project would be less than significant, and the comment fails to provide any substantial evidentiary basis for the claim that construction-related hauling would adversely affect the historic Headley/Handley House in any material way.

Comment No. B1-14

The project description narrative fails to specify the number of bathrooms and bedrooms included in the proposed residence. This is basic information important to calculating project water use, etc. Failure to provide this basic information in the narrative is indicative of the poor quality of the DEIR. It would appear that: the basement includes two bedrooms and two bathrooms (Figure II-2); there is one bathroom on the ground floor (Figure II-3); and there possibly would be four bathrooms and three bedrooms on the second floor (Figure II-4), but this is far from clear. The project plans provided in the DEIR need to clearly identify the uses, such as bathrooms, bedrooms, kitchen, theater, wine cellar, etc. The analysis needs to be based on actual potential maximum occupancy, not the fantasy that occupancy and use of the site will remain unchanged. The project narrative also needs to specify the uses on each floor. Where is the mechanical/electrical area described in the narrative? Which plan sheet shows this area? It should be clearly indicated on the project plans.

Response to Comment No. B1-14

The Project includes four bedrooms and six bathrooms. Specifically, the uses on each floor are as follows:

- Basement: gym, theater, lounge, bedroom, and two bathrooms.
- First floor (ground floor): living room, kitchen, dining room and bathroom.
- Second floor: master bedroom, two additional bedrooms, and three bathrooms.

Regarding the mechanical areas, the commenter is referred to the Response to Comment No. B1-10, above. As discussed in that response, there are mechanical/electrical areas on each level. The commenter is also referred to the Response to Comment No. B1-2, which provides a table of use and floor areas broken down by floor, and also the updated plan set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (specifically Proposed Basement Floor Plan, Proposed First Floor Plan, and Proposed Second Floor Plan, Revised Figures II-2 through II-4). The assumptions of the air quality and GHG analysis, for example, do relate to the square footage and surface area of the structure rather than specific fixtures. Both analyses conservatively assume full, continued use of the existing house, in addition to the occupation of the proposed Project with current emissions assumptions, despite the removal of

the stove in the existing house. Even with these conservative assumptions, the impacts were determined to be less than significant.

Comment No. B1-15

Which project plan sheet shows the location of the proposed on-site sewage disposal system? The project description needs to provide information in the size, nature, location and capacity of this system. According to page 14 of the Geotechnical Report it appears that two options have been identified for the proposed seepage pits. Option 1 is along the driveway to the west of the existing pool and Option 2 is to the north and downslope of the existing pool in the fill location. Which Option is included in the proposed project? (Failure to specify the sewage location and option included in the design results in an inaccurate and unstable project description as readers are left to search for this information in the technical appendices where options, rather than the selected design are specified; project description information in the technical appendices is not always consistent with that included in the body of the DEIR). Does the proposed sewage disposal system include a septic tank. If so, what is its capacity and where will it be located? How will sewage be routed from the proposed residence to the seepage pits, and how close will trenching come to the historical resource? The existing residence is currently being served by a private sewerage system and such systems generally consist of a septic tank and one or more cesspools or seepage pits. Where is the current system located and will it be retained, abandoned or expanded? This must be addressed in the DEIR. How much cut and fill is required for installation of the new sewage disposal system and has this been included in the grading quantities specified in the project description? If not, the air quality analysis likely underestimates project-generated construction emissions.

Response to Comment No. B1-15

A figure showing the location of the proposed seepage pits is included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (see specifically new Figure II-21). As the existing house would remain, with the removal of the stove, the wastewater treatment system would remain for the existing house. The Project will include a seepage pit, and the final location will be determined as part of the construction drawing process; however, both options are identified and evaluated as part of the Draft EIR (see Draft EIR page IV.F-17). The tank for the proposed seepage pit would have a capacity of approximately 1,500 gallons and the seepage pit depth would likely be approximately 50 to 60 feet deep. Contrary to the comment, the Project description remains stable and finite, and as is described in the Geotechnical Report (Appendix G to the Draft EIR).

Comment No. B1-16

Where is the new fire hydrant to be located? Which plan sheet in the DEIR shows the location of the new fire hydrant? The project description needs to provide information on the location of the new hydrant, and the nature and location of the waterline improvements required as part of the installation of the fire hydrant. The depth, length and amount of trenching required for installation

of the hydrant also need to be provided as part of the project description. In the absence of this information, air quality calculations are likely under-estimated.

Response to Comment No. B1-16

Currently, there are four fire hydrants around the perimeter of the Project Site, and the Project includes a new fire hydrant (formally provided as Project Design Feature FIR-PDF-1), which would be located adjacent to the Project Site's driveway. The location of the new fire hydrant (and the four existing hydrants) are shown on the Approved Fire Hydrant and Access Plan, which was approved by the Los Angeles Fire Department on August 9, 2018, and which is included as Appendix I-2 of the Draft EIR.

The required fire flow for the Project has been set at 4,000 gallons per minute from four adjacent fire hydrants flowing simultaneously (see Draft EIR page IV.L-9 and correspondence from the Los Angeles Fire Department included in Appendix I-1 of the Draft EIR). The combination of the four existing fire hydrants and the proposed hydrant would allow the Project to meet the LAFD's fire flow requirement of 4,000 gallons per minute from four adjacent fire hydrants flowing simultaneously.

Comment No. B1-17

The DEIR needs to make clear the nature and location of any utility improvements required for the project.

Response to Comment No. B1-17

Utility infrastructure improvements required for the Project are discussed on page VI-4 of the Draft EIR (in Section VI, Other CEQA Considerations). As discussed therein, the Project Site is currently developed with an existing residence which is served by existing utilities and infrastructure (with the exception of sewer, as the Project Site has a private sewer disposal system). In addition, the existing building on the Project Site is not currently connected to natural gas infrastructure. While the Project may require minor local infrastructure upgrades to maintain and improve water and electricity lines on-site and in the immediate vicinity of the Project Site, such improvements would be limited to serving Project-related demand. The point of connection for the new fire hydrant and water meter is located at the south side of the existing entry gate, and next to it are points of connection for electricity, cable, and phone lines. Required upgrades would include trenching to bring these lines up the driveway to the proposed residence. Therefore, any infrastructure upgrades would not necessitate major local or regional utility infrastructure improvements that have not otherwise been accounted and planned for on a regional level.

Comment No. B1-18

Figure II-1 needs to include a legend showing what the ziptone on the plan represents.

Response to Comment No. B1-18

The ziptone on Figure II-1 represents the changes in elevation. This has also been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (Revised Figure II-1).

Comment No. B1-19

The project description appears to be inaccurate regarding the existing and proposed on-site pool(s). Pages I-8 indicate that there is “an existing pool and patio area associated with the existing structure, which would remain as part of the Project.” However, Figure II-1 indicates that the existing pool will be removed. No mention is made in the narrative of a new pool as part of the proposed project. However, Figure II-3 shows a new (larger) pool as part of the project plans for the new residence, which is not described or included as part of the project description narrative; the word pool appears nowhere in the project description. The project description is therefore neither accurate nor stable.¹⁷ Perhaps it would be useful if the project description included an existing site plan as well as the proposed site plan to make clear to the reader the changes being made as part of the proposed project. The project description needs to indicate the size and volume of the existing and proposed pools. The project renderings need to show the location and size of the proposed pool.

Response to Comment No. B1-19

As stated in Draft EIR Section II, Project Description, (p.11-12) the Project currently includes the retention of the existing pool. In addition, a new pool would be constructed adjacent to the proposed residence. This information has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. The commenter is also referred to the updated plan set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (see specifically New Figure II-3.5, Proposed Ground Floor Plan, which shows the proposed pool). Further, the grading volumes and depths, and all calculations associated with those values, include provisions of the new pool as depicted in the plans.

Comment No. B1-20

In addition, Figure II-4 shows a large water feature (approximately 113' by 5'7") as part of the second floor site plan, which is not disclosed in the project description narrative. The DEIR needs to disclose the depth and volume of water included as part of this water feature. Based on Figure II-12 it appears that both the pool and the water feature have infinity characteristics, meaning that water from the pool and the water feature cascade from the edge of the pools down the side of the residence for some distance, thus increasing the amount of evaporation that will occur as a result of the design. The DEIR needs to describe the height of the waterfalls and include a

¹⁷ *A project description is the sine qua non of an EIR. County of Inyo v. City of Los Angeles, 71 Cal.App. 3d 185, 193 (1977). A “finite project description is indispensable to an informative, legally adequate EIR” Id. At 199. Courts have indicated that an accurate and stable project description is necessary so that the public has enough information to participate meaningfully in the EIR process.*

calculation of the volume of water loss and thus water demand on a monthly basis. In failing to address the pool and water feature components of the proposed project, the DEIR has failed to accurately assess the water demands of the proposed project.

Response to Comment No. B1-20

The water feature on the second floor is no longer part of the Project and has been replaced with a planter. The commenter is referred to the updated plan set that has been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (see specifically Revised Figures II-1, II-3, and II-4, which show that the water feature is no longer part of the Project). Regarding the pool, while the design has not been finalized, it is estimated that the pool would be approximately 130 feet in length and approximately 20 feet in width. The deepest portion of the pool would have a maximum depth of between 5 and 10 feet. Updated utility demand calculations, including water demand, based on specific equipment included as part of the Project, such as the pool, have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As discussed in Section 3 of the Final EIR, the Project's impacts with respect to utilities and service systems would continue to be less than significant, based on the updated demand calculations.

Comment No. B1-21

Figure II-5 indicates that solar panels may be placed on the roof of the residence. The DEIR narrative needs to provide information on the size of the paneled area and the aesthetic analysis needs to address whether panels would be visible from nearby hillside areas, such as those shown in Figure II-12 and whether they will result in a visible glare spot. The biological resource analysis needs to address the potential impacts of solar panels located in a key wildlife area and their potential impact on birds and other wildlife.

Response to Comment No. B1-21

If solar panels are required, they would not be located on the roof of the proposed residence. Instead, as shown in new Figure II-15 (included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR), any required solar panels would be located on the fill site below the driveway, and therefore would have limited visibility from nearby hillside areas.

Relative to potential impacts of solar panels on birds and wildlife, there is no evidence that residential solar panels have adverse impacts on avifauna. In fact, Audubon recommends the use of residential solar panels because of the benefits to avifauna associated with reduction in fossil fuels.¹⁸

¹⁸ *National Audubon Society, "Why Solar Power is Good for Birds," <https://www.audubon.org/news/why-solar-power-good-birds>, January 9, 2017.*

Comment No. B1-22

Figure II-11 Section 2 shows that the project basement includes a theater and lounge area. What is the seating capacity of the proposed theater use?

Response to Comment No. B1-22

The Project includes the construction of a single-family residential home, and therefore, the theater and lounge areas are not commercial in nature or open to the public, and would be used as part of the home. Therefore, they do not have a “seating capacity,” and are not required to provide commercial parking.

Comment No. B1-23

The project description fails to describe the fact that the proposed project includes a large outdoor fireplace per Figure II-4. The DEIR needs to specify the nature of the fuel to be used in the outdoor fireplace. Given the nature of the fuel, the air quality analysis for the proposed project may need to be updated to account for outdoor fireplace use.

Response to Comment No. B1-23

The fireplace would be a direct vent gas (propane) operated fireplace and would be enclosed with glass. The fireplace would not be a wood-burning fireplace. This has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

Comment No. B1-24

North Runyon Road is not a public street. The DEIR fails to identify the approvals required to allow new development on a parcel that does not abut a public street. The project description needs to describe any required improvements to North Runyon Road included as part of the proposed project; no such improvements are specified in the project description or included as mitigation measures. The project description or the existing setting needs to provide information on the existing roadway width of North Runyon Road and whether it meets applicable street access requirements in the Municipal Code, such as Section 12.21 C.10(i). Based on measurements taken using Google Earth, shown in **Figure 1**, it does not appear that North Runyon Road meets the requirements for a Standard Hillside Limited Street and would thus be considered a Substandard Hillside Limited Street. Failure to comply with Hillside Ordinance requirements regarding obligations for projects on a Substandard Hillside Limited Street should be identified as a significant land use impact in the DEIR.

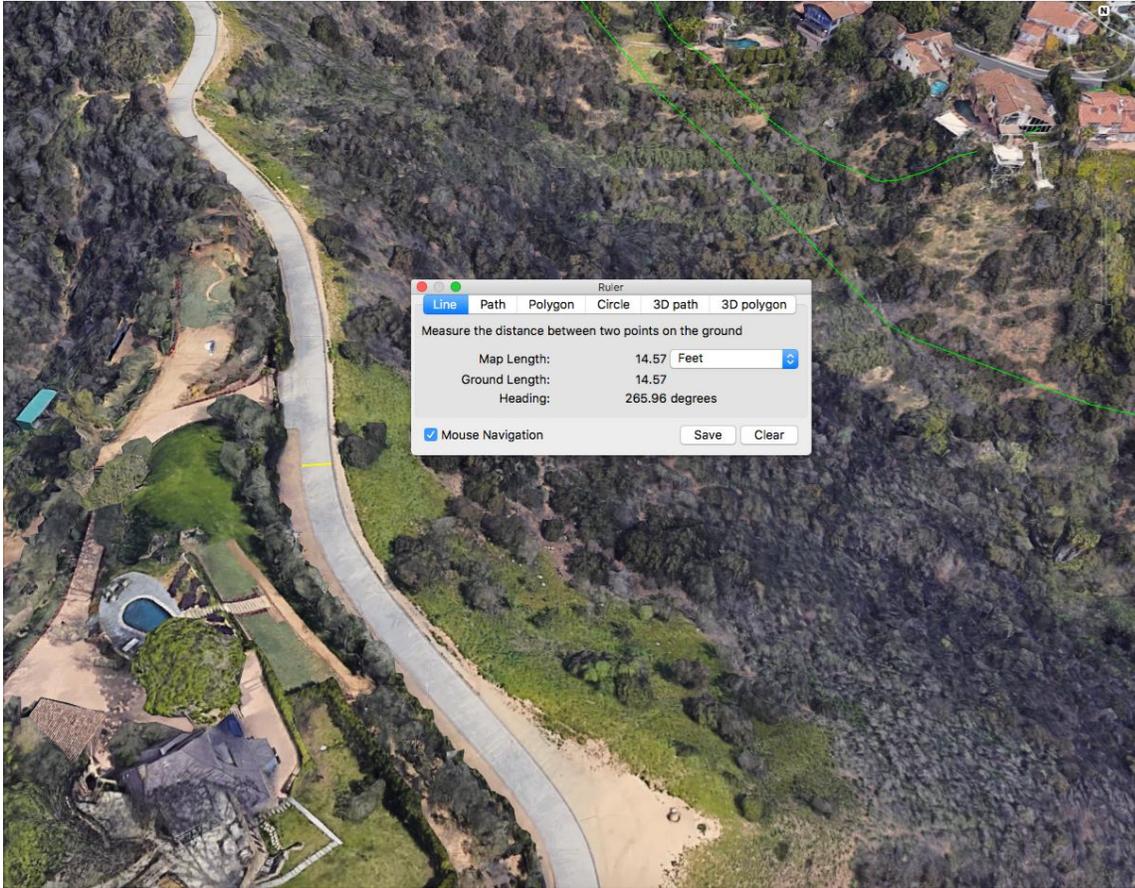


Figure 1 – Google Earth Measurement Width of Roadway Along Edge of Project Parcel

Response to Comment No. B1-24

The comment is correct that the Project does not propose any changes to Runyon Canyon Road or the existing access to the Project Site. The Project is not expected to generate any additional traffic trips as there is currently a single-family residence on the Project Site, and the occupants of the existing residence would move into the new (proposed) single-family residence, with the existing residence reclassified as Accessory Living Quarters.

Runyon Canyon Road qualifies as a deemed approved Private Street within the meaning of Section 18.00C of the Los Angeles Municipal Code, as set forth in a letter from Advisory Agency, Con Howe, dated October 13, 1993. This letter has been included as Appendix I to this Final EIR. Section 18.00C provides that "When a developed residential lot or building site has its access driveway located within a private road easement and the dwelling and access driveway existed prior to September 6, 1961, said private road easement shall be deemed to have been approved in accordance with the provisions of this article and may be continued." The grant deed with an easement for road purposes was recorded on the property on March 16, 1945, and therefore complies with the Municipal Code requirement, as provided in the City letter.

Comment No. B1-25

The project description needs to provide more information on the green roof proposed as part of the project including the square footage, planting material, nature of the watering system, and anticipated monthly water required to maintain the look of the green roof.

Response to Comment No. B1-25

Refer to the updated plan set provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR (specifically the Proposed Landscape Plan and Proposed Planting Legend). As shown there, the approximate area of the green roof is 25,376 square feet. The green roof would be planted with mixed meadow/meadow edge native grasses, which require similar water demand as drought-tolerant plantings, and would be watered using a dripline irrigation system.

Comment No. B1-26

The project description and project plans need to identify the nature of the foundations required for the proposed project. A plan sheet(s) showing the nature of the proposed foundations should be included in the project description. As described in the Geotechnical Report contained in Appendix G, the proposed project will require a foundation that is founded into bedrock, including spread footings with a minimum embedment into bedrock of 12 inches, friction piles that are a minimum of 24 inches in diameter and a minimum of 8 feet into bedrock or a caisson system with caisson embedded a minimum of three feet into bedrock. The need to drill into bedrock has implications for the potential construction noise and vibration impacts of the proposed project and should therefore be disclosed as part of the project description. In addition, the Geotechnical Report in Appendix G includes retaining walls as part of the structure, which are not disclosed in the project description.

Response to Comment No. B1-26

Construction equipment including backhoes and drilling rigs will be required to construct the foundation systems. Based on the foundation plans and the Building Code requirements for foundation depths relative to descending slopes, the foundations will range 2 to about 40 feet below the ground surface. Noise associated with backhoes and drilling rigs are primarily due to the diesel engines. Excavating and drilling machines will also cause near-source ground vibrations. Bedrock quickly attenuates ground and near ground vibration sources. The granitic and sedimentary bedrock at the site is expected to completely attenuate ground vibrations within 15 to 25 feet of the source. Ground vibrations more than 25 feet from the construction area will be attenuated to less than ambient vibrations.

The Project Description does identify three retaining walls that are required to support the slope and location of the fill on the Property; the other walls are part of the structure of the residence, and are not deemed separate retaining walls under the definition in the building code. Therefore,

the Project Description is stable and finite, and the comment does not identify any necessary item that was not disclosed in the Project Description.

Comment No. B1-27

The project description in the DEIR is fatally flawed due to its omissions and inaccuracies. The project description fails to provide an accurate and stable picture of the proposed project or to provide all of the information needed for the reader to assess the accuracy of the impact judgments in the DEIR.

Response to Comment No. B1-27

The characterization of the Project Description in the comment is inaccurate. As described in the Response to Comments B1-2, the Project Description is detailed and thorough. To the extent the comment requests additional information or implies additional information is needed, the Responses to Comments provide that information as described above, and do not change the ultimate conclusions of the Draft EIR.

The comment provides criticism of the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR.

Responses to specific comments on the Project description have been provided in Responses to Comment Nos. B1-1 through B1-26, above.

Comment No. B1-28

IV. ENVIRONMENTAL ANALYSIS

The analysis in the DEIR assumes that the proposed project will function only as a typical single-family residence occupied by a maximum of four individuals (see DEIR Attachment D, for example). Given the size and design of the proposed residence it is more likely that it will be used for extensive entertaining including large-scale parties and events. However, given the unique location of the property, surround by a public park and wildlife area, accessed only by a narrow poorly maintained fire road that supposed to be closed to public motor vehicle access and which is used as a trail during park hours, large-scale parties would have the potential to result in significant short-term noise, traffic, and hazards impacts to hikers and wildlife which have not been addressed in the DEIR. To insure that such impacts would not occur, the DEIR should include mitigation measures:

1. Prohibiting off-site visitor parking. To accomplish this the project applicant should be required to pay the cost of installing a sign at the entrance to North Runyon Canyon Road indicating that no vehicular parking is allowed at any time along the road, stating the amount of a substantial fine for any violation, and providing a phone number for reporting any violations to parking enforcement.

2. Prohibiting any short-term rental of either residence on the project site.
3. Capping the number of vehicles that can be parked on site. Limiting the location of on-site visitor vehicle parking outside the five parking spaces, to locations where parked vehicles will not impair fire truck access.
4. Prohibiting outdoor music at volumes that can heard by people or wildlife beyond the property boundaries.
5. Establishing the maximum occupancy at any time of the site.
6. Establishing a cap on the number of events/parties allowed each month.
7. Limiting the days and hours of any events/parties and prohibiting parties and events during hours when the park is open and visitor traffic could result in a hazard to trail users.

The DEIR should then include an analysis of impacts assuming use of the site at levels consistent with the maximum caps established by the mitigation measures and identify any additional mitigation measures required to reduce impacts to a level considered less than significant.

Response to Comment No. B1-28

The Project consists of the construction of a single-family residence for the family that currently occupies the existing home on site. The Draft EIR appropriately proceeded on this basis. Therefore, it was assumed that four individuals would occupy that residence.

Regarding the comments that the proposed residence would be used for “extensive entertaining including large scale parties and events,” as stated in Response to Comment No. B1-5, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

The Project would also be required to comply with the City’s Home-Sharing Ordinance (Ordinance No. 185,931, included in Appendix K of this Final EIR), which places restrictions on short-term rentals. As the Project is required to comply with these existing regulations, no mitigation measures would be required.

Comment No. B1-29**IV.A. AESTHETICS**

Page IV.A-5 indicates that there are a number of major vista point and scenic overlooks along Mulholland Drive, but fails to indicate if the subject property is visible from any of those sites

Response to Comment No. B1-29

The analysis provided on Draft EIR pages IV.A-9 and IV.A-10 (in Section IV.A, Aesthetics) specifically analyzes whether the Project is viewable from the scenic overlooks along Mulholland Drive. As discussed therein, the nearest Major Vista Point (also the nearest Overlook) is the Hollywood Bowl MVP and Overlook, which is located approximately 0.3 miles east of the Project Site. However, the Project would not be viewable from the Hollywood Bowl MVP and Overlook. The Project has been designed such that the proposed home would be built into the hillside and is completely hidden from Mulholland Drive. The commenter is also referred to new Figures IV.A-8 and IV.A-9, which provide views of the Project from Mulholland Drive/the Hollywood Bowl Overlook and which confirm that the Project would not be viewable from these vantage points (see Section 3, Revisions, Clarifications, and Corrections, of this Final EIR for these figures).

Comment No. B1-30

This section of the DEIR should include a map showing the location of all major vista points, scenic overlooks, and Runyon Canyon Road and trail locations from which the project property can be seen. The map should also identify any hillside residential areas from which the property can be viewed.

Response to Comment No. B1-30

Draft EIR pages IV.A-9 and IV.A-10 discuss whether the Project would be viewable from major vista points, scenic overlooks, and the Runyon Canyon Road trail. As stated in Response to Comment No. B1-29, the Project would not be viewable from the Hollywood Bowl MVP and Overlook, and is completely hidden from Mulholland Drive. The commenter is also referred to new Figures IV.A-8 and IV.A-9 which have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, and which provide view of the Project Site from the Hollywood Bowl MVP Overlook. As shown in these views, only landscaping on the Project Site would be visible from this vantage point.

Draft EIR Figures IV.A-1 through IV.A-4 (in Section IV.A, Aesthetics) provide views of the Project from different vantage points within Runyon Canyon Park. As shown in these figures, the view of the western elevation of the proposed home is only available from limited vantage points on the public hiking trail looking to the north and east, and would not be visible from other vantage points within Runyon Canyon Park.

The analysis contained in Draft EIR Section IV.A, Aesthetics, only considered public views, which are those that can be seen from vantage points which are publicly accessible, such as streets, freeways, public parks, and vista points. These views (provided as Draft EIR Figures IV.A-1 through IV.A-5) are generally available to a greater number of persons than are private views. Private views, in contrast, are those which are only available from vantage points located on private property. Unless specifically protected by an ordinance or other regulation, private views are not protected. Therefore, impairment of private views is not considered to be a significant impact.

Comment No. B1-31

Page IV.A-6 should also note that glare can be caused by solar panels. Impacts will depend their placement in relation to other uses in the area, or the presence of wildlife such as birds.

Response to Comment No. B1-31

Regarding the potential impacts to wildlife from solar panels, the commenter is referred to the Response to Comment No. B1-21. In addition, solar panels are designed to capture light and not reflect it. The proposed location of the solar panels (if required) is shown on new Figure II-15 (in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR). Any required solar panels would be located on the fill site below the driveway, and therefore would have limited visibility from nearby hillside areas. Therefore, it is not anticipated that any future installation of solar panels would result in a significant source of glare that could affect surrounding areas.

Comment No. B1-32

The setting section needs to provide information on the location of significant trees on the project site, since this information is necessary to address Threshold (b).

Response to Comment No. B1-32

The Protected Tree Report (attached as Appendix E-1 to the Draft EIR) shows the locations of the 17 non-protected significant trees that would be removed as part of the Project. The Project does not include the removal of any protected trees. This information has also been added to the Aesthetics section, consistent with this comment (see Section 3, Revisions, Clarifications, and Corrections, of this Final EIR).

Comment No. B1-33

Threshold (a) – Scenic Vista

Page IV.A-9 states that the proposed roofline would replace the existing ridgeline in-kind, however, no information or analysis is provided to support this contention. This statement needs to be supported by substantial evidence. In the absence of such, the potential for significant ridgeline modification impacts remains. Based on information in the DEIR it would appear that the

existing ridgeline form has been consistent since the 1930s/1940s. No information is provided in the DEIR as to the nature and magnitude of any ridgeline modifications done as part of the construction of the Headley-Handley house. Therefore, the impact of the project on the ridgeline cannot be discounted.

The DEIR's analysis of the potential for impacts under Threshold (a) is dependent on the project's compliance with Project Design Features AES-PDF-1 and GHG-PDF-1, which includes a requirement for a green roof. These are mitigation measures and must be treated as such in the DEIR. In addition, the DEIR must address potential impacts should the green roof not be properly maintained and the DEIR should include mitigation measures which specify the required actions needed to maintain the required look of the green roof and penalties for failure to so do. In the absence of such a mitigation measure, the potential for significant aesthetic impacts remains.

The analysis fails to address the potential aesthetic impacts of the fill sites, which would be clearly visible from Runyon Canyon Road. Information on the nature of postfill contours and landscaping should be provided. The analysis should address sight lines along the eastern project frontage. In the absence of such an analysis the potential for impacts remains.

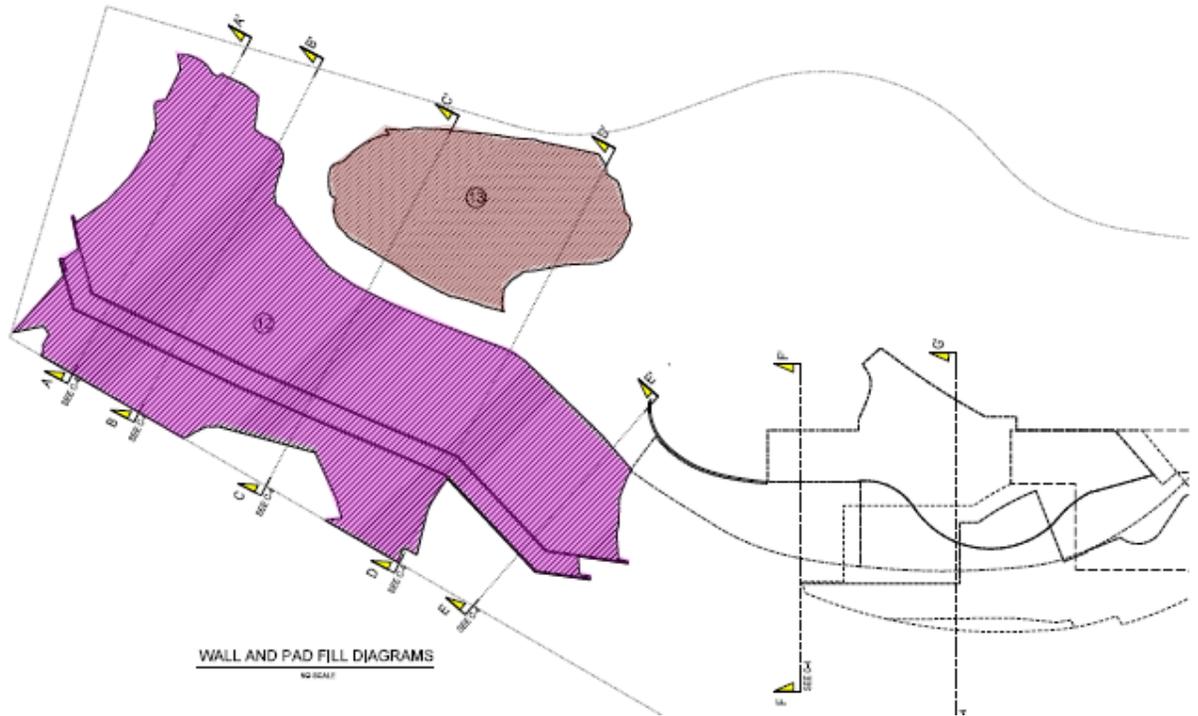
Response to Comment No. B1-33

As stated on page II-2, footnote 2, of the Draft EIR, the original ridgeline was significantly modified by the architect of the Headley/Handley House in the 1930s/1940s. As a result, the current ridgeline has been modified significantly from its original state. As shown in Draft EIR Figures II-3 and II-4 in Section II, Project Description, the portion of the Project Site that would accommodate the Project is currently a flat pad planted with grass. The roof of the proposed home has been designed such that it would match the existing, generally flat topography, and would also be planted with mixed meadow/meadow edge native grasses. Therefore, it was determined that the Project would replace the existing ridgeline in-kind.

As discussed in the Response to Comment No. B1-3, the Project includes features related to the Project design that have been formally included as Project Design Features. Contrary to the comment, AES-PDF-1 and GHG-PDF-1 are design features of the Project and are not mitigation measures.

Regarding the fill sites, the fill sites are located on the lower portions of the slope on the northern and western portions of the Project Site, by the existing pool and driveway and are shown in the figures below. In addition, proposed landscape plans have been included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As shown in new Figure II-19, the area of the proposed fill sites and retaining walls would be planted with mixed chaparral plants to mimic the variety and layout of the adjacent native chaparral. The plant colors would be consistent with the natural colors of the Santa Monica Mountains, and would also be consistent with the Santa Monica Mountain Plant Color Wheel. Finally, the commenter is also referred to new Figures IV.A-7 and IV.A-10 (in Section 3, Revisions, Clarifications, and Corrections), which provide sight line views

of the Project Site from Solar Drive looking southeast. These views provide simulations of the landscaped fill sites and retaining walls after development of the Project.



Comment No. B1-35

Threshold (b) also asked if the project would substantially damage trees or other locally recognized desirable aesthetic natural features. According to the Project Description a number of “significant trees” would be removed as part of the proposed project. The aesthetic resource impact analysis needs to include an analysis of the project’s impact on aesthetic tree features. The DEIR aesthetic resource impact analysis should identify the location, size and type of trees to be removed and include an analysis of whether the loss of these trees would result in a significant aesthetic resource impact. Appropriate mitigation for the loss of trees should be included in the DEIR. In the absence of such an analysis and mitigation, the potential for significant impacts remains.

Response to Comment No. B1-35

The Project does not include the removal of any protected trees, but would include the removal of 17 non-protected significant trees, generally located around the proposed construction footprint (the location of the trees to be removed is provided in the tree report included as Appendix E-1 of the Draft EIR). The 17 trees to be removed would be replaced on a 1:1 ratio in accordance with existing City requirements. This information has also been added to Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As discussed therein, the removal of these 17 trees would result in a less than significant impact with respect to aesthetics.

Comment No. B1-36**Threshold (c) – Public Views**

The analysis fails to address the potential aesthetic impacts of the fill sites and retaining walls, which would be clearly visible from Runyon Canyon Road. Information on the nature of post-fill contours and landscaping should be provided. The analysis should address sight lines along the eastern project frontage. In the absence of such an analysis the potential for impacts remains.

Response to Comment No. B1-36

Regarding the visibility of the proposed retaining walls, the commenter is referred to the Response to Comment No. B1-6, above. Regarding the fill sites, the commenter is referred to the Response to Comment No. B1-33, above, which discusses the visibility of the fill sites based on updated sight line views and also discusses the landscaping proposed for the fill sites.

Comment No. B1-37

The analysis of project impacts under Threshold (c) fails to address the question of whether the proposed project would conflict with applicable zoning and other regulations governing scenic quality. For example, no analysis is provided of the project’s consistency with the requirements of

the Mulholland Scenic Parkway Specific Plan, including the following requirements for projects in the outer corridor:

B. Environmental Protection Measures.

1. Prominent Ridges.

a. Grading on Prominent Ridges. Notwithstanding Subsection C below, prominent ridges shall not be graded, altered or removed without the prior written approval of the Director pursuant to Section 11. The Director may approve up to 1,000 cubic yards of grading of a prominent ridge after making the following findings:

- i. The graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.
- ii. The grading is compatible with the natural topography.
- iii. The Department of Building and Safety has determined that grading will minimize erosion.
- iv. The grading is necessary to allow the owner reasonable use of the lot.
- v. The grading will allow for a project more compatible with the purposes of the Specific Plan.

b. Construction. Buildings and structures visible from Mulholland Drive shall not be constructed on the top of a prominent ridge. Buildings and structures visible from Mulholland Drive shall not be constructed within 50 vertical feet of the top of a prominent ridge without the prior written approval of the Director pursuant to Section 11. The Director may approve construction of a building and/or structure within 50 vertical feet of the top of a prominent ridge, but not exceeding the top after making the following findings:

- i. The placement of the building and/or structure not destroy or obstruct a scenic feature or resource.
- ii The placement of the building and/or structure complements the view from Mulholland Drive.
- iii The placement of the building and/or structure minimizes driveway and/or private street access into the right-of-way.
- iv The placement of the building and/or structure will allow for a project more compatible with the purposes of the Specific Plan.

3. Projects Near Parklands. No project shall be erected and no earth shall be graded within 200 feet of the boundaries of any public parkland without the prior written approval of the Director pursuant to Section 11. The Director may approve the construction of a project or grading within 200 feet of public parkland after making the following findings:

- a. The project preserves the residential character along the right-of-way.
- b. The project will minimize erosion.
- c. The project preserves the natural vegetation and the existing ecological balance.
- d. The project protects identified archaeological and paleontological sites.
- e. The project minimizes driveway access into the right-of-way.

4. Oak Trees. No oak tree (*quercus agrifolia*, *lobata*, *q. virginiana*) shall be removed, cut down or moved without the prior written approval of the Director. The Director may approve the removal, cutting down or moving of an oak tree after making the following findings:

- a. The removal, cutting down or moving of an oak tree will not result in an undesirable, irreversible soil erosion through diversion or increased flow of surface waters.
- b. The oak tree is not located with reference to other trees or monuments in such a way as to acquire a distinctive significance at said location.

5. Archaeological and Paleontological Resources. Applicants which

propose to grade more than 50 cubic yards per 5,000 square feet of lot area shall submit to the Director a preliminary archaeological and paleontological record search from the State Regional Archaeological Information Center (UCLA). If this search reveals that archaeological and paleontological resources may be located on the lot, the applicant shall file an environmental assessment with the Planning Department.

C. Grading.

1. No grading in excess of two cubic yards per four square feet of lot area per lot visible from Mulholland Drive shall be permitted without the prior written approval of the Director pursuant to Section 11. However, corrective grading as determined by the Department of Building and Safety is not to be included in this calculation. The Director may approve grading up to four cubic yards per four square feet of lot area per lot after making the following findings:

- a. The Department of Building and Safety or the Bureau of Engineering has determined that such grading is required to provide access driveways, pedestrian accessways, drainage facilities, slope easements, and/or dwelling foundations.

b. All grading conforms to the standards set forth in the Landform Grading Manual, unless the Department of Building and Safety has determined that landform grading will conflict with the provisions of Divisions 29 and 70 of Article I of Chapter IX of the Code.

c. The graded slopes have a natural appearance compatible with the characteristics of the Santa Monica Mountains.

d. The Department of Building and Safety has determined that grading will minimize erosion.

2. All graded slopes shall comply with the provisions in Section 10 of this Specific Plan.

D. Allowable Building Heights. The height of any building or structure visible from Mulholland Drive shall not exceed 40 feet as indicated on Figure B. For purposes of this Subsection, the measurement of height shall be as defined in Section 12.03 of the Code and shall be measured from existing natural or finished grade, whichever is lower. When the elevation of the highest adjoining sidewalk or ground surface within a five foot horizontal distance of the exterior wall of a building exceeds grade by more than 20 feet, a building or structure may exceed the height in number of feet prescribed in this Subsection by not more than 12 feet. However, no such additional height shall cause any portion of the building or structure to exceed a height of 40 feet, as measured from the highest point of the roof structure or parapet wall to the elevation of the ground surface which is vertically below said point of measurement.

LANDSCAPING

A. Standards. Any public or private landscaping installed on or after the effective date of this Specific Plan shall conform to the following standards:

1. **Graded Slopes.** Graded slopes shall be landform graded in accordance with the provisions of the Landform Grading Manual, unless the Department of Building and Safety has determined that landform grading will conflict with the provisions of Divisions 29 and 70 of Article 1 of Chapter IX of the Code. Slopes which cannot be landform graded shall be landform planted in accordance with the provisions of the Landform Grading Manual. Landscaping shall be installed within six (6) months of the completion of any grading.

2. **Location.** Plant material in the inner corridor shall not obstruct the view from Mulholland Drive and the right-of-way.

3. **Type.** Landscaping shall predominantly consist of native-type fire resistant plant materials.

4. **Oak Trees.** Oak trees shall not be removed except as set forth in Sections 5 B 4 or 7 B 9 of this Specific Plan.

5. **Replacement Trees.** Native trees, including oak trees, which are removed shall be replaced with the same type of tree according to the following replacement schedule:

TYPE OF TREE REPLACEMENT SIZE AND QUANTITY

Quercus agrifolia 36-inch box (2 for 1 replacement) lobata, q. Virginiana

All other. 15 gallon (2 for 1 replacement)

6. **Maintenance.** An automatic irrigation system shall be installed where necessary to sustain plants and trees and a fire resistant corridor.

The analysis therefore needs to address questions regarding the project's consistency with erosion control, native vegetation, archeological and paleontological resource, landform grading of fill sites, tree replacement, and irrigation requirements of the Specific Plan. In the absence of such an analysis, it must be assumed that the potential for impacts remains. The analysis must also address consistency with zoning and other applicable land use policies and regulations.

Response to Comment No. B1-37

A discussion of the Project's compliance with the MSPSP is provided on pages IV.A-9 through IV.A-11 (in Draft EIR Section IV.A, Aesthetics). As discussed therein, the Project has been designed to meet the requirements of the MSPSP and Hillside Ordinance standards for height, sensitivity to topography, and bulk of structures. In addition, a thorough discussion of the Project's consistency with the MSPSP's Design and Preservation Guidelines has been provided in Appendix J of the Draft EIR. A discussion of the Project's consistency with the Environmental Protection Measures provided in the comments has been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

Comment No. B1-38

Threshold (d) – Light and Glare

The analysis of construction lighting impacts assumes that no construction will occur during evening and nighttime hours (see DEIR page IV.A-13). However, the City of Los Angeles permits construction Monday through Friday from 7:00 a.m. to 9:00 p.m. and on Saturdays and National Holidays from 8:00 a.m. to 6:00 p.m. As shown in **Figure 2**, this would allow for construction after sunset. In the absence of a mitigation measure prohibiting lighted construction activity after dark, the potential for short-term lighting impacts remains. Lighting impacts are of particular concern given the project proximity to parkland containing wildlife resources that may be impacted by nighttime lighting.

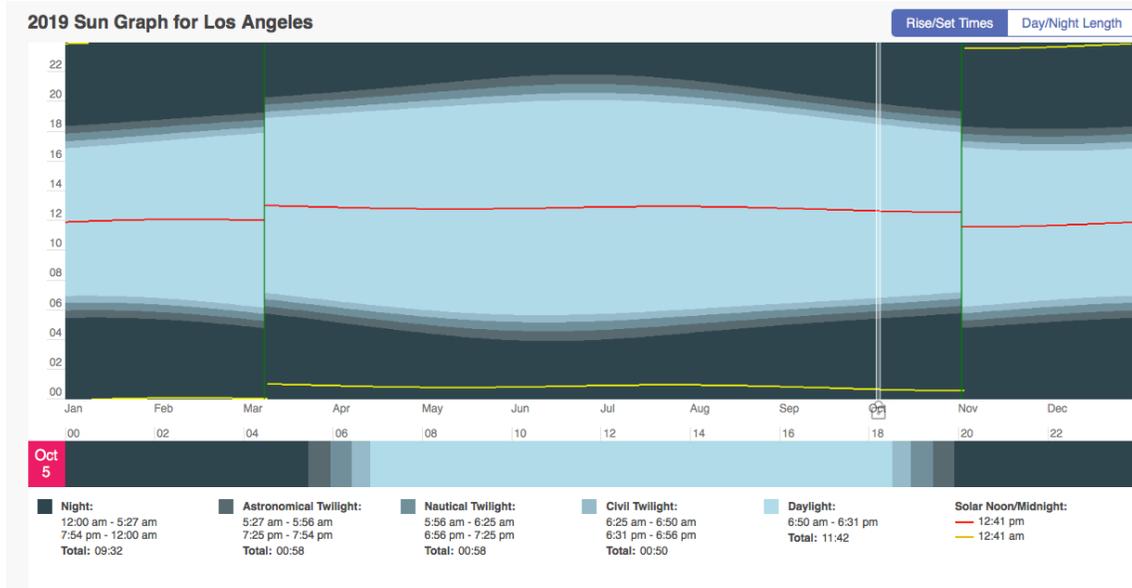


Figure 2 – Daylight Hours in Los Angeles During the Year Source:
<https://www.timeanddate.com/sun/usa/los-angeles>

Response to Comment No. B1-38

While the City allows for construction to occur in the evening as stated in the comment, construction activities for the Project would generally not occur during the evening hours. In addition, the analysis of nighttime lighting contained on Draft EIR page IV.A-14 (in Section IV.A, Aesthetics) concluded that Project impacts would be less than significant as there are no light sensitive areas adjacent to the Project Site, as Runyon Canyon Park closes at sundown, and the nearest residential uses are located approximately 700 feet northeast of the Project Site. As discussed in Section IV.C, Biological Resources, it was determined that lighting impacts to biological resources would be less than significant, given the lack of special-status species associated with the native habitats adjacent to the Project Site. Therefore, if some construction activities were to occur during the evening hours, the Draft EIR determined that associated impacts with respect to lighting would be less than significant. The following project design feature (BIO-PDF-2) has been added to further reduce the already less than significant impacts of the Project with respect to the lighting impacts to biological resources. This measure has also been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

BIO-PDF-2 Exterior construction work will be prohibited after dusk.

Comment No. B1-39

Given the significant amount of patio space included in the project design, which clearly has the potential to encourage outside entertaining, it is hard to believe the statement on page IV.A-14 that: “Exterior patio lights would be placed only for walking accessibility and would be downward facing and shielded and would not shine into the park or upwards towards the sky.” There has

been no demonstration that “exterior lighting would be minimize” and the analysis fails to identify the exterior lighting minimization standard that would be met. If the analysis depends on exterior patio lights placed only for walking accessibility and which do not result in light emissions beyond the property limits, then this must be included as a mitigation measure. In the absence of such a mitigation, the potential for impacts remains.

Response to Comment No. B1-39

As stated on page II-4 of the Draft EIR, exterior patio lights would be placed for walking accessibility and would otherwise be downward shielded and would not shine into the park or upwards towards the sky. All light would be directed inward, where possible. In compliance with the Mulholland Scenic Parkway Specific Plan, Guideline 40, the exterior lighting will minimize the visual impact of lighting to avoid the creation of an urban street environment and protect movement of wildlife by including white light sources, and directing lighting fixtures downward to illuminate only the property. The Project will not uplight into trees, illuminate the exterior of the building or use floodlighting. The exterior lighting fixtures will be shielded to screen the light source. Further, all exterior lighting would be low-wattage and downward facing. In addition, the analysis of nighttime lighting contained on Draft EIR page IV.A-14 (in Section IV.A, Aesthetics) concluded that Project impacts would be less than significant as there are no light sensitive areas adjacent to the Project Site, as Runyon Canyon Park closes at sundown, and the nearest residential uses are located approximately 700 feet northeast of the Project Site. As discussed in Section IV.C, Biological Resources, it was determined that lighting impacts to biological resources would be less than significant, given the lack of special-status species associated with the native habitats adjacent to the Project Site. Finally, as described above in the Response to Comment No. B1-38, Project Design Feature BIO-PDF-2 has been added to further reduce the already less than significant impacts of the Project with respect to the lighting impacts to biological resources, by prohibiting exterior construction work after dusk.

Comment No. B1-40

The analysis that light impacts would not be significant is based in part of the use of low E-glass (see pages IV.A-13 to IV.A-14). The analysis implies that these types of windows will reduce the amount of light emitted from the windows, stating: “Low E-glass windows reduce the overall emissivity of the window, thereby reducing the reradiated light emitted from the window.” However this misunderstands the purpose of low E-glass:

Low-e coatings play an important role in the overall performance of a window and can significantly affect the overall heating, lighting and cooling costs of a home. But what exactly is low-e glass? How does it work? To answer these questions, the “e” in low-e glass must be explained. The “e” stands for emissivity. Emissivity is the ability of a material to radiate energy. When heat or light energy—typically from the sun or HVAC system—is absorbed by glass it is either shifted away by air movement or re-radiated by the glass surface. **In general, highly reflective materials have a low emissivity**, and dull darker

colored materials have a high emissivity. All materials, including windows, re radiate heat in the form of long-wave infrared energy depending on the emissivity and temperature of their surfaces. Radiant energy is one of the important ways heat transfer occurs with windows. Reducing the emissivity of one or more of the window glass surfaces improves a window's insulating properties. Therefore, having low-e glass ultimately can improve the insulation of a home from external temperatures in any climate. **To reduce the emissivity of glass, low-e coatings have been developed to minimize the amount of ultraviolet and infrared light that can pass through glass without compromising the amount of visible light that is transmitted.**¹⁹ (Emphasis added).

The analysis is therefore flawed, as low E-glass is therefore more reflective (glare) without reducing the amount of visible light that is transmitted. There is no substantial evidence in the DEIR that the following statement on page IV.A-14, upon which the lighting impact judgment depends, is true: "Overall, exterior lighting would be minimized, and interior lighting would be designed to minimize any illumination that could be transmitted to the exterior." The potential for lighting impacts remains.

Given the use of low E-glass, the statement on page IV-A-15 is not supported by substantial evidence and is contradicted by the purpose of low E-glass:

Low E-glass windows reduce the overall emissivity of the window, thereby reducing the glare from the windows. **As such, the Project would not result in a new source of substantial glare and impacts would be less than significant.**

The potential for glare impacts remains.

The analysis fails to address the potential glare impacts of solar panels on the roof and the impact of such glare of wildlife in the area. In the absence of an analysis that shows the contrary, the potential for significant solar panel-related glare impacts remains.

Response to Comment No. B1-40

Low E glass is widely used in homes as an energy savings strategy and have been shown to reduce energy loss by as much as 30-50 percent.²⁰ All reflective surfaces cause a certain amount of glare. The proposed home has been designed with deepened overhangs (5 to 10 feet) to minimize the amount of direct sunlight on the glazing systems. The amount of reflected light would be minimal in comparison to typical hillside, west-facing homes that are fully exposed to the environment as opposed to the proposed home, which is partially buried and has deepened overhangs to shield the sun from the home. In addition, the exterior of the proposed home includes

¹⁹ "Understanding Low-E Glass," http://www.vitrowindowglass.com/window_glass/about_lowe.aspx, accessed February 16, 2022.

²⁰ US Department of Energy, "Window Types and Technologies," <https://www.energy.gov/energysaver/window-types-and-technologies>, accessed February 16, 2022.

insulated glass with a high-performance, low E coating or etching that would also reduce glare on the exterior. The solar heat gain coefficient (SHGC) for the windows will be 0.23,²¹ and the maximum U-factor for the windows will be 0.30.²²

Regarding the potential impacts to wildlife from solar panels, the commenter is referred to the Response to Comment No. B1-21. In addition, solar panels are designed to capture light and not reflect it. Therefore, it is not anticipated that any future installation of solar panels would result in a significant source of glare.

Comment No. B1-41

IV.B. AIR QUALITY

The analysis of regional emissions was done using the CalEEMod air quality model (version 2016.3.2). The modeling results are contained in DEIR Appendix D and summarized in the Initial Study contained in Appendix A. However, the model runs assume a project population of four persons and a floor area of 16,000 square feet. The occupancy assumptions should, at a minimum, match the number of bedrooms and the square footage assumptions should match the total square footage for the project (22,235 square feet inclusive of basement, first and second floors, mechanical area and covered patio areas). The model runs need to be redone to more accurately reflect project characteristics.

Response to Comment No. B1-41

The comment erroneously asserts that the Project would include 22,235 square feet; as stated on Draft pp. 11-2 and 11-3, and Table 11-2, the proposed floor area is substantially less. The total of 22,235 square feet includes exterior patio area, which will be covered by the green roof on the ground level, but will not require mechanical ventilation or air conditioning. While the modeling outputs contained in Appendix D of the Draft EIR (Air Quality and Greenhouse Gas Emissions Technical Modeling) note a population of four persons, the modeling outputs are based on the size of the Project and not the estimated population. Further, the modeling outputs contained in Draft EIR Appendix D actually provide a conservative estimate of air quality and greenhouse gas emissions impacts, as the modeling accounted for 16,000 square feet of area in the proposed home, which is more than the total floor area for the basement (4,878 square feet), first floor (3,413 square feet), second floor (3,046 square feet), and all mechanical/electrical areas (2,475 square feet) combined. The analysis of air quality impacts generally does not account for the square footage of exterior patio space, as there would be no emissions from combustion of natural gas to heat or cool the space. Thus, the exterior patio space was not included in the analysis of area, energy, or stationary source emissions provided in the Draft EIR. However, as discussed in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, an updated air quality

²¹ *The SHGC is the fraction of solar radiation admitted through a window, door, or skylight. The lower the SHGC, the less solar heat a window transmits, and the greater its shading ability.*

²² *U-factor measures how well the window insulates, and the U-factor for windows generally ranges from 0.20 to 1.20 (the lower the U-factor, the better the window insulates).*

analysis was prepared (included in Appendix D of this Final EIR) that included some additional assumptions about the Project's description, including a propane-fueled outdoor fireplace. As noted in this updated analysis, the Project's operational air quality emissions would continue to be below the SCAQMD's thresholds of significance, and therefore, impacts would continue to be less than significant, and as described in this response, the air quality and greenhouse gas emissions technical modeling provided a conservative estimate of impacts.

Comment No. B1-42

IV.C. BIOLOGICAL RESOURCES

The DEIR incorrectly states on page IV.C-25 that no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan applies to the project site. The DEIR fails to identify the fact that the project site is located within the Santa Monica Mountains Zone.²³ The Zone was established by the Legislature via the Santa Monica Mountains Conservancy Act, which is codified at Section 33001 et. seq. of the Public Resources Code (PRC). PRC Section 33001 states as follows:

The Legislature hereby finds and declares that the Santa Monica Mountains Zone, as defined in Section 33105, **is a unique and valuable** economic, **environmental**, agricultural, scientific, educational, and **recreational resource** that should be held in trust for present and future generations; that, as the last large undeveloped area contiguous to the shoreline within the greater Los Angeles metropolitan region, comprised of Los Angeles and Ventura Counties, it provides essential relief from the urban environment; that it exists as a single ecosystem in which changes that affect one part may also affect all other parts; and that **the preservation and protection of this resource is in the public interest.** (Emphasis added).

The boundaries of the Santa Monica Mountains Zone are provided in Section 33105 of the PRC.

The Legislature itself therefore declared that the Santa Monica Mountains Zone is a *unique* and *valuable* environmental resource that provides essential relief from the urban environment. The Santa Monica Mountains Conservancy Act goes on to say the following:

“in the absence of a governmental mechanism to perform such evaluations, piecemeal development projects were occurring within the zone which resulted in the irreplaceable loss of open space and recreational resources, in the physical and biological deterioration of air, land, and water systems within the zone, and adversely affected regional life-support systems, including fish and wildlife, therefore being harmful to the needs of the present and future population of the region.”

²³ See also, *the Santa Monica Mountains Comprehensive Plan, adopted 1979, State of California Santa Monica Mountains Comprehensive Planning Commission, available at: <http://www.smmc.ca.gov/SMM%20Plan.pdf>*

The Act thus identifies biological resource impacts as resulting from current governmental permitting practices within the Santa Monica Mountains Zone. The Legislature further declared in PRC Section 33008 that:

(a) The Legislature finds and declares that there are existing problems of substandard lots, incompatible land uses, conflicts with recreational use, and inadequate resource protection which, in some cases, cannot be addressed in a feasible manner by local government exercise of the police power or federal land acquisition as part of the Santa Monica Mountains National Recreation Area, and that it is necessary to enact the provisions of this division as a complement to the full exercise of the police power by local governments and the acquisition of lands by the federal government for the Santa Monica Mountains National Recreation Area. (b) The Legislature further finds and declares that the people of the State of California have an interest in the protection of resources and the use of lands acquired or managed by the conservancy pursuant to this division, and that the conservancy in carrying out its duties pursuant to this division acts on behalf of the State of California.

The proposed project has the potential to impact biological and recreational resources within this environmental resource of critical concern. The Santa Monica Mountains Conservancy (SMMC) is the chief State-planning agency for the Santa Monica Mountains. We concur with the comments of the Santa Monica Mountain Conservancy in their comment letter on the DEIR for the proposed project. Those comments are incorporated herein by reference. The DEIR fails to identify the fact that the project site is located within Habitat Block No. 42 of the Santa Monica Mountains Conservancy's adopted *Eastern Santa Monica Mountains Habitat Linkage Planning Map*. The DEIR therefore fails to address project consistency with this State policy regarding the protection of biological resources or to adequately address potential wildlife corridor and habitat block impacts. The fact that the DEIR fails to even mention this adopted Planning Map calls into question the validity and usefulness of the wildlife connectivity assessment on which the wildlife movement impact conclusions in the DEIR rely.

Response to Comment No. B1-42

The City acknowledges that the Project Site is located within Runyon Canyon Park, which in turn is located within Habitat Block No. 42 of the Santa Monica Mountains Conservancy's adopted *Eastern Santa Monica Mountains Habitat Linkage Planning Map*. However, the map only notes areas in which specific features are or may be present; it does not provide specific measures or prohibitions with which projects must comply. Nevertheless, the Draft EIR recognizes the sensitivity of the area for biological resources and wildlife movement, and as discussed in Section IV.C, Biological Resources, and Appendix E-2 of the Draft EIR, the Project would not significantly impact any special-status species. Relative to wildlife movement, the Project would not have adverse impacts on wildlife movement, as stated on p IV.C-22 and addressed in detail in Responses to Comment Nos. A3-2, A3-3, A3-4, A3-13, A3-14, A3-15, and A3-16.

Comment No. B1-43

The DEIR fails to discuss the fact that the City Council on April 22, 2016 voted to direct development of a Wildlife Corridor / Santa Monica Mountains (Hillside Ordinance Zone). That Council Action included the following provisions:

1. INSTRUCT the Department of City Planning (DCP), with the assistance of the City Attorney, and in consultation with the Santa Monica Mountains Conservancy, and citizen advocates such as, but not limited to Citizens for Los Angeles Wildlife (CLAW) and the Mulholland Design Review Board (MDRB), to prepare and present an ordinance to create a Wildlife Corridor in the eastern area of the Santa Monica Mountains (Hillside Ordinance Zone) that requires the following:

- a) Do not issue any building or grading permits until project applicants ensure that they will permanently accommodate wildlife habitat connectivity as part of their development projects.
- b) Require easements and deed restrictions in perpetuity to protect wildlife habitat connectivity.
- c) Formally designate the area as a Regional Wildlife Habitat Linkage Zone in the Los Angeles Municipal Code, in as much as just one single family residential project can cause adverse impacts to the existing and threatening wildlife population.
- d) Require a Biological Constraints Checklist as part of every new building project will undergo a 'habitat connectivity and wildlife permeability review' within areas of concern.

2. INSTRUCT the DCP to report on the feasibility of identifying the areas within the City of Los Angeles, which are in or within 500 feet of the entire National Park Service, Rim of the Valley Corridor Special Resources Study Area (February 2016) as a "Potential Regional Wildlife Habitat Linkage Zone ", and provide a system of informing all applicants of building permits and planning approvals that they are within this Zone and should make feasible accommodations for wildlife linkages; require the accommodation of wildlife linkage areas with map design guidelines, during the approval process of any subdivision of land or lot line adjustments, within this zone; and report on the feasibility of the DCP to incorporate these maps and critical Wildlife linkage areas at the time of Community Plan updates.

The DEIR needs to analyze the project's consistency with current and proposed City Wildlife Corridor policies.

Response to Comment No. B1-43

As detailed in the Response to Comment No. A3-2, a wildlife movement study was performed by Cooper Ecological Monitoring that addresses whether wildlife movement would be affected in a manner consistent with the City of Los Angeles adopted policies. This study is included as Appendix B to this Final EIR. As stated on page 3, the Report specifically addresses the wildlife movement corridor in the Santa Monica Mountains, and specifically references the motion identified in the comment on page 4. While finding that mule deer use the Project Site for foraging, the Report did not identify significant impacts to wildlife movement, including any inconsistencies with motion (#14-0518) noting:

The proposed development, which occupies roughly the same footprint as an existing structure and landscaped area of the property, is unlikely to result in any permanent negative impact to wildlife using the site. Currently, mule deer appear to be moving up onto the site to forage on ornamental vegetation from the surrounding fireroad at the base of the ridge where the house is situated. There is nothing in the proposed new house plan that would appear to block this from continuing, provided the fence height is not raised. The fireroad that winds around the base of the ridgetop to the south would continue to be open, so mule deer and other species would continue to be able to move around the site to reach drainages east and west of the property.

As such, Section IV.C, Biological Resources, of the Draft EIR addressed, through reference to the Cooper Ecological Monitoring Report, the potential for wildlife movement through the Site within the Runyon Canyon environs and found no significant impact. It is also important to note that the Applicant is not proposing changes to the existing fencing, and the proposed retaining walls would be constructed along the hillside and would therefore not interfere with wildlife movement. Thus, the existing condition would be retained ensuring that use by mule deer is not impacted.

Comment No. B1-44

The DEIR needs to identify the fact that the project site is within the boundaries on the Santa Monica Mountains National Recreation Area (SMMNRA), the importance of the SMMNRA, and address the project's consistency with the goals of the National Park Service for the SMMNRA.

Response to Comment No. B1-44

The Project has been analyzed in accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Volume 1, Chapter 1, Parts 1-5, authorized by Title 16, United States Code, Chapter 1, Subchapter I, Section 3, where specified regulatory provisions are established for the proper management, protection, government and public use of those portions of Santa Monica Mountains National Recreation Area ("SMMNRA") under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-5.

With respect to wildlife movement and protection and natural resource protection, the following sections (enumerated below) were evaluated.²⁴ It is important to note that the SMMNRA management is focused on public use and recreation as well as resource protection. Nevertheless, the following comprises the extent of policies addressing wildlife protection within the above-referenced statute.

Section 2.2 - WILDLIFE PROTECTION

36 CFR §2.2(d) *The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:*

- *In accordance with state law.*

36 CFR §2.2(e)

The following areas are closed to the viewing of wildlife with the use of an artificial light:

- *All park areas.*

Section 2.3 - FISHING

36 CFR §2.3 (d)(8) *Fishing from motor road bridges, from or within 200 feet of a public raft or float designated for water sports, or within the limits of locations designated as swimming beaches, surfing areas, or public boat docks is prohibited, except in designated areas:*

The Project would not conflict with any of the above policies and thus would not result in any significant impacts to the SMMNRA.

Comment No. B1-45

The DEIR concludes on page IV.C-20, without providing any substantial evidence, that there would be no significant increase in lighting associated with the project. Given the large outdoor entertainment area included in the project design, there is clearly the potential for the project to result in increased nighttime lighting, which could affect wildlife in the adjacent park area. The DEIR needs to include mitigation measures that would insure the no lighting impacts would occur. In the absence of such mitigation, the potential for significant impacts remains.

²⁴ *National Park Service, Santa Monica Mountains, Superintendent's Compendium, <https://www.nps.gov/samo/learn/management/compendium.htm>, accessed February 16, 2022.*

Response to Comment No. B1-45

See Responses to Comment Nos. A3-14 and A3-15 regarding lighting in the post-Project condition.

Responses to Comment Nos. A3-2 and A3-3 set forth the results of the wildlife movement surveys by Cooper Ecological Monitoring and the overall conditions, which identified the most likely movement paths within the Runyon Canyon Park environs to the east and west of the Project Site, both of which include vertical separation and the most expansive areas for wildlife movement consisting of a series of ridgelines and canyons that are substantially removed from the Project Site. Given these factors, occasional activities on the Project Site that result in short-term temporary noise or lighting would not “substantially” affect wildlife movement within the Runyon Canyon environs and would thus not be considered significant.

Comment No. B1-46

The DEIR on page IV.C-21 states that construction noise would be minimized to the greatest extent practicable and the construction would be limited to daytime hours. What is meant by “to the greatest extent practicable”? This language does not ensure that construction noise impacts on wildlife will be less than significant. We have already addressed the fact that the current construction hour limitations would allow for construction after dark, so the DEIR’s contention that construction noise would be less than significant is based on inaccurate assertions and not supported by substantial evidence. The DEIR needs to include mitigation to limit the magnitude and hours of construction noise, or the potential for significant wildlife noise impacts remains.

The DEIR on page IV.C-21 also states that no significant operational noise would occur because the project is a single-family residence and exterior noise would be limited to occasional vehicle traffic and minor exterior noise (i.e. lawn-mowing) associated with a typical single-family residence. This ignores the fact that the proposed residence is hardly typical and includes 6,454 square feet of outdoor patio space, a pool and outdoor fireplace, and is thus clearly intended for entertaining. The DEIR must include limitations on the number guests, hours of outdoor entertaining and use of outdoor speakers for music, and provide a penalty for violation of the restrictions. In the absence of such a mitigation, the potential for significant operational noise impacts on wildlife in the adjacent park remain.

Response to Comment No. B1-46

The “greatest extent practicable” refers to the requirement that all construction vehicles and equipment would be equipped with properly operating and maintained mufflers to minimize noise. However, this has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

As stated on the Response to Comment No. B1-38, while the City allows for construction to occur in the evening as stated in the comment, construction activities for the Project would generally

not occur during the evening hours. Nevertheless, even if construction were to occur in the evening hours, the Draft EIR concluded that given the lack of special-status species associated with the Development Area and adjacent areas of the Biological Survey Area, as well as the limited nature of construction noise and lack of long-term noise increase, temporary and permanent noise impacts to biological resources resulting from the Project would be less than significant (see page IV.C-21). Further, the commenter is referred to the Response to Comment No. B1-38 regarding the addition of Project Design Feature BIO-PDF--2, which would prohibit any exterior construction work after dusk.

Regarding the portion of the comment about operational noise impacts from entertaining, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

Comment No. B1-47

The proposed project includes a green roof and landscaping. The DEIR needs to provide more information on the plant pallet for the proposed project and whether nonnative landscape materials will be used. If so, the DEIR needs to address the potential for such non-native vegetation to spread to the adjacent park, and to impact local vegetation communities.

Response to Comment No. B1-47

The commenter is referred to Response to Comment No. B1-25, above, regarding the proposed green roof. As discussed therein, the green roof would include native plantings, such as mixed meadow/meadow edge native grasses. The following project design feature (BIO-PDF-3) has been added to ensure that all landscaping provided as part of the Project consists of native plantings. This measure has also been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

BIO-PDF-3 Landscaping provided as part of the Project will be limited to native plantings.

Comment No. B1-48

IV.D. CULTURAL RESOURCES

The cultural resources analysis and Historic Resources Report for the project (see Appendix F-1) are defective and incomplete in several important regards. First, the analysis fails to determine the property’s eligibility for listing in the California Register of Historical Resources and National

Register of Historic Places. This should have been determined as part of the preparation of the Historic Resource Report.

Response to Comment No. B1-48

The Headley/Handley House is a designated Los Angeles Historic-Cultural Monument (HCM #563). As such, it is automatically a “historical resource” pursuant to CEQA and subject to the provisions of the City of Los Angeles Historic Preservation Ordinance. The historic report (included as Appendix F-1 to the Draft EIR) adequately established that the property is a historical resource as defined by CEQA and no further evaluation under other programs such as the California Register of Historical Resources and the National Register of Historic Places is necessary or required. Further, the historic report evaluated the effects of the Project on the Headley/Handley House according to the same criteria for evaluation of a historic resource.

Comment No. B1-49

Second, given that the historical resource is important for both its organic architecture and its association with Lloyd Wright, a Cultural Landscape Report should have been prepared to identify site features which contribute to the significance of the property, such a stairs, terraces, retaining walls, the pool, and landscaping. As noted on page 13 of Appendix F-1:

The organic style is “based on the coalescence of the built environment with nature, allowing the design to respond to the natural environment rather than impose on it.”²⁵

The need for a Cultural Landscape Report is particularly important given that the historical resource is a work of Lloyd Wright and Lloyd Wright began his career as a landscape designer:

Lloyd Wright’s understanding of organic form was further developed and articulated by his study of landscape architecture and continued when he went to work as a landscape designer, first for Olmsted and Olmsted in Boston and then in his own partnership with Paul Thiene during which

²⁵ Citing Virginia Savage MacAlester, *a Field Guide to American Houses* (New York: Alfred A. Knopf, 2013) 656. For a discussion of organic architecture (as practiced by Lloyd Wright’s father) also see: <https://www.guggenheim.org/arts-curriculum/topic/organic-architecture> as noted by Guggenheim:

Although the word “organic” usually refers to something that bears the characteristics of plants or animals, for Frank Lloyd Wright the term organic architecture had a separate meaning. For him organic architecture was an interpretation of nature’s principles manifested in buildings that were in harmony with the world around them. Wright held that a building should be a product of its place and its time, intimately connected to a particular moment and site—never the result of an imposed style.

Wright was interested in the relationship between buildings and their surrounding environments. He believed that a building should complement its environment so as to create a single, unified space that appears to “grow naturally” out of the ground. He also thought that a building should function like a cohesive organism, where each part of the design relates to the whole.

...A Wright building and its site are wedded. One cannot be considered without the other.

time he designed whole communities and laid out numerous gardens throughout Southern California.”²⁶

As noted on page 12 of the Historic Resource Assessment contained in Appendix F-1:

His architectural designs are distinguished by bold, soaring forms; unusual colors and materials; careful siting; and, demonstrating the influence of his early professional work, integration between the building and the landscape.

Response to Comment No. B1-49

The preparation of a Cultural Landscape Report is not necessary or required for the analysis of Project impacts. According to the National Park Service, a cultural landscape is defined as “a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.”²⁷ There are four general types of cultural landscapes, not mutually exclusive: historic sites, historic designed landscapes, historic vernacular landscapes, and ethnographic landscapes.

Further, the established historic significance of the resource here is very specific: the HCM designation by the City Council defines the historical resource as the exterior of the Headley/Handley House; it includes the boundaries of the parcel, which is common practice, and mentions the setting and the views, as these are elements of the integrity of any historic resource. The report prepared by GPA (included as Appendix F-1 to the Draft EIR) describes the existing house and associated features. The report also provides a chronology of the evolution of the property as a whole, addressing alterations to the building that is the Headley Handley House, the addition of the terrace, carport, swimming pool, trellis-like structure, retaining walls, and alterations to the landscape in 1959 and 1966.

The comment speculates the property may have some significance as a historic designed landscape. Examples of historic designed landscapes include parks, campuses, and estates. This type of cultural landscape is a landscape that was consciously designed or laid out by a landscape architect, master gardener, architect, or horticulturist according to design principles, or an amateur gardener working in a recognized style or tradition. The landscape may be associated with a significant person(s), trend, or event in landscape architecture; or illustrate an important development in the theory and practice of landscape architecture.

²⁶ *Page 9: Lloyd Wright Architect, 20th Century Architecture in an Organic Exhibition, David Gebhard and Harriette Von Breton, Hennessey + Ingalls, 1998.*

²⁷ *Definition from “Management Policies 2006,” National Park Service, November 12, 2019, https://www.nps.gov/policy/MP_2006.pdf#page=167. Cited and explained in greater detail: “Understand Cultural Landscapes,” National Park Service, November 12, 2019, <https://www.nps.gov/subjects/culturallandscapes/understand-cl.htm>.*

The Headley/Handley House property is not significant as a historic designed landscape. The landscape features of the property changed and evolved over time as various owners made alterations to the property. The swimming pool was added in 1959 and no architect was listed on the permit. Swimming pools are not commonly considered historically significant in their own right. Subsequent alterations in 1966, including additional living space and the carport, were designed by Lloyd Wright around the existing house and swimming pool. Additional research did not reveal that the design of the property as a whole reflects a significant trend in landscape architecture or contributed to the development of the theory or practice of landscape architecture.

The landscape surrounding the existing house is a feature of the property as a whole. The remaining landscape was not a separately designed component of the property; it is the natural environment with minor modifications that contribute to the setting of the house. For the reasons discussed above, the landscape did not merit a unique and separate evaluation or study.

Comment No. B1-50

The DEIR fails to adequately address the impact of the project on contributing landscape features and the immediate setting of the historic resource, due to a failure to adequately identify contributing landscape features and to address the impact of retaining walls, fill sites, the loss of stairways, and the removal of the existing pool on the historical resource. The cultural resources analysis, in concluding consistency with the *Secretary's Standards*, relies on the inaccurate statement that "there will be no changes to the immediate setting of the historic residence" (see page 16 Appendix F-1), and this is not true. Changes include the loss of the pool, the introduction of fill, the loss of a staircase, and the introduction of a new walkway between the existing patio and the new residence.

Response to Comment No. B1-50

See Response to Comment No. B1-49 regarding the identification of contributing landscape features. As discussed in that response, the Headley/Handley House property is not significant as a historic designated landscape, as the landscape features of the property changed and evolved over time as various owners made alterations to the property. The landscape surrounding the existing house is a feature of the property and natural environment as a whole, and was not a separately designed component of the property.

The Project proposes to modify two features added to the property: a stairway added in 1966 and a swimming pool added in 1959.²⁸ The historic report (included as Appendix F-1 to the Draft EIR) concludes that the Project would not cause a significant impact on the historical resource's immediate setting. In this case, the immediate setting is the area within the parcel boundaries that

²⁸ *As stated on Draft EIR page IV.D-16 (footnote 21), the historic report contemplated the possible removal of the swimming pool. While the Project as currently proposed includes the retention of the existing swimming pool, the historic report determined that the swimming pool was not a character-defining feature of the property because it did not contribute to the historic residence's significance.*

can be viewed from the existing historic house. The proposed work would be located on the opposing side of the bluff, as indicated in Figures 11 and 12 of the historic report.

As described on p. IV.D-12, the test for determining whether or not a proposed project would have a significant impact on an identified historical resource is whether or not the project will alter, in an adverse manner, the physical integrity of the historical resource such that it would no longer be eligible for listing in the National or California Register or other landmark programs such as Los Angeles Historic-Cultural Monument designation. Projects that may affect historical resources are considered to be mitigated to a level of less than significant if they are consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)*.²⁹ A project meets the Standards when the overall effect of the work is one of consistency with the property's historic character.³⁰

As described on pages IV.D-15 and 16, the Headley/Handley House is designated as an HCM for its architectural significance as an excellent example of organic architecture. Designed by Lloyd Wright, the house embodies the distinctive characteristics of organic architecture with walls growing from the site's natural buff-colored stone and a "roofline echoing the shape of the surrounding hills."³¹ The alteration of certain features by the Project would not change the property in a way that is inconsistent with its historic character.

Page 16 of the historic report (Appendix F-1 to the Draft EIR) specifically addresses the potential impact that the demolition of the swimming pool and construction of retaining walls would have on the property, and determines that these modification would not result in a significant impact with respect to the Headley/Handley House. As discussed on pages 16-17 of the historic report, the swimming pool is not a character-defining feature of the property because it does not contribute to the significance of the historic residence, nor is it an example of organic architecture (which is the reason the property is historically significant). The retaining walls would not be visible from the Headley/Handley House and would not impede views of the Headley/Handley House from the public right-of-way. However, the Project as currently proposed includes the retention of the existing swimming pool.

The comment is correct in that the Project description on page 16 of the historic report incorrectly stated that there would be no changes to the immediate setting of the historic house; however, the remainder of the Project description, the related illustrations, and the analysis of Project impacts clearly indicate the scope of the Project. The analysis of the Project for compliance with the Standards was not based on the description but rather the conceptual renderings and related documents (as indicated on page 3 of the historic report), which include all of the proposed

²⁹ 14 CCR Section 15126.4(b).

³⁰ "Cumulative Effect and Historic Character," National Park Service, November 25, 2019, <https://www.nps.gov/tps/standards/applying-rehabilitation/cumulative-effect.htm>.

³¹ "Letter," Historic-Cultural Monument File: Headley/Handley House (City of Los Angeles, Department of City Planning, Office of Historic Resources).

changes. Nevertheless, Appendix F-1 will be modified to correct the misstatement as reflected in Section 3 of this Final EIR. However, the change does not alter the conclusion of the analysis.

As implied by the Standards, changes to a property are not necessarily significant impacts under CEQA; rather, the threshold is whether or not these changes would cause a substantial adverse change to the resource that would diminish its integrity to the degree it would no longer be able to convey its significance. A single aspect of a project may not be consistent with recommendations found in the Guidelines, yet the impact on the character of the property as a whole is small enough that the overall project meets the Standards.³²

Most properties change over time; those changes that have acquired historic significance should be retained and preserved. However, every addition or alteration to a historical resource does not necessarily contribute to the significance of a property as a whole. Some modifications over time, such as the addition of a swimming pool, reflect the owners' desire and not the significant design elements that made the property eligible for designation. Neither the stairway nor the pool is a feature of the Headley/Handley House that singularly conveys its significance as an excellent example of organic architecture. The swimming pool was designed by an engineer. The stairway was designed by Lloyd Wright, but it does not appear to be an essential feature of the property's organic design as envisioned by Wright.

Consequently, modifications to the stairway and pool do not constitute adverse impacts that would diminish the integrity of the historical resource as a whole. The property would continue to reflect the architectural significance that made it eligible for HCM designation, and no significant impact would occur.

Comment No. B1-51

The conclusion that the loss of the pool will not have impacts is not supported by substantial evidence, given the property is important for its organic architecture, as well as its association with architect Lloyd Wright. As noted in the Historic Resource Assessment, the pool was constructed during the period of significance, and between the two periods in which Lloyd Wright worked on the property. As noted on page 9 of the Historic Resources Assessment:

Owner Alan Handley added the swimming pool in 1959. In 1966, Handley hired original architect Lloyd Wright to design several additions to the house. The alternations included an addition extending the main living room and a new bedroom wing with fieldstone siding. A terrace was constructed south of the house, connected to the house by a stone stairway. Wright also designed the carport, a trellis-like structure and a retaining wall in 1966.

³² *"Cumulative Effect and Historic Character," National Park Service, November 25, 2019, <https://www.nps.gov/tps/standards/applying-rehabilitation/cumulative-effect.htm>.*

Response to Comment No. B1-51

As stated in the Response to Comment No. B1-50, the historic report contemplated the possible removal of the swimming pool; however, the Project as currently proposed includes the retention of the existing swimming pool. Lloyd Wright was not responsible for the addition of the pool.³³ Lloyd Wright designed the original house in 1945 and additions and landscape features in 1966. The pool was added in 1959, but it was not designed by Wright. All features added to a property within the period of significance do not automatically contribute to the significance of the property. The pool does not contribute to the significance of the property as a significant example of organic architecture designed by Wright; therefore, it is not considered a character-defining feature of the property. Removing the pool, which is not part of the Project, would not cause a significant impact, as it would not diminish the integrity of the historical resource.

Comment No. B1-52

In fact, according to Alan Weintraus: “Wright and associate architect Eric Lloyd Wright designed the addition, which was completed in 1967, further integrating the house into the site by placing the new wing into the grade.”³⁴ As part of the impact assessment, Eric Lloyd Wright, who continues to live locally, should have been consulted as to the potential impact of the project on the historical resource and the significance of site features and relationships.

Response to Comment No. B1-52

It is not standard practice in preparing technical reports to consult the opinions of individuals regarding the impact of alterations to a historical resource. Instead, the preparation of the historic report included the following tasks: (1) field inspection of the Project Site and surrounding area; (2) review of building permits and records on file at the City of Los Angeles Department of City Planning; and (3) archival research on the history of the building, including a review of historic aerial photographs, books, and newspapers. Further, a records search was also conducted with the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

Comment No. B1-53

Given Lloyd Wright’s additional work on the house and its setting, after the construction of the pool, it is unlikely that Wright would not have taken the pool into consideration in his design and his integration of the home and site additions to form an organic whole. The conclusion that the pool is not a contributing feature is thus not supported by, and is in fact contradicted by, substantial evidence.

³³ GPA Consulting, *Historical Resource Report: Headley/Handley House, 3003 Runyon Canyon, Los Angeles, California, (Los Angeles: October 2018)*, 9.

³⁴ Page 142: Alan Weintraus, *Lloyd Wright – The Architecture of Frank Lloyd Wright Jr., Harry N. Abrams, Inc., Publishers.*

Response to Comment No. B1-53

This comment is speculative. The author of the technical report cannot presume to understand the thoughts or opinions of a deceased architect regarding alterations that a client makes to a property prior to engaging the architect. Further, the mere presence of a feature on a property does not elevate it to a contributing element for a historic resource, even if the original architect performed subsequent work on the property. The elements of the Property were evaluated in a report by the Los Angeles Cultural Heritage Commission and designated as a Historic Cultural Monument by the City Council in a legislative action, and the pool was not identified as a character defining feature.

Comment No. B1-54

The cultural resources analysis addresses only two of the three retaining walls that would be included as part of the proposed project. Page 17 of Appendix F-1 states:

Two retaining walls will be constructed along the hillside at the mid-point of the northwest portion of the parcel. The existing historic residence is located on the opposing or eastern-facing side of the hill. The retaining walls will not be visible from the historic residence and will not impede views of the historic residence from the public right-of-way. The height of the retaining walls will be lower than the current driveway along the northwest portion of the property and will not be visible from the historic residence.

However, the analysis fails to address the third retaining wall, which is located in close proximity to the historic residence (see Figure II-1 and Figure 13 in Appendix F-1). More information and analysis of the potential impacts of retaining wall #3 on the setting of the historic resource is required before it can be concluded that impacts are less than significant.

Response to Comment No. B1-54

Retaining wall #3 is below the top of the ridgeline on the west side of the Project Site and continues the line of an existing retaining wall on the Site. Retaining wall #3 would continue from the existing driveway to the proposed driveway. Retaining wall #3 would not be visible from the historic residence and would continue the line of existing Site features. Retaining Wall #3 would therefore not negatively affect the setting of the historic residence. This information has also been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

Comment No. B1-55

The cultural resources analysis fails to address the potential impact of the fill sites proposed to be located on the hillside just north and east of the historic residence as shown on DEIR Figure II-1. (See Figure 3 for a comparison of details from Figure II-1 and the Google earth view of the project site). The cultural resources analysis, in concluding consistency with the *Secretary's Standards*, relies on the inaccurate statement that "there will be no changes to the immediate

Response to Comment No. B1-55

Refer to Response to Comment No. B1-50 for a discussion of the “immediate setting of the historic residence,” which was defined as the portion of the parcel visible from the residence.

The analysis of the Project for compliance with the *Standards* was based on the conceptual renderings and related documents as indicated on page 3 of the historic report (included as Appendix F-1 to the Draft EIR). As depicted in the conceptual renderings, the fill sites are not visible from the house and are physically removed from the house. The fill sites are located on the lower portions of the slope north of the residence. Because the fill sites are not visible from the residence, they have no potential to significantly impact the immediate setting of the historic house.

As a designated HCM, the plans are reviewed for compliance with the *Standards* pursuant to the Cultural Heritage Ordinance prior to the issuance of any building permits.

Comment No. B1-56

The cultural resources analysis fails to address or describe the nature of the connection between the existing patio of the cultural resource and the new residence. In addition, if this new connection includes a tunnel as described in the Geotechnical Report, this needs to be evaluated as part of the cultural resource analysis.

Response to Comment No. B1-56

As discussed in Response to Comment No. B1-7, the Project does not include a tunnel from the existing residence to the proposed residence. Instead, the Project includes an “Access Passageway,” which is a covered open-air patio area that provides access from the existing residence to the proposed residence. This passageway would be located on the far southwest corner of the existing patio. Presently, there is a small break (opening) in the low stone wall surrounding the existing terrace on the southwest side of the Headley/Handley House to accommodate a set of wood stairs that lead to the top of the bluff to the west. The Project plans propose to create a new passageway between the existing patio and the new residence by cutting a new passageway at grade from the existing opening in the stone wall into the first floor of the new residence just a little south of the existing break in the stone wall (where there is currently a wood table). The passageway would be covered to match the hillside. Although this new passageway would require the removal of a small portion of the stone wall, it would be considered a minor change to the existing setting of the Headley/Handley House. It is not anticipated that the new residence would be highly visible (if at all) through the passageway from the existing residence/patio. Therefore, this is not considered to be a substantial adverse change to the patio or the existing residence.

Comment No. B1-57

The cultural resources analysis thus fails to adequately address the impact of the proposed project on likely contributing features and the immediate setting of the historic residence. The potential for changes in the setting to result in significant impacts has not been adequately addressed. The potential for significant cultural resource impacts remains.

Response to Comment No. B1-57

The impact of the Project on the historical resource is appropriately analyzed in the historic report (included as Appendix F-1 to the Draft EIR) using the State and City thresholds. The historic report concludes that the Project complies with the *Standards* because the overall effect of the proposed work is consistent with the historic character of the property. The comments do not provide substantial evidence otherwise, and merely presume that any feature of the Headley/Handley House is character-defining, and merely disagrees with the historic report. Furthermore, the Project will not diminish the integrity of setting of the Headley/Handley House. It will continue to retain sufficient integrity to convey its significance as an example of organic architecture designed by Lloyd Wright.

Comment No. B1-58

Third, the cultural resources analysis depends on the assumption that the change in the classification of the primary residence to a guesthouse will not change the significance of the historic residence because there would be no changes to the historic residence. (See discussion of consistency with Standards 1 – 7). However, as previously noted in this comment letter, the historic residence, at 2,018 square feet, is too large to be an ADU and it cannot qualify as a Accessory Living Quarters if it retains its kitchen, which was added during the period of significance, and if it retains its ability to function as an independent home. Thus, there is the potential for a reclassification to result in changes to the historic residence, which have not been addressed in the cultural resources analysis. The potential for significant cultural resource impacts remains.

Response to Comment No. B1-58

The HCM designation is limited to the exterior of the historic house. The only change proposed for the kitchen is the removal of the stove. Removable appliances are not typically considered character-defining features of historic houses. Furthermore, it should be noted that the house was originally designed in 1945 as a multiuse storage, garage, and stable structure that was to support a main residence that was planned, by not constructed. In 1949, the multiuse structure was converted into living quarters. Therefore, converting the existing house into Accessory Living Quarters is consistent with its history, and would not diminish its historical significance. Moreover, the comment's position virtually eliminates adaptive reuse, which is an accepted preservation strategy under the Standards.

Comment No. B1-59

Fourth, the DEIR fails to address the potential impact of construction activity on the historical resource. A Historic Structure Report should have been prepared to assess the exterior, interior and structural condition of the historical resource and its ability to tolerate construction activity in close proximity to the structure. This is particularly necessary given that foundations for the new residence are required to be founded into bedrock, and the close proximity of construction activity and construction vehicle activity to the historical resource. This type of construction will result in vibration, which could impact the structural integrity of the historical resource, given that it is constructed of concrete with fieldstone and horizontal wood lap cladding, as noted on page 9 of the Historic Resources Report. Structural maintenance is often required in Lloyd Wright buildings of the time, given the nature of the building materials used and the tendency for them to thus suffer harm to their structural integrity over time. In addition, the DEIR need to describe the location and size of the proposed sewage system and the proximity of its construction to the cultural resource. The proposed project thus has the potential to result in significant construction-related impacts to the historical resource, including structural impacts due to noise and vibration. In addition, project construction activity may trigger the need for general maintenance requirements to adequately clean the historical resource following construction. Based on the needed Historic Structures Report, the DEIR should include mitigation measures to protect the historical resource during construction such as: vibration monitoring, and mitigation measures mandating that the historical resource, including contributing site features, be repaired and rehabilitated in a manner consistent with the *Secretary's Standards*, post-construction. In the absence of such mitigation, the potential for construction-related impacts remains.

Response to Comment No. B1-59

It is not common practice for a Historic Structures Report to be prepared for CEQA compliance, as the assessment of the exterior, interior, and structural condition of the existing residence was not required to analyze the potential impacts of the new construction for CEQA purposes. Further, contrary to the comment, no substantial evidence suggests that the Project would damage the historic residence, as described below.

The seepage pits for the sewer will be subterranean and located on the hill face southwest of the historic house. Due to the distance and lack of visibility, there is no potential for these systems to impact the historic house.

Regarding potential vibration impacts to the existing residence, the commenter is referred to the Response to Comment No. B1-79. Under CEQA, mitigation measures are only required for impacts that are found to be significant. In the case of the Project, no significant vibration impacts were identified, and therefore no mitigation measures would be required.

Comment No. B1-60

Fifth, the DEIR fails to address the potential impact of the change in use on the historical resource. Given the size and design of the proposed residence, it is likely that the condition of the historical resource may be degraded over time as a result of de facto abandonment in place. In the absence of mitigation measures mandating the maintenance of the historical resource, the potential for impacts remains.

Response to Comment No. B1-60

See Response to Comment No. B1-57. The significance of the property is not dependent upon its use as a primary residence, but rather its design and its architect, which would remain even if the existing historic house was converted into Accessory Living Quarters. Furthermore, any alterations to the existing historic house would be reviewed for compliance with the Standards pursuant to the Cultural Heritage Ordinance. Here, the only alteration proposed is the removal of an appliance, a non-contributing feature of the historic residence.

Comment No. B1-61

CUL-PDF-1 as written is not sufficient to ensure that the siting, design and construction of the new residence will be in a manner that preserves the integrity of the setting of the Headley/Handley House. At a minimum, the DEIR should include a mitigation such as the following:

Mitigation: Design Review and Construction Monitoring for Historic Resources

The project developer shall retain a qualified professional historic architect to participate in design collaboration with the project team through preparation of construction documents and to monitor construction, to ensure continued conformance with the *Secretary's Standards*. The role of the historic architect will include collaboration on a range of items relating to materials selection, construction methods, design of exterior and interior alterations, and monitoring of ongoing construction activities. If changes in the plans result in nonconformance, the City and project developer will be notified. The historic architect shall participate in a pre-construction meeting with the general contractor and sub contractors and periodically monitor construction to completion of construction and issuance of a permanent certificate of occupancy. The historic architect shall consult with staff of the Department of City Planning, Office of Historic Resources (OHR) regarding any changes to the proposed project prior to issuance of any building permits.

Enforcement Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Agency: Los Angeles Department of City Planning, Office of Historic Resources

Monitoring Phase: Pre-construction; Construction

Monitoring Frequency: Once, at a pre construction meeting; Periodically, during field inspection

Action Indicating Compliance: Plan approval; Field inspection sign-off

Response to Comment No. B1-61

As provided in Draft EIR Section IV.D, Cultural Resources, Project Design Feature CUL-PDF-1 states that “The siting and design of the proposed new residence will be in a manner that preserves the integrity of the setting of the Headley/Handley House.” The following Project Design Feature (CUL-PDF-3) has been added to further reduce the already less than significant impacts of the Project with respect to the Headley/Handley House. This Project Design Feature has also been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

CUL-PDF-3 Prior to the issuance of any building permits, the Applicant will retain a qualified historic preservation professional (“professional”), meeting the Secretary of the Interior’s Professional Qualifications Standards for architectural history or historic architecture, to review construction and landscape plans related to the alterations to the Headley/Handley House and its setting. The plans will be reviewed by this professional for compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards). If the construction and landscape plans do not comply with the Standards, the professional will make recommendations for changes to the plans to comply with the Standards. The review will be summarized in a memorandum, and submitted to the Office of Historic Resources (OHR) for concurrence. Building permits may be issued after the OHR has concurred that the plans comply with the Standards. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

After the memorandum has been approved by the OHR, the professional meeting the qualifications described above will monitor the construction of the project as it relates to the Headley/Handley House. The professional will meet with the contractor on site before construction begins to review the requirements of this PDF and provide guidance on appropriate treatments to protect the historic property from damage during construction. The professional will monitor construction during any demolition and grading activities that have the potential to affect the historic property and will meet with the contractor at regular intervals during construction. The intervals will include 10 percent, 30 percent, 50 percent, 90 percent, and 100 percent construction. Within five days after each of these meetings, the professional will prepare a memorandum summarizing the findings, making recommendations as necessary to ensure compliance with the Standards, and documenting construction with digital photographs. The memorandum will be submitted to OHR for concurrence. In the event OHR does not concur, all activities should cease until conformance with the Standards is resolved and concurrence is obtained. Once the plans have been approved by

the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

Comment No. B1-62

IV.E. ENERGY

Page IV.E-10 provides an estimate of the existing electricity consumption on the project site, calculated using the CalEEMod air quality model. The Table IV.E-1 should also include information on electrical use based on the average actual month use based on the last twelve months of electrical bills for the existing property. This will help to determine the accuracy of the CalEEMod estimates, as they apply to the existing property. Page IV.E-10 should also provide information on the average existing monthly gas uses calculated from actual gas bills for the property.

Response to Comment No. B1-62

It is customary for an estimate of existing utility demand (such as electricity) to be prepared using CalEEMod or other demand rates, rather than actual utility bills. Nevertheless, updated utility demand calculations based on specific equipment included as part of the Project, and based on information contained in electrical bills for the existing home, have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As discussed in Section 3 of the Final EIR, the Project's impacts with respect to utilities and service systems would continue to be less than significant, based on the updated demand calculations. There is currently no natural gas connection at the Project Site, and therefore, no natural gas is used at the existing residence.

An updated operational air quality analysis based on the specific equipment included as part of the Project has been summarized in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR, and the associated technical modeling is included in Appendix D of this Final EIR. The updated analysis shows that Project operational emissions would continue to be below the SCAQMD's thresholds of significance, and therefore, impacts would continue to be less than significant.

Comment No. B1-63

The operational estimate of project electrical use was calculated using CalEEMod. The assumption used in the model run (see Appendix D) is that four people will occupy the proposed residence and that the square footage is 16,000 square feet. The occupancy assumptions in the model run should, at a minimum, match the number of bedrooms, and the square footage assumptions should match the total square footage for the project. The proposed single-family home would include a basement, first floor area, and second floor area. The first and second floors would total approximately 8,099 square feet in size; including the basement, the total square footage of the residence would be approximately 13,306 square feet. In addition to the 13,306 square foot residence, according to the project description, the proposed project includes: a

mechanical/electrical area totaling 2,475 square feet and a 6,454 square-foot covered patio area, for a total square footage of 22,235. The model run thus understates project characteristics and thus underestimates likely electrical and gas demand. Model estimates therefore need to be corrected.

However, it is questionable whether CalEEMod is an appropriate methodology for estimating project electrical demand, given some of the unique features of the project design such as the infinity pool and water feature, which likely require a circulating pump. The project description indicates that the proposed residence includes a 2,475 square foot area for mechanical/electrical equipment, but fails to disclose why there is the need for 2,475-feet of mechanical/electrical area to support a single-family home, something that is very unusual. It is important to know what type of equipment will be located in this area, and how that equipment contributes to the utility demands of the proposed project. This information should be provided in the DEIR. The energy calculations which were used to determine the size of the area required for mechanical/electrical equipment should be provided in an appendix to the DEIR and anticipated electrical demand used in the calculations disclosed in Table IV.E-3 and compared to CalEEMod calculations.

Response to Comment No. B1-63

As stated in the Response to Comment No. B1-41, while the modeling outputs contained in Appendix D of the Draft EIR (Air Quality and Greenhouse Gas Emissions Technical Modeling) note a population of four persons, the modeling outputs are based on the size of the Project and not the estimated occupancy. Further, the modeling outputs contained in Draft EIR Appendix D actually provide a conservative estimate of electricity consumption, as the modeling accounted for 16,000 square feet of area in the proposed home, which is more than the total floor area for the basement (4,878 square feet), first floor (3,413 square feet), second floor (3,046 square feet), and all mechanical/electrical areas (2,475 square feet) combined. The analysis of electricity impacts generally does not account for the square footage of patio space. Nevertheless, as described in this response, the air quality and greenhouse gas emissions technical modeling included those areas to provide a conservative estimate of impacts.

Regarding the mechanical/electrical area included in the Project, the commenter is referred to the Response to Comment No. B1-8, above.

Nevertheless, updated utility demand calculations based on specific equipment included as part of the Project have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. As discussed in Section 3 of the Final EIR, the Project's impacts with respect to utilities and service systems would continue to be less than significant, based on the updated demand calculations.

Comment No. B1-64

The analysis of Threshold No. 1 cumulative impacts should then provide a comparison of anticipated project energy use as compared to the typical single-family home service by LADWP

and SoCalGas to determine if the proposed project represents a wasteful, inefficient and unnecessary use of energy. Project use substantially in excess of the typical single-family home should be classified as a cumulatively considerable energy impact on the service area.

Response to Comment No. B1-64

The analysis contained in Draft EIR Section IV.E, Energy, determined that the Project would represent approximately 0.008 percent of LADWP's projected electricity sales in 2020-2021 (see page IV.E-20), and also determined that the Project's energy requirements would not significantly affect local or regional supplies or capacity and would be consistent with future projections for the region. As discussed in Section IV.E, Energy, the Project would incorporate sustainability features that would reduce the Project's energy requirements, such as deepened roof overhangs, green roofs that are planted with grass, and water-efficient plantings with drought-tolerant species (see also Project Design Feature GHG-PDF-1). In summary, the analysis contained in Draft EIR Section IV.E, Energy, concluded that the Project's energy demands would not sufficiently affect available energy supplies and would comply with existing energy efficiency standards, and therefore, the Project would not cause wasteful, inefficient, or unnecessary consumption of energy during construction or operation. The comment suggests an arbitrary comparison as a basis for impact determination, but fails to articulate a substantial evidentiary basis for that threshold, and ignores measures of efficiency employed in the Draft EIR, according to standard City practice.

Comment No. B1-65

IV.F. GEOLOGY AND SOILS

Geology and Soils

The DEIR should include the City's Geology and Soils approval letter for the associated March 11, 2016 Geology and Soils Report in Appendix G, or disclose if the City has not yet approved the Geology and Soils Report(s) for the proposed project. Any conditions specified the Geology and Soils approval letter should be included as mitigation measures for the proposed project.

Response to Comment No. B1-65

Included in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR is a Geology and Soils Report Correction Letter (2016) from the Los Angeles Department of Building and Safety (LADBS), and also an Addendum Geologic and Soils Engineering Exploration (2016), prepared by Irvine Geotechnical in response to the letter from LADBS. A second Addendum Geologic and Soils Engineering Exploration (2020) is also included as part of this Final EIR. Further, the Geology and Soils Report Approval Letter was received from LADBS on April 24, 2020. All of these documents are included in Appendix G of this Final EIR. Any conditions specified by LADBS would become conditions of Project approval.

Comment No. B1-66

According to ZIMAS the project site is within the Hollywood Fault, fault zone. The DEIR needs to provide clear information on what was done to determine if fault splays are present on the project site.

Response to Comment No. B1-66

The Project Site's location within the Hollywood Fault Zone has been clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR. However, as stated in page 8 of the geotechnical report (Appendix G to the Draft EIR), the Project Site is located within 2 km of the Hollywood Fault, but is not located in an Alquist-Priolo Fault Rupture Hazard Study Zone, and no ground rupture hazard exists at the Project Site. As discussed in Draft EIR Section IV.F, Geology and Soils, the Project would be designed and constructed in conformance with the California Building Code, the Uniform Building Code, and the City Building Code. Adherence to current building codes and engineering practices would ensure that the Project is designed to withstand ground shaking as a result of an earthquake, and would ensure that the Project would not expose people, property, or infrastructure to seismically-induced ground shaking hazards.

Comment No. B1-67

The DEIR includes an inadequate discussion of project drainage and drainage devices. According to page 28 of the Geotechnical Report in Appendix G:

Control of site drainage is important for the performance of the proposed project. Pad and roof drainage should be collected and transferred to the street or approved location in nonerosive drainage devices. Drainage should not be allowed to pond on the pad or against any foundation or retaining wall. Drainage should not be allowed to flow uncontrolled over any descending slope. Planters located within retaining wall backfill should be sealed to prevent moisture intrusion into the backfill. Planters located next to raised floor type construction also should be sealed to the depth of the footings. Drainage control devices require periodic cleaning, testing and maintenance to remain effective. Because the site is within a designated hillside area and due to nearby slopes, onsite infiltration of surface runoff is not considered feasible.

The DEIR needs to disclose how these requirements will be accomplished and/or include mitigation to ensure that these requirements are met. In the absence of such, the potential for drainage impacts remains.

Page IV-F-15 states that as "the runoff from the Project would continue to flow towards existing storm drains, and as the Project would follow the drainage recommendations contained in the geotechnical report, the Project would not exacerbate existing environmental conditions related to soil erosion." However, no substantial evidence is provided to support the assertion that runoff would continue to flow towards existing storm drains, the location of such storm drains is not

provided, the geotechnical report does not provide specific drainage design requirements as illustrated by the quote above, and there is no requirement that the project follow the recommendations contained in the report. As written, the potential for impacts remains

Response to Comment No. B1-67

The preliminary geotechnical report is sufficient for CEQA purposes and discloses potential impacts and design measures based on schematic drawings required for entitlements, and provide performance standards that the final design must meet. Further, more specific recommendations cannot be provided until final engineering for the Project is complete. As stated on Draft EIR page IV.F-20 (in Section IV.F, Geology and Soils), consistent with existing City requirements, a final design-level geotechnical investigation would be prepared, reviewed, and approved by LADBS prior to the issuance of building permits to construct the Project, and would be based on final engineering drawings. The Project would be required to follow all requirements contained in the final design-level geotechnical investigation, including requirements related to drainage.

Comment No. B1-68

The discussion of Threshold (e) needs to provide more information on the location, design and capacity of the proposed wastewater disposal system. Page IV.F-17 states that potential locations for the seepage pits are shown in Section C-C attached to the geotechnical report. However, Section C-C is a cross-section and does not provide the reader with the location of such seepage pits on the project site. A map showing the specific location of the system, as designed, and its relationship to the historical resource, including the route of the transmission system and location of any septic tank(s) needs to be provided in the DEIR. The description provided on page IV.F-17 is not sufficiently detailed to qualify as accurate, stable and finite.

Response to Comment No. B1-68

Regarding the proposed seepage pits, the commenter is referred to the Response to Comment No. B1-15, above, which states that the wastewater treatment system would remain for the Headley/Handley House. In addition, the Project would include a seepage pit, and the final location will be determined as part of the construction drawing process; however, both options are identified and evaluated as part of the Draft EIR (see Draft EIR page IV.F-17).

Comment No. B1-69

Under Mitigation Measures on page IV.F-20, the DEIR states: "A final design-level geotechnical investigation would be prepared, reviewed, and approved by LADBS prior to issuance of building permits to construct the Project. The Project would be required to follow all requirements contained in the final-design level geotechnical investigation." However, this is not mandated in the form a mitigation measure and, as written, represents improper deferral of mitigation.

Response to Comment No. B1-69

Regarding the final design-level geotechnical investigation, the commenter is referred to the Response to Comment No. B1-67, above. The requirement for a final design-level geotechnical investigation to be reviewed and approved by LADBS prior to the issuance of building permits is a standard City regulatory requirement.

Comment No. B1-70**Paleontological Resources**

Mitigation Measure MM-1 is fatally flawed as it assume the Construction Monitor is qualified to determine whether or not paleontological materials have been encountered during the course of project development. The mitigation fails to identify the required qualifications of the independent Construction Monitor or to specify the required training of the Construction Monitor. As written, there is nothing that would insure that paleontological materials would actually be identified as such, if encountered during project construction. The term “independent” is not defined. Who hires the Construction Monitor? Can the project applicant hire anyone that they wish? Does the City have an approved list of trained Construction Monitors? As written MM-1 will not clearly reduce significant impacts, and the potential for significant paleontological impacts remains.

Mitigation MM-1 is also deficient because it: (1) allows for two business days for reporting of non-compliance to the unspecified Enforcement Agency; (2) allows for a non-specified “reasonable time” to correct non-compliance before the two business days to report to the Enforcement Agency is triggered; and (3) does not require work to stop until the non-compliance is corrected and addressed by the Enforcement Agency. The potential for impacts remains as a result of these defects in the wording of MM-1.

Response to Comment No. B1-70

As discussed in greater detail in Section 4, Mitigation Monitoring Program (MMP), of this Final EIR (specifically subsection C, Administrative Procedures and Enforcement), during the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the City of Los Angeles Department of City Planning, who shall be responsible for monitoring implementation of Project design features and mitigation measures during construction activities, consistent with the monitoring phase and frequency set forth in the MMP.

The remainder of the comment criticizes the language and provisions contained in Mitigation Measure GEO-MM-1, but does not provide substantial evidence that GEO-MM-1 would not mitigate potential impacts with respect to paleontological resources. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B1-71**IV.I. HYDROLOGY AND WATER QUALITY**

This section of the DEIR is very conclusionary in nature; many of the conclusions are not supported by substantial evidence.

Thresholds (b) and (c)

The DEIR needs to provide specific information on the location and capacity of existing storm drains serving the project site. The DEIR needs to provide specific information, ideally on a map, of the location of the drainage courses that convey runoff from the project site to existing storm drains. Statements such as the following on page IV.I-15 are too general and not informative: “Drainage from the Project Site currently flows in a southern direction down the Santa Monica Mountains and towards storm drains located further down the mountain, and will continue to do so after construction of the Project at the development site.” In addition, the DEIR needs to identify the location of off-site watercourses, which may receive runoff from the project site. The statement on page IV.I-15 that the “Project would not significantly increase overall stormwater runoff volume as the Project design includes green roofs planted with grass” is not supported by substantial evidence. The DEIR should include existing and with-project calculations of runoff quantities given that the area where the project would be located is currently covered in grass/vegetation and the project will introduce additional hardscaping. It is thus likely that the project will increase runoff quantities from the project site.

Response to Comment No. B1-71

Regarding the Project’s drainage, the commenter is referred to the Response to Comment No. B1-67, above. The Project adds approximately 700 square feet of impervious area to the Project Site when compared to existing conditions, which represents less than a 0.5% difference between the existing and proposed conditions. Provided below in new Tables IV.I-1 and IV.I-2 are the existing and with Project runoff calculations. This information has also been added to Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

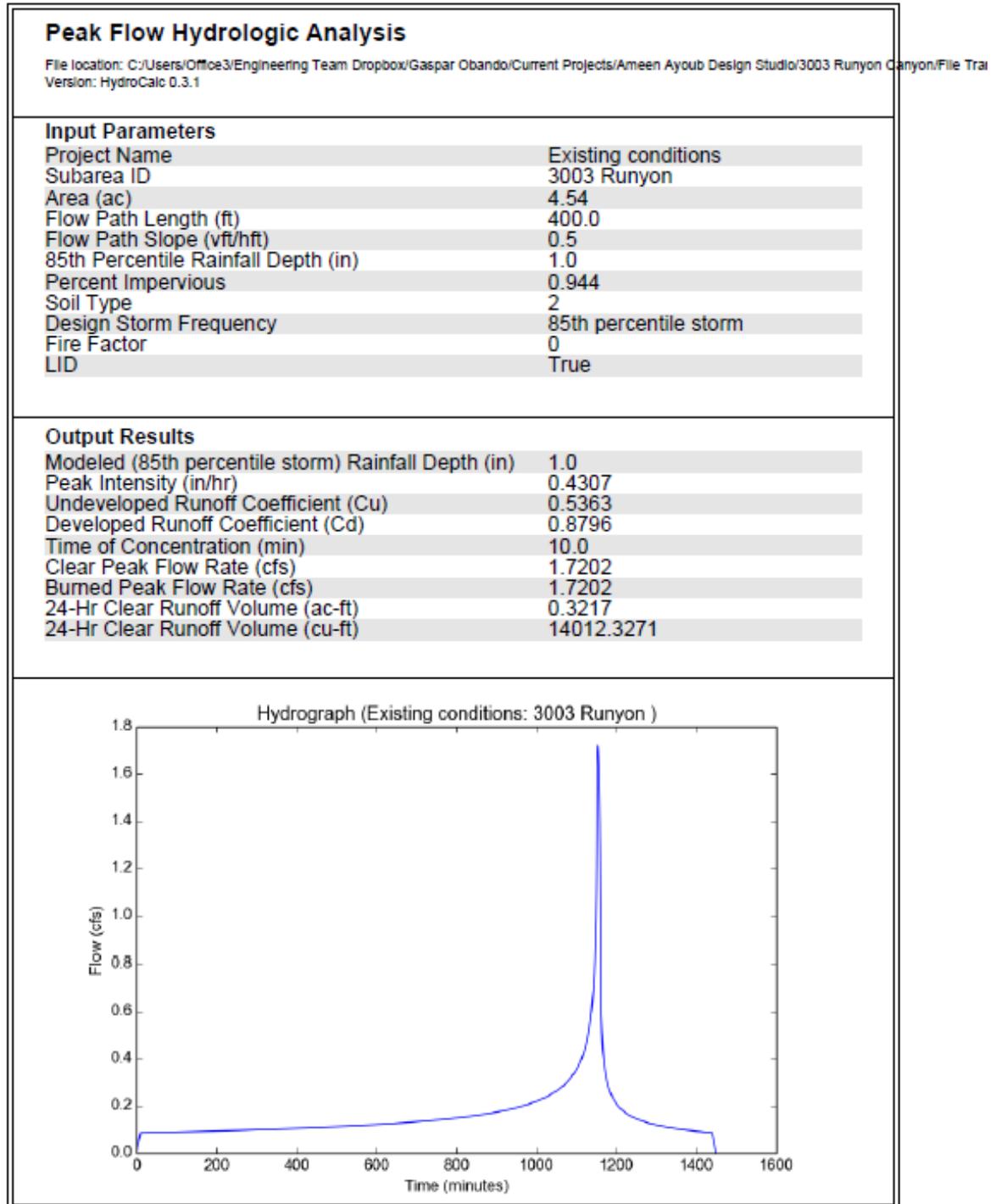
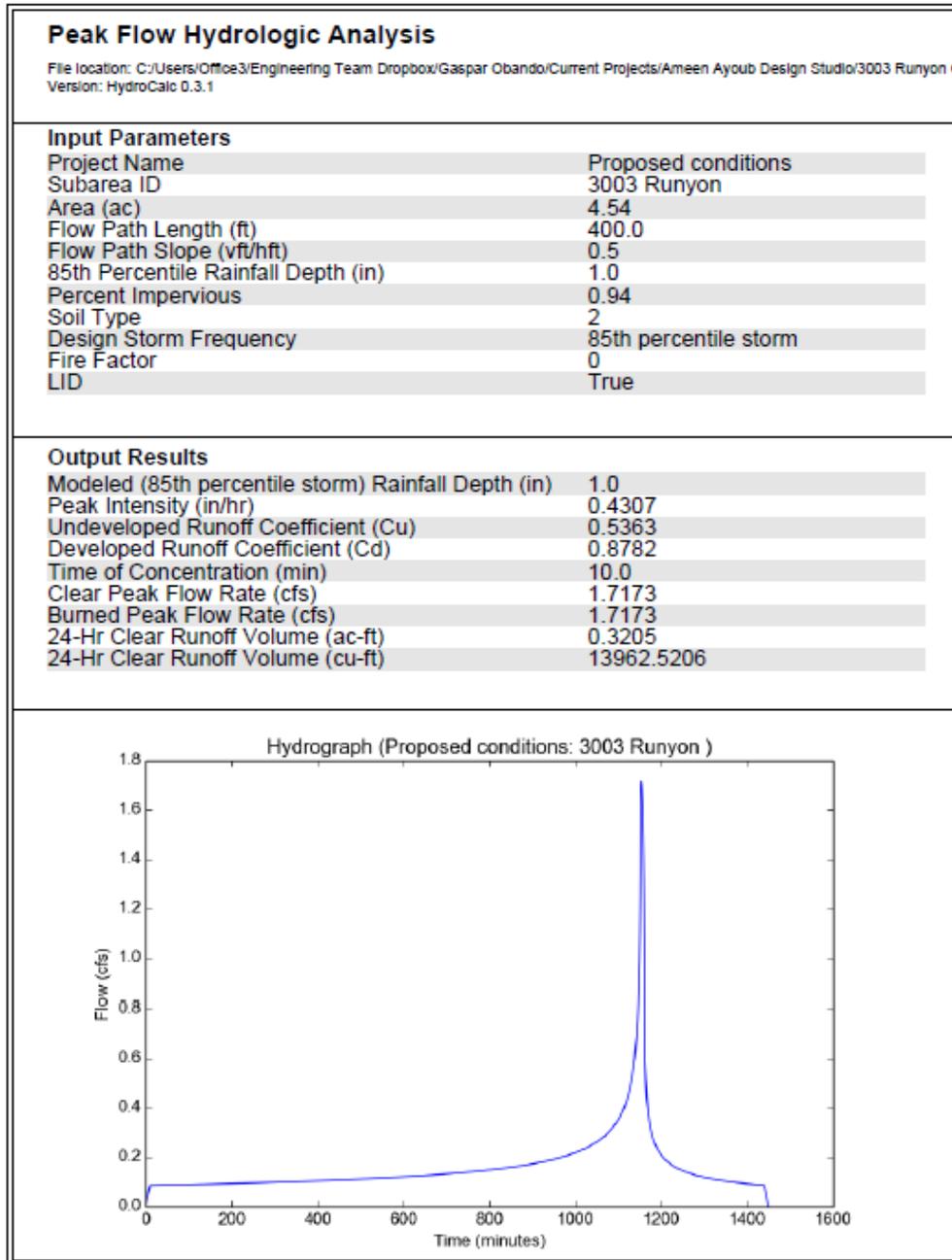
Table IV.I-1, Existing Runoff Conditions

Table IV.I-2, Proposed Runoff Conditions



Comment No. B1-72

Threshold (a) and (d)

The DEIR on page IV-I-18 contains the following conclusionary statement which is not supported by substantial evidence: “the Project would comply with the following rules and programs related to water quality: the City’s LID Ordinance; the SWPPP; the NPDES program; and the SUSMP.” The DEIR needs to provide specific information on how the project will comply with these programs, particularly the City’s LID Ordinance. As noted on page IV.I-11 of the DEIR: “Through the use of various infiltration strategies, LID is aimed at minimizing impervious surface area. Where infiltration is not feasible, the use of bioretention, rain gardens, green roofs, and rain barrels that will store, evaporate, detain, and/or treat runoff may be used.” Given that the Geotechnical Report indicates that on-site infiltration is not feasible, what LID strategies besides the green roof are included as part of the project? The DEIR needs to include a more detailed analysis of the project’s consistency with LID requirements. In the absence of more detailed information, the less than significant impact conclusion is not supported by substantial evidence.

Response to Comment No. B1-72

As noted in Draft EIR Section IV.I, Hydrology and Water Quality, the City’s LID Ordinance, the SWPPP, NPDES, and SUSMP are existing regulations with which the Project is required to comply. A final drainage system would be designed to show how water from the new impervious areas would be captured and directed to a rain harvesting tank, which would later be used for irrigation. Any overflow would be directed to Runyon Canyon Road or otherwise dispersed in a non-erosive manner. Compliance would be verified by the Department of Building and Safety before building permits are issued. The commenter is also referred to the Response to Comment No. B1-71, which provides existing and with Project runoff calculations.

Comment No. B1-73

IV.J. LAND USE AND PLANNING

Page IV.J-11 states that the project would not affect the ability of hikers to access Runyon Canyon Park. However, project generated traffic on Runyon Canyon Road could impact the use of hikers of this trail if the proposed project is used for entertaining or short-term rentals (as a party house). **Figure 4** provides views along Runyon Canyon Road in the project vicinity and shows the trail-quality of this fire access road. The DEIR should similarly provide views of the “roadway” along the project access. As previously noted, mitigation is required to ensure that the property is not used for events and large parties. In the absence of such mitigation, the assertion that hiking use would not be impacted, is not supported.

Response to Comment No. B1-73

The Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

The Project would also be required to comply with the City’s Home-Sharing Ordinance, which places restrictions on short-term rentals. As the Project would be required to comply with these existing regulations, no mitigation measures would be required.

Finally, additional views have been added to the Final EIR (see Section 3, Revisions, Clarifications, and Corrections, specifically Figure IV.A-6). This figure provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.

Comment No. B1-74

The analysis of General Plan consistency is conclusionary in nature. The analysis should specify all of the applicable policies and objectives and assess the project’s consistency with each. In the absence of such an analysis, the DEIR’s consistency conclusions are not supported by substantial evidence. The discussion on page IV.J-11 regarding wildlife movement impacts must be corrected as part of addressing comments by the SMMC on the DEIR.





Figure 4 – Views Along Runyon Canyon Road Heading South From the Project Parcel Driveway. Note Presence of Hikers

Response to Comment No. B1-74

The Project's consistency with the General Plan, including applicable goals, objectives, and policies, is provided in Draft EIR Section IV.J, Land Use and Planning. As discussed therein, the Project is consistent with the Minimum Low Density Residential land use designation for the Project Site and is consistent with City goals to preserve single-family neighborhoods, as the Project proposes to build a single-family residence and to retain the existing historic Headley/Handley House as a guest house. This is consistent with the existing zoning and land use designation for the Project Site as well as the residential neighborhood bordering Runyon Canyon Park, which consists in all directions of low-density zoned residential uses, with the exception of multi-family residential uses along a portion of the southern park border near the Fuller Avenue park entrance. As such, the Project would not impact the preservation of the City's single-family residential neighborhoods, which could result in an environmental effect.

In addition, the analysis contained in Draft EIR Section IV.J, Land Use, determined that the Project would be consistent policies contained in the Open Space and Conservation Chapters of the General Plan, as the Project would not encroach on any open space uses. While surrounded by land zoned for open space, the Project would develop a single-family residence on a site zoned

for such uses. In addition, the Project would be consistent with policies to protect natural viewsheds as the Project has been designed such that the proposed home would be built into the hillside and the home itself sits below the disturbed ridgeline on the western side of the property, and is completely hidden from Mulholland Drive.

Regarding wildlife movement, the commenter is referred to the Responses to Comment Nos. A3-2, A3-3, A3-4, A3-13, A3-14, A3-15, and A3-16. Comments regarding specific goals, objectives and policies are addressed in these responses.

Comment No. B1-75

The analysis of the project's consistency with the Hollywood Community Plan is flawed. The project would not be consistent with Objective 3. The project is not consistent with the land use designation and zoning for the site as it would result in two single-family homes on a parcel zoned for one single-family home. Calling the existing 2,018 square foot residence "Accessory Living Quarters" is a linguistic ruse since the existing residence does not meet the definition of such contained in Section 12.03 of the Municipal Code. In addition, the project would not minimize grading; it requires a Zoning Administrator's Determination to allow for grading well in excess of that allowed in a hillside area. Furthermore, the land use and population intensity is not compatible with the existing street capacity as the existing street is a non-public narrow fire road in poor condition, which functions as a trail during daytime hours. The analysis of consistency with Objective 3 in Table IV.J-1 must be corrected accordingly.

The proposed project is also not consistent with Objective 7, as it does not preserve views or the natural character and topography. Fill sites are located on slopes that can be viewed from the trail, and the project requires: a Specific Plan Exception (SPE) to allow construction of a new Single-Family Dwelling to be located within 50 feet of a prominent ridge as specified in the Mulholland Scenic Parkway Specific Plan; a Zoning Administrator Determination (ZAD) to allow three (3) retaining walls instead of two (2) retaining walls of up to ten (10) feet, which is indicative of construction at odds with the natural topography; and a Zoning Administrator Determination (ZAD) to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be relocated on-site with no net export) in lieu of the maximum by right grading amount allowed for the RE40 zone under the Baseline Hillside Ordinance. The proposed project is thus not consistent with cited Objective 7 of the Hollywood Community Plan and the analysis of consistency with Objective 7 in Table IV.J-1 must be corrected accordingly.

The project is therefore not consistent with the Hollywood Community Plan. This would be a significant land use impact of the proposed project.

Response to Comment No. B1-75

Contrary to the comment, the Project would not result in two single-family homes on the Project Site. As discussed in the Response to Comment No. B1-9, the kitchen (stove) would be removed

from the Headley/Handley House, and therefore, it would qualify as Accessory Living Quarters under the LAMC.

Regarding grading, as stated in Table IV.J-1, the Project is requesting a Zoning Administrator Determination (ZAD) to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be re-located on-site with no net export) so that no haul route is required. Further, the portion of the Project Site that would accommodate the Project is a ridgeline that was previously disturbed. The grading design, modifying an already-disturbed ridgeline, helps preserve existing, natural terrain surrounding the Project Site and helps maintain ecological balance by minimizing the development site overall and preventing encroachment into native landscape areas, and facilitating wildlife access and movement.

Further, as discussed in Section IV.M, Transportation/Traffic, the Project would generate a negligible amount of daily and peak hour trips as there is currently a single-family residence on the Project Site, and the occupants of the existing residence would move in to the new (proposed) single-family residence, with the existing residence reclassified as Accessory Living Quarters. In addition, during construction, the Project would implement a Construction Traffic Management Plan, which would ensure the adoption of safety procedures creating a safe environment for those accessing the park, including pedestrians, during Project construction. Development of the Project would not result in any change to the ability of pedestrians and hikers to access Runyon Canyon Road and other hiking trails throughout the park, as development would be confined to the Project Site (see pages IV.M-7 and IV.M-8 of the Draft EIR).

Regarding Community Plan Objective 7, which states (in part) “To encourage the preservation of open space consistent with property rights when privately owned,” the Project would not affect the ability of hikers to access Runyon Canyon Park. Further, the Project would not be built on any publicly accessible land within Runyon Canyon Park, and therefore, the Project would not otherwise affect the preservation of open space in Runyon Canyon Park. In addition, the Project is designed to preserve existing views by being built into the hillside such that the home itself sits below the disturbed ridgeline on the western side of the property, and is completely hidden from Mulholland Drive and substantial portions of the park. The proposed residence is sited physically within the bluff (buried) so that the only face of the residence that would be visible is on the western elevation. The home has been further designed with curvilinear roof lines that blend in with the natural topography, as well as a roof planted with mixed meadow/meadow edge native grasses, and recessed windows with five to ten-foot roof overhangs over the windows.

Based on the analysis contained in Section IV.J, the Draft EIR determined that the Project would be substantially consistent with the applicable policies of the Hollywood Community Plan and that the Project’s proposed single-family residence would be consistent with the Minimum Residential land use designation for the Project Site. Impacts were therefore determined to be less than significant. State law does not require precise conformity of a proposed project with the land use designation for a site, or an exact match between the project and the applicable general plan. Instead, a finding of consistency requires only that the proposed project be “compatible with the

objectives, policies, general land uses, and programs specified in” the applicable plan. The courts have interpreted this provision as requiring that a project be ”in agreement or harmony with” the terms of the applicable plan, not in rigid conformity with every detail thereof. (*Save Our Heritage Organization v. City of San Diego* (2015) 237 Cal.App.4th 163, 185-186; *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 694.) It is beyond cavil that no project could completely satisfy every policy stated in the general plan, and that state law does not impose such a requirement. A general plan must try to accommodate a wide range of competing interests — including those of developers, neighboring homeowners, prospective homebuyers, environmentalists, current and prospective business owners, jobseekers, taxpayers, and providers and recipients of all types of city-provided services — and to present a clear and comprehensive set of principles to guide development decisions. (*Sequoia Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719-20). Therefore, the Project would be substantially consistent with the applicable policies of the Hollywood Community Plan.

Comment No. B1-76

The DEIR should include the analysis of consistency with the Mulholland Scenic Parkway Specific Plan in the body of the DEIR, not just in Appendix J. An appendix is intended to contain additional data that supports or extends the main analysis, not a key analysis. Referring the reader to an appendix for a key consistency evaluation inhibits the ability of the reader to easily review the accuracy of the DEIR’s findings.

Response to Comment No. B1-76

As noted in the comment, the analysis of the Project’s consistency with the Mulholland Scenic Parkway Specific Plan (MSPSP) is provided in Appendix J of the Draft EIR. Based on the volume of information included in this consistency analysis, the information was placed in Appendix J. However, a summary of the Project’s consistency with the MSPSP was provided on Draft EIR page IV.J-13. As discussed therein, the Project would be substantially consistent with the guidelines and policies contained in the MSPSP. While the Project requests a Specific Plan Exception to allow construction of the proposed home within 50 feet of a prominent ridge as specified in the MSPSP, the proposed home has been designed such that it would be built into the hillside and the home itself sits below the disturbed ridgeline on the western side of the property, both to preserve views and to facilitate wildlife access and movement. The proposed home is completely hidden from Mulholland Drive. The Project has been designed to meet the requirements of the MSPSP for height, sensitivity to topography, and bulk of structures. Thus, the Project would result in less than significant impacts related to scenic vistas, including major vista points identified in the MSPSP. As such, Project impacts with respect to the MSPSP would be less than significant.

Comment No. B1-77

The analysis of project zoning code consistency is incomplete and inaccurate. The proposed project is not consistent with the zoning code, as it would result in two single-family homes on a RE40-1-H zoned parcel. This zoning allows for only one home to be located on the lot. As noted earlier in this comment letter, the existing home cannot qualify as an Accessory Living Quarter, since by definition such structures cannot include a kitchen. In addition, it cannot qualify as an Accessory Dwelling Unit, as it is too large.

Response to Comment No. B1-77

Contrary to the comment, the Project would not result in two single-family homes on the Project Site. As discussed in the Response to Comment No. B1-9, the kitchen (stove) would be removed from the Headley/Handley House; and therefore, it would qualify as Accessory Living Quarters under the LAMC.

Comment No. B1-78

The propose project also does not comply with Baseline Hillside Ordinance requirements for site access, which require the following:

9. Street Access. [§ 12.21 C.10.(i) of the LAMC]***a. Street Dedication. [§ 12.21 C.10.(i)(1) of the LAMC]***

For any new construction of, or addition to, a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street, no Building permit or Grading permit shall be issued unless at least one-half of the width of the Street(s) has been dedicated for the full width of the Frontage of the Lot to Standard Hillside Limited Street dimensions or to a lesser width as determined by the City Engineer. The appellate procedures provided in Section 12.37 I of the LAMC shall be available for relief from this requirement.

b. Adjacent Minimum Roadway Width. [§ 12.21 C.10.(i)(2) of the LAMC]

For any new construction of, or addition to a One-Family Dwelling on a Lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet, no Building permit or Grading permit shall be issued unless the construction or addition has been approved pursuant to Section 12.24 X.28 of the LAMC.

c. Minimum Roadway Width (Continuous Paved Roadway). [§ 12.21***C.10.(i)(3) of the LAMC]***

For any new construction of, or addition to, a One-Family Dwelling on a Lot that does not have a vehicular access route from a Street improved with a minimum 20-foot wide

continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no Building permit or Grading permit shall be issued unless the construction or addition meets the requirements of this Section 12.21 C.10 of the LAMC (*the provisions contained in this document*) or has been approved by a Zoning Administrator pursuant to Section 12.24 X.28 of the LAMC.

The project is thus not consistent with key elements of the zoning code. This should be classified as a significant impact.

Response to Comment No. B1-78

As stated in Response to Comment No. B1-24, Runyon Canyon Road has been deemed a Private Street. As such, the Bureau of Engineering has determined that no additional dedication or improvement is necessary.

Comment No. B1-79

IV.K. NOISE

Page IV.K-10 states that there are no adjacent off-site structures that would be affected by construction vibration. The DEIR, however, fails to note that there is an historical resource on-site that could be impacted by vibration, or to provide information on the distance from the historical resource to key aspects of building construction.

Table IV.K-4 provides Federal Transit Administration Building Damage Impact Criteria, expressed in PPV (in/sec). The DEIR needs to include impact criteria for historical resources. The 0.12 in/sec PPV damage threshold in Table IV.K-4 may be too high for fragile historic buildings to avoid potentially significant impacts, since it is for transient (single isolated vibration events), rather than continuous/frequent intermittent sources (Caltrans threshold of 0.08), as are likely to occur with project construction.³⁵ The AASHTO Thresholds are also lower for historic sites, as shown in the Caltrans Vibration Guidance Manual:

³⁵ *Transportation and Construction Vibration Guidance Manual, September 2013, Caltrans. See Table 19.*

The American Association of State Highway and Transportation Officials (AASHTO) (1990) identifies maximum vibration levels for preventing damage to structures from intermittent construction or maintenance activities. Table 15 summarizes the AASHTO maximum levels.

Table 15. AASHTO Maximum Vibration Levels for Preventing Damage

Type of Situation	Limiting Velocity (in/sec)
Historic sites or other critical locations	0.1
Residential buildings, plastered walls	0.2–0.3
Residential buildings in good repair with gypsum board walls	0.4–0.5
Engineered structures, without plaster	1.0–1.5

Response to Comment No. B1-79

The Project would not result in significant vibration impacts to the Headley/Handley House. Specifically, at a distance of approximately 35 feet from the construction activities to the existing residence, a large bulldozer (i.e., 0.089 in/sec PPV) would produce a vibration level of 0.064 in/sec, well below the 0.12 in/sec threshold for extremely fragile historic buildings that is recommended by both Caltrans and the Federal Transit Administration (FTA). The 0.12 in/sec threshold for extremely fragile historic buildings is recommended by both Caltrans and the FTA. In addition, Caltrans notes that continuous/frequent intermittent sources include equipment far more impacting (e.g., pile drivers, pogo-stick compactors, crack-and-seat equipment) than the equipment proposed for construction of the Project. While the Caltrans manual does list the AASHTO criteria as part of its summary of other vibration guidance, the Draft EIR uses the appropriate thresholds recommended by Caltrans and FTA. Nevertheless, neither the 0.08 in/sec threshold for continuous/frequent intermittent sources nor the AASHTO guidance of 0.1 in/sec would be exceeded at the existing residence as a result of Project construction activities. This information is also clarified in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

Comment No. B1-80

Either the Caltrans threshold for continuous/frequent intermittent sources or the AASHTO threshold may be more appropriate when evaluating the potential vibration impacts of the proposed project on the historical resource.

Response to Comment No. B1-80

The Draft EIR does factor in the recommended PPV damage threshold appropriate for the type of equipment to be used during the grading phase. The 0.12 in/sec threshold for extremely fragile historic buildings is recommended by both Caltrans and the FTA. In addition, Caltrans notes that continuous/frequent intermittent sources include equipment far more impacting (e.g., pile drivers, pogo-stick compactors, crack-and-seat equipment) than the equipment proposed for construction of the Project. While the Caltrans manual does list the AASHTO criteria as part of its summary of other vibration guidance, the Draft EIR uses the appropriate thresholds recommended by Caltrans

and FTA. Nevertheless, neither the 0.08 in/sec threshold for continuous/frequent intermittent sources nor the AASHTO guidance of 0.1 in/sec would be exceeded at the existing residence as a result of Project construction activities, as noted in the Response to Comment No. B1-79, above.

Comment No. B1-81

Figure IV.K-1 shows the location of the noise monitoring locations used in the analysis, all of which are residential areas located more the 500 feet from the project site. The analysis should also have included monitoring of noise levels in Runyon Canyon Park, in closer proximity to the proposed project.

Response to Comment No. B1-81

As a rugged, open space preserve, noise exposure within Runyon Canyon Park is limited to intermittent exposure from hikers along a sparse network of off-road trails. With no facilities to accommodate long-term exposure of any hikers or visitors to construction noise, the Draft EIR focused on predicting ambient noise impacts to humans at sensitive receptors that reflect actual human exposure to noise levels that would be subject to LAMC Section 112.05. Further, as noted on page IV.K-13 the Draft EIR, there is no singular representative ambient noise level for Runyon Canyon Park, as noise levels generally correspond with the location and number of users along trails and other paths. As mentioned in the Draft EIR, ambient noise levels within the park are usually below 50 dBA L_{eq} . The Project's compliance with LAMC Section 112.05 would ensure that the Project does not result in significant noise impacts that exceed City standards, and therefore, the Draft EIR concluded that the Project's construction noise impacts would be less than significant.

Comment No. B1-82

What assumptions were made regarding the equipment mix and types of construction activity when conducting the noise analysis? How was the nature to the project foundations (and anchorage into bedrock) accounted for in the model? Model inputs are not included in Appendix H.

Response to Comment No. B1-82

As shown in Draft EIR Appendix D (Air Quality and Greenhouse Gas Emissions Technical Modeling), equipment assumed included an excavator, grader, rubber tired dozer, and tractors/loaders/backhoes during the grading phase. More assumptions about the duty cycles of these and other equipment are summarized in the Appendix D of the Draft EIR. No pile driving or major sources of vibration were assumed to be used during the work on Project foundations. Instead, equipment with a vibratory profile no more than a large bulldozer was assumed.

Comment No. B1-83

What assumptions were made about on-site operational noise sources? How was the project's potential to be used for large parties accounted for in the analysis? The DEIR fails to provide sufficient information about the assumptions used in conducting both the construction and the operational noise impact analysis.

Response to Comment No. B1-83

On-site operational noise was assumed to be consistent with those of single-family residences, with potential HVAC equipment, auto-related activity, and standard operational noise from a residence. The Project would be required to comply with Ordinance No. 185,451 (the "Party House Ordinance"), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

Comment No. B1-84

In terms of construction vibration sources, the DEIR on page IV.K-16 merely states: "The Project's potential to generate damaging levels of groundborne vibration was analyzed by identifying construction vibration sources and estimating the maximum vibration levels that they could produce at nearby buildings, all based on principles and guidelines recommended by the FTA in its 2006 Transit Noise and Vibration Impact Assessment manual." However, the DEIR fails to disclose the assumed construction vibration sources, the associated maximum vibration levels used on the analysis, or the estimated maximum vibration levels obtained.

Response to Comment No. B1-84

As noted in Section IV.K, Noise, of the Draft EIR (page IV.K-22), the nearest off-site structures are more than 500 feet away from the construction site. Even if vibratory rollers were used with a reference PPV of 0.210 in/sec, resulting vibration levels would be no more than 0.008 in/sec at the nearest residences on Larmar Road, substantially below the threshold of significance for extremely fragile and historic buildings (i.e., 0.12 in/sec) and below the lower Caltrans threshold of 0.08 in/sec. As such, the Draft EIR concludes that construction-related vibration impacts on off-site structures would be de minimis regardless of equipment used on-site. Regarding potential vibration impacts to the Headley/Handley House, the commenter is referred to the Response to Comment No. B1-79, above.

Comment No. B1-85

Table IV.K-6 does not include the type of equipment required for construction of the type of foundation specified in the Geotechnical Report for the proposed project. Project construction-related noise impacts are thus likely underestimated.

Response to Comment No. B1-85

Draft EIR Table IV.K-6 is derived directly from the FHWA's documentation and includes equipment types identified in their guidance. As part of the noise analysis prepared for the Draft EIR, the information contained in Table IV.K-6 was reviewed and determined to contain plausible assumptions for the Project.

Comment No. B1-86

The DEIR fails to provide information on existing and with-project noise levels in Runyon Canyon Park, in the project vicinity. Instead it only addresses whether the increase in noise levels would be significant at the residential zones shown of Figure IV.K-1. There is substantial parkland acreage between the project site and the identified residential zones. The DEIR fails to address the potential noise impacts of project construction on park uses. The DEIR should include a map showing existing and with project dBA noise contours in order to determine if construction noise impacts on parkland areas would be significant.

Response to Comment No. B1-86

The commenter is referred to the Response to Comment No. B1-81, above, regarding noise exposure within Runyon Canyon Park. Noise exposure within Runyon Canyon Park is limited to intermittent exposure from hikers along a sparse network of off-road trails. With no facilities to accommodate long-term exposure of any hikers or visitors to construction noise, the Draft EIR focused on predicting ambient noise impacts to humans at sensitive receptors that reflect actual human exposure to noise levels that would be subject to LAMC Section 112.05. Further, as noted on page IV.K-13 the Draft EIR, there is no singular representative ambient noise level for Runyon Canyon Park, as noise levels generally correspond with the location and number of users along trails and other paths. As mentioned in the Draft EIR, ambient noise levels within the park are usually below 50 dBA L_{eq} . The Project's compliance with LAMC Section 112.05 would ensure that the Project does not result in significant noise impacts that exceed City standards, and therefore, the Draft EIR concluded that the Project's construction noise impacts would be less than significant.

Comment No. B1-87

The analysis of potential building vibration damage impacts on page IV.K-21 only addresses residential structures that are over 500 feet away from the project site; the analysis completely ignores the potential for impacts to the historical resource on the site. In addition, the analysis

only addresses the potential vibration generation of earthmoving equipment such as bulldozers and excavators and ignores the fact that the project's foundations must be anchored in bedrock.

Response to Comment No. B1-87

Contrary to the comment, the noise analysis in the Draft EIR specifically evaluates vibration effects on the historic residence. The commenter is referred to the Response to Comment No. B1-79, above, regarding potential vibration impacts to the Headley/Handley House.

Comment No. B1-88

The noise and vibration analysis contained in the DEIR is totally inadequate. It fails to provide sufficient information about the analytic method and inputs used, and thus does not allow the reader to determine if the analysis is accurate. It thus omits material necessary to informed decisionmaking and informed public participation. Most of the impact judgments in this section of the DEIR are conclusionary in nature and are not supported by substantial evidence. In the absence of an adequate analysis, the potential for significant noise impacts to areas of Runyon Canyon Park proximate to the project site remain. In the absence of an adequate analysis, the potential for significant vibration impacts to the on-site historical resource remains.

Response to Comment No. B1-88

The commenter is referred to the Responses to Comment Nos. B1-79 through B1-87 regarding the specific comments made with respect to noise and vibration. As discussed in these responses, the assumptions and impacts are clear and consistent and Project's impacts with respect to noise and vibration would be less than significant. The comments provide no substantial evidence to support different inputs, and even employing the lower suggested threshold does not change the conclusions of the analysis. Nevertheless, the commenter's opinion is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B1-89

V. ALTERNATIVES

The alternative analysis should include analysis of a fully code-compliant substantially reduced (50-75% including basement and patio areas) alternative that does not require any of the following exceptions required for the proposed project as specified on page II-9 of the DEIR:

- Specific Plan Exception (SPE) to allow construction of a new Single-Family Dwelling to be located within 50 feet of a prominent ridge as specified in the Mulholland Scenic Parkway Specific Plan;
- Zoning Administrator Determination (ZAD) to allow three (3) retaining walls instead of two (2) retaining walls of up to ten (10) feet;

- Zoning Administrator Determination (ZAD) to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be relocated on-site with no net export) in lieu of the maximum by right grading amount allowed for the RE40 zone allowed under the Hillside Development Ordinance.

This additional alternative should be in full conformance with requirements of the Baseline Hillside Ordinance, including Section 12.21 C.10(i) – Street Access. The alternative should include any necessary rehabilitation of the historical resource.

The alternatives analysis should also include a code-conforming alternative in which the existing historical resource is maintained as the primary residence, but a 1,200 square foot ADU is constructed on-site in the approximate location of the proposed project.

Response to Comment No. B1-89

A reasonable range of alternatives to the Project was fully and completely analyzed in the Draft EIR. As stated in CEQA Guidelines Section 15126.6(a), “[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation... There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

As stated on Draft EIR page V-2, the intent of the alternatives analysis is to reduce the significant impacts of the Project. As the Draft EIR determined that the Project would not result in any significant impacts, the three alternatives were selected based on the objectives established for the Project and the feasibility of the alternatives considered. Alternative C included in the Draft EIR assumed development of the Project Site with the same size house as the Project, but at a different location on the Project Site. Specifically, Alternative C would place the home down slope from the Project, 50 feet below the ridgeline, thereby not requiring a Specific Plan Exception for a new single-family home within 50 feet of a prominent ridge, as specified in the MSPSP. However, the analysis for Alternative C determined that Alternative C would not conform to the topography of the Site to the same extent as the Project, and that Alternative C would result in additional view and aesthetic impacts when compared to the Project. Finally, it was determined that Alternative C would require additional grading and excavation when compared to the Project, in order to construct an elevated driveway and additional retaining walls.

As discussed on pages V-3 through V-6 of the Draft EIR, an alternative that was considered but ultimately rejected is a home located directly on top of the ridgeline of the Project Site. This alternative assumed a home of the same size as the Project. Based on the location on top of the ridgeline, this alternative would not require any excavation, and would not require the use of retaining walls, and therefore would not require a Zoning Administrator Determination for grading or retaining walls. However, all levels of a home built on top of the ridgeline would be visible from

Mulholland Drive, and it was also determined that a home built on the ridgeline would result in a potential impact to historic resources (the Headley/Handley House). See also Appendix E of this Final EIR, which contains a memo prepared by GPA Consulting (the historic consultant) addressing a potential home located on top of the ridgeline. According to GPA Consulting, a home sited on the top of the bluff could cause a substantial adverse change in the significance of the Headley/Handley House because it would introduce a new large element into the setting of the historic residence. Therefore, based on the potential to result in more severe impacts to scenic vistas, scenic resources, visual character and quality, and the potential historic impact to the Headley/Handley House, an alternative located on top of the ridgeline was rejected as infeasible.

Comment No. B1-90

CONCLUSION

As detailed in this letter, the DEIR provides an inaccurate and incomplete picture of both the proposed project and the potential environmental impacts of the proposed project and must be augmented and recirculated. In addition, as demonstrated in this comment letter, the project as proposed is not consistent with the City's Municipal Code and should therefore be denied. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Response to Comment No. B1-90

Responses to specific comments raised in this letter have been provided in the Responses to Comment Nos. B1-2 through B1-89, provided above. Regarding the Project's compliance with the LAMC, the commenter is referred to the Response to Comment No. B1-78.

LETTER NO. B2

John Tanner
tanner.john.david@gmail.com

Comment No. B2-1

I am writing you to convey my objection to the proposed development at 3003 Runyon Canyon Road. I am a resident at 2861 Seattle Drive and live nearby Runyon Canyon. My partner and I visit the park several times on a weekly basis. Right now the park has a special feel and doesn't feel touched by mega developments. Allowing this type of development will not only taint the rural and special quality of the park, it will also make it known it will set a precedent for other mega development in the area. It will be a "win" for mega projects. This is not small house and will be an eyesore for the park and be a nuisance during construction and after. Who knows what they plan to do at the property - parties, events, etc. This "house" is right in the middle of the park that everyone uses and cannot be allowed to be developed.

Response to Comment No. B2-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the comment that the Project will be an “eyesore” for the park, the analysis contained in Draft EIR Section IV.A, Aesthetics, determined that all Project impacts related to aesthetics would be less than significant. The Project has been designed to be built into the hillside and is sited within the bluff (physically buried) so that the only face of the residence that is visible is on the western elevation (Project Design Feature AES-PDF-1). The home has been further designed with curvilinear roof lines that blend in with the natural topography, as well as a roof planted with mixed meadow/meadow edge native grasses.

The comment claims that the Project would be a nuisance during construction and after, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the analysis contained in the Draft EIR determined that all impacts associated with the Project would be less than significant, during both construction and operation.

Finally, the Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this

response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

LETTER NO. B3

Stacy Sillins and Elio Lupi
lupio@aol.com

Comment No. B3-1

My husband and I would like to express our strong opposition to any development in Runyon Canyon Park. With increasing density in Los Angeles, our existing open space and parkland becomes more and more precious. As a neighbor close to the park, we feel a sense of responsibility to preserve it for future generations.

With that said, we are not professionals in Real Estate or law and therefore do not feel equipped to speak intelligently about the lack of issues raised in the DEIR for 3003 Runyon Canyon Rd.

Response to Comment No. B3-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, the Project would not interfere with public access to Runyon Canyon Park.

Comment No. B3-2

Although it is quite disturbing the difference between the prior DIER [sic] and this current one. Why were the issues mostly significant then and less than significant now?

Response to Comment No. B3-2

It is assumed that the “prior DEIR” refers to the Initial Study prepared for the Project, which is attached to the Draft EIR as Appendix A. The Initial Study is prepared at the beginning of the environmental review process to determine whether a project *may* have a significant adverse effect on the environment. In the case of this Project, the Initial Study concluded that the Project may have one or more significant effects (subjects classified as having a “Potentially Significant Impact”), and therefore, a Draft EIR was prepared. The Draft EIR included further analysis, including additional technical studies, and provided mitigation measures where required (see Draft EIR pages I-10 through I-11 and 1-15 through I-16 for a listing of all required mitigation measures). Based on the analysis contained in the Draft EIR, it was ultimately determined that the Project would not result in any significant impacts.

Comment No. B3-3

With potentially three years of construction, close to 2 million park visits per year, impacts on wildlife and wildlife corridors, there is no way the impacts are less than significant.

Response to Comment No. B3-3

Project impacts with respect to wildlife and wildlife corridors were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant. Relative to wildlife movement, the Project would not have adverse impacts on wildlife movement, as stated on Draft EIR page IV.C-22 and addressed in detail in Responses to Comment Nos. A3-2, A3-3, A3-4, A3-13, A3-14, A3-15, and A3-16.

Comment No. B3-4

We can say that we fully support the letters you have received from SMMC, HHWNC, The Hillside Federation and the Upper Nichols Canyon Neighborhood Association.

Response to Comment No. B3-4

The comment does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B3-5

Our experience with developers building houses this big, is that they are being built as a trophy and party house. Why would a family of four need two infinity pools? That is just one example.

We ask that you deny this project as it is proposed at this time.

If you haven't been to Runyon in a long time or have never been there, I encourage you to take a trip there with some members of the Community

Response to Comment No. B3-5

The Project would be required to comply with Ordinance No. 185,451 (the "Party House Ordinance"), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis

of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

The water feature that was originally proposed for the second floor is no longer part of the Project and has been replaced with a planter.

The remainder of the comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B4

Michael Konik
misterkonik@aol.com

Comment No. B4-1

If this project gets through the Planning Department, there will be something like a revolution in the Park, and you and your colleagues will suddenly be very famous.

Please stop this absurdity now. It's already gone too far.

Response to Comment No. B4-1

The comment provides opinions about the Project but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B5

Adam Raspler
adrasp@gmail.com

Comment No. B5-1

I live in Nichols Canyon (very close to Runyon Canyon). I just want to voice that I oppose the proposed project at 3003 Runyon Canyon. I believe Runyon Canyon is a public place for the people (and wildlife) of Los Angeles to enjoy nature & tranquility. In my opinion, it's not the proper place to construct a mega-mansion and all the construction vehicles, noise, traffic & environmental impact associated with a construction project of that scope.

Response to Comment No. B5-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to wildlife were analyzed in the Biological Technical Report, prepared by Glenn Lukos Associates, included as Appendix E-2 of the Draft EIR, and summarized in Draft EIR Section IV.C, Biological Resources. This report concluded that all Project impacts with respect to wildlife would be less than significant.

Project impacts with respect to noise and traffic were analyzed in Draft EIR Sections IV.K and IV.M, respectively. As determined in the sections, Project impacts with respect to noise and traffic would be less than significant during both construction and operation.

Finally, the Project would develop a single-family residence on a site zoned for such uses.

LETTER NO. B6

Gwen Uman
GUman@vitalresearch.com

Comment No. B6-1

I am a homeowner at 3113 Nichols Canyon Road and every week I use Runyon Canyon Park for recreation and maintaining fitness. I've been following the issues surrounding development of the above cited property. I completely oppose such a large and inappropriate development for all of the reasons stated by SMMC and the Hillside Federation. I am particularly concerned about the environmental impact on plant and animal life. Of equal concern is the stability of the hillside area, water use and sewage disposal. Every aspect of our important open spaces in Los Angeles that enhance our quality of life and species biodiversity should be considered, and all actual and potential damage mitigated before approval is considered for this project by the City of Los Angeles.

Response to Comment No. B6-1

The comment expresses opinions about and opposition to the Project, which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to plant and animal life were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports ([Tree Report](#) and [Biological Technical Report](#)) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Regarding the stability of the hillside area, the [Geologic and Soils Engineering Exploration Report](#) (included as Appendix G of the Draft EIR) determined that the bedrock conditions of the Project Site are favorable for the gross stability of both the Project and the Project Site. (See page 7 of the [Geologic and Soils Engineering Exploration Report](#) and also page IV.F-16 of the Draft EIR, in Section IV.F, Geology and Soils.)

Project impacts with respect to water use and sewage disposal are analyzed in Draft EIR Section VI, Other CEQA Considerations (see pages VI-24 through VI-26). The comment does not state a specific concern or question regarding the adequacy of the analysis of Project impacts related to water use and sewage disposal. However, the Draft EIR determined that Project impacts related to water and wastewater would be less than significant. Further, updated utility calculations, including water demand and wastewater generation, based on specific equipment included as part of the Project, have been provided in Section 3, Revisions, Clarifications, and Corrections, of this Final EIR.

Finally, the Project would not interfere with public access to Runyon Canyon Park.

LETTER NO. B7

Curt Eddy and Jacqueline Reich
2816 Nichols Canyon Road
Los Angeles, CA 90046

Comment No. B7-1

My wife and I live at 2816 Nichols Canyon Road, Los Angeles, 90046. We have lived here for 19 years and are contacting you to express our strong opposition to the 13,000+ square foot mansion that is under consideration for permit at 3003 Runyon Canyon. Our home is close to Runyon Canyon and, along with thousands of others, we enjoy the park and the nature it provides in a metropolitan area. Such a structure will displace the ever-shrinking wildlife population, cause damage to the environment, and minimize the natural beauty and recreation of the park.

This is of major importance to ourselves and many of our neighbors and urge the city planning department to vote against this structure.

Response to Comment No. B7-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The Project would not interfere with public access to Runyon Canyon Park.

Project impacts with respect to wildlife were analyzed in the Biological Technical Report, prepared by Glenn Lukos Associates, included as Appendix E-2 of the Draft EIR, and summarized in Draft EIR Section IV.C, Biological Resources. This report concluded that all Project impacts with respect to wildlife would be less than significant.

With respect to the comment that the Project would cause damage to the environment, the Draft EIR determined that all of the Project's environmental impacts would be less than significant.

LETTER NO. B8

Kara Walters and Zane Lowe
karajeannewalters@gmail.com

Comment No. B8-1

My family and I are lucky enough to reside on la Brea terrace at the foot of Runyon canyon we marvel at its untouched beauty every morning as we walk our dog.

We are joining the many voices of protest against this proposal. It would be a devastating blow to “commercialize” and develop this area of natural beauty. Especially with such an overblown monstrosity. We are concerned not only with the environmental and geographical issues of developing such a huge property but also with the eyesore that will be unavoidable for all if it is actually built.

A firm NO from us on la Brea terrace.

Response to Comment No. B8-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The comment also expresses concern with “environmental and geographical issues,” but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the Draft EIR determined that all of the Project’s environmental impacts would be less than significant.

Regarding the comment that the Project will be an “eyesore,” the analysis contained in Draft EIR Section IV.A, Aesthetics, determined that all Project impacts related to aesthetics would be less than significant. Further, the Project has been designed to be built into the hillside and is sited within the bluff (physically buried) so that the only face of the residence that is visible is on the western elevation (Project Design Feature AES-PDF-1). The home has been further designed with curvilinear roof lines that blend in with the natural topography, as well as a roof planted with mixed meadow/meadow edge native grasses.

LETTER NO. B9

Thomas Lavin
Thomas@thomaslavin.com

Comment No. B9-1

I reside at 7535 Lolina Lane, in Nichols Canyon. I oppose the project at 3003 Runyon Canyon Road for the following reasons:

-In an already overcrowded city, there are very few opportunities for people to gather in nature/green spaces

-Runyon is a special gathering place not only for people, but also a refuge for wildlife

-We continue to encroach in place that bring peace and joy to a frantic society, while also eliminating the ability of wildlife to simply to [sic]

-Our neighborhood is one of the few places in Los Angeles - an urban center - that shares existence with hawks, owls, quail, deer, lizards, frogs, bats, raccoons, coyotes, snakes etc.

Projects such as the proposed eliminate the very reason why the flora, fauna, and current residents are here. The real cost of such a project is too great to calculate.

I strong oppose the project at 3003 Runyon Canyon and urge your support for its elimination.

Response to Comment No. B9-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

In addition, Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Finally, the Project would not interfere with public access to Runyon Canyon Park.

LETTER NO. B10

Mary Robinson
8086 Woodrow Wilson Drive
Los Angeles, CA 90046

Comment No. B10-1

My name is Mary Robinson. I live at 8086 Woodrow Wilson Drive LA ca 90046.

I oppose the project at 3003 Runyon Canyon Road and I support the opposition expressed by SMMC Hillside Federation.

The size of the proposed construction is completely out of keeping with other homes in the area. It will bring irrevocable changes to the environment, to the wildlife whose natural habitat will be further invaded and to the community who use Runyon Canyon Park daily as a respite. Please stop this egregious violation to LA's environmental jewel known as Runyon Canyon.

Response to Comment No. B10-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Regarding the size of the Project in relation to other homes in the area, large single-family homes border Runyon Canyon Park in all directions, except for multi-family residential uses along a portion of the southern park border near the Fuller Avenue park entrance (see Draft EIR page IV.A-12, in Section IV.A, Aesthetics). Specifically, to the east of the Project Site, there are single-family residences located along Chelan Drive, as close as 750 feet to the Project Site. To the northeast, there are single-family residences located along Larmar Road, as close as 700 feet to the Project Site. To the northwest along Solar Drive, there are single-family residences located as close as 950 feet from the Project Site.

In addition, Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports ([Tree Report](#) and [Biological Technical Report](#)) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Finally, the Project would not interfere with public access to Runyon Canyon Park.

LETTER NO. B11

Fiona Heyes
fionahey@me.com

Comment No. B11-1

I hope this message finds you well.

I am writing as a resident of 2815 Nichols Canyon Road. We have lived as a family in the direct area for three years and greatly value the peace, wildlife and discreet modesty of this part of the world. We feel immensely fortunate to engage with the natural beauty of the simple environment with our eyes and ears every day.

We implore you not to allow the monstrously huge building development at 3003 Runyon Canyon Road. The Frank Lloyd Wright building is beautiful and more than enough. Please don't allow the gateway to be paved for other buildings such as this and 2070 Nichols Canyon Road. So many people enjoy Runyon Canyon as one of the only accessible parks for their outdoor physical and mental wellbeing. To allow this to be overwhelmed and belittled by so few wealthy is to take away something precious from so many. It seems unjust and vulgar and I hope that you can support us in preserving this precious and fragile ecosystem where people and wildlife have room for each other.

Response to Comment No. B11-1

The comment expresses opposition to the Project but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

In addition, the ecological impacts of the Project were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Further, the Project would not interfere with public access to Runyon Canyon Park.

Finally, the Project is not associated with a potential project at 2070 Nichols Canyon Road. Nevertheless, this comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B12

Brad Willis
bradleywillis@mac.com

Comment No. B12-1

I am writing to express my opposition to the development of a 13,000 square foot house at 3003 Runyon Canyon Road.

Throughout the years, Runyon Canyon has been an 'outdoor gym' for millions of nearby residents such as myself. I hiked in the park for months to train for a hiking trip to the Himalayas. When I had Great Danes, I often took them to the park so they could run. The park should be preserved for the enjoyment of all Angelenos, and any further development in addition to that which is already there will hinder our ability to enjoy the natural beauty of the park.

I am urging you to reject the request to develop the proposed home.

Response to Comment No. B12-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, the Project would not interfere with public access to Runyon Canyon Park.

LETTER NO. B13

Gail Reynolds Natzler
7837 Woodrow Wilson Drive
Los Angeles, CA 90046

Comment No. B13-1

We have been hiking in Runyon Canyon since the 1970s. In fact we can walk there for our home on Woodrow Wilson Drive, though now prefer to drive and hope a parking space can be found. It is rare to find natural, undeveloped open space outside of Griffith Park which is now so over-run and dusty that we don't hike there anymore.

We request that you respect the Greater Good of both nature – flora and fauna – and the inhabitants of Los Angeles who enjoy getting a needed respite by hiking there. Any additional development would be a loss to the park area. Please save this environment by not allowing acreage to be chopped up for the sake of yet another mansion.

Houses and development are slowly encroaching and devouring the hills everywhere. Please save Runyon Canyon Park from this ongoing process. We hope you will come and enjoy hiking here yourself. Let us preserve this open space as intact as possible.

Thank you very much for working with nature lovers to save the Runyon Canyon Park environment.

Response to Comment No. B13-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to biological resources (flora and fauna) were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

In addition, the Project would not interfere with public access to Runyon Canyon Park, and the Project Site is a privately owned parcel that is zoned and designated for single-family residential use. No subdivision is proposed, and contrary to the comment, the Project Site is not zoned for open space uses.

LETTER NO. B14

Ellen Guylas
eguylas@yahoo.com

Comment No. B14-1

I am writing to oppose the 3003 Runyon Canyon Road project. I have lived on Cervantes Place, near the north entrance of the park since 1983 and have seen simply horrendous changes to our neighborhood and Runyon Canyon in the years since then. The city has created a monster that seems to know no bounds. Allowing a 13000 sq. ft. house to be built in the middle of a park which is supposed to remain a rustic haven for both the 2-legged and 4-legged inhabitants of the area is simply unconscionable. I hope you will read and heed the very detailed opposition letter from the Santa Monica Mountain Conservancy which sets out a myriad of reasons why this project should not be approved as it now stands.

Response to Comment No. B14-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to biological resources were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports ([Tree Report](#) and [Biological Technical Report](#)) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

In addition, the Project would not interfere with public access to Runyon Canyon Park, and the Project Site is a privately owned parcel that is zoned and designated for single-family residential use.

Responses to the comments provided by the Santa Monica Mountains Conservancy are included in Letter No. A3 of this Final EIR.

LETTER NO. B15

Toni Maier
2410 Astral Drive
Los Angeles, CA 90046

Comment No. B15-1

I am the property owner at 2410 Astral Drive. I strongly oppose the development of this project! Runyon Cyn is a well preserved natural area, but building a giant estate in the middle of the park will do irreparable harm to the area and force many resident animals and fauna to lose their home. Not to mention congestion and an unsightly modern structure in the middle of a peaceful neighborhood. Please deny this building permit and respect this natural Santa Monica Mtn environment.

Response to Comment No. B15-1

The comment expresses opinions about and opposition to the Project, which are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. However, it should be noted that the commenter provided a subsequent comment letter (Letter No. B16 in this Final EIR) that expresses support for the Project instead of the opposition expressed in this comment.

In addition, Project impacts with respect to biological resources were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

Project impacts with respect to traffic were addressed in Draft EIR Section IV.M, and as demonstrated therein, all Project impacts would be less than significant.

LETTER NO. B16

Toni Maier
2410 Astral Drive
Los Angeles, CA 90046

Comment No. B16-1

After examining the property, I reverse my opinion on this property and find it appropriate for the site. I support this project.

Response to Comment No. B16-1

The comment references the commenter's previous comment letter (Letter No. 15 in this Final EIR) and expresses support for the Project in place of the previously expressed opposition. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B17

Linda Feferman
2801 Westbrook Ave.
Los Angeles, CA 90046

Comment No. B17-1

As a resident in Nichols Canyon, 1 mile from this proposed building site, I vehemently disagree with your departments' current assessment to let the home be built on that land as you allegedly are intending. You are well aware of all the verifiable reports enumerating the ecological and other legitimate reasons not to allow this project to go forward. Please use your authority in favor of canceling the project.

Response to Comment No. B17-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. In addition, the comment alludes to "verifiable reports" but does not identify the reports nor does the comment provide the reports or the location where the reports can be obtained. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, the ecological impacts of the Project were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

LETTER NO. B18

Verna Cornelius
vcor@roadrunner.com

Comment No. B18-1

I have lived in the Hollywood Hills for over 30 years. I lived opposite Runyon Canyon when it was a lovely and quiet, [sic] Soon there will be no room for nature and wildlife.

Please do not allow this huge [sic] new building to go ahead.

I think it is the thin edge of the wedge.

Response to Comment No. B18-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B19

Richard Kaufman
2665 Nichols Canyon Road
Los Angeles, CA 90046

Comment No. B19-1

As a 26 year resident of the Runyon Canyon area and a daily dog walker of two beautiful puggles, I ask that you fully consider the short and long term impact this gargantuan real estate project will have on the people and animals who are part of this tranquil ecosystem. Please Erin, do not condemn the many for the greed of the few.

Response to Comment No. B19-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, the ecological impacts of the Project were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

LETTER NO. B20

Alex Hardcastle
7670 Seattle Place
Los Angeles, CA 90046

Comment No. B20-1

I hope that this email finds you well.

I wanted to write to you regarding the proposed construction at 3003 Runyon Canyon.

As a neighbour (at 7670 Seattle Place) and as a daily user of the park, I strongly object to the project on the grounds that it will do irrevocable damage to the park, which is one of the few natural environments that we have right in the middle of the city, not to mention the damage that it will do to the wildlife. I strongly support the opposition expressed by SMMC, Hillside Federation.

Any help that you can give us to be heard would be very greatly appreciated.

Response to Comment No. B20-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

LETTER NO. B21

Merrin Dungey Drake
2906 Nichols Canyon Rd
Los Angeles, CA 90046

Comment No. B21-1

As a resident of upper Nichols Canyon for over 17 years, I strongly oppose the construction in Runyon Park. My family and I have enjoyed the walks and wildlife in there for many years, and I think the new construction will devastate the area.

Response to Comment No. B21-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

LETTER NO. B22

Bob Tzudiker
7534 Woodrow Wilson Drive
Los Angeles, CA 90046

Comment No. B22-1

I live in and have walked the hills and park of Nichols Canyon since 1991. I am troubled by the scale of the proposed house at 3003 Runyon Canyon Road.

Response to Comment No. B22-1

Regarding the scale of the proposed home, the existing zoning for the Project Site allows for a maximum floor area of 38,373 square feet, and a maximum lot coverage of 40%. In addition, large single-family homes border Runyon Canyon Park in all directions, except for multi-family residential uses along a portion of the southern park border near the Fuller Avenue park entrance (see Draft EIR page IV.A-12, in Section IV.A, Aesthetics). Specifically, to the east of the Project Site, there are single-family residences located along Chelan Drive, as close as 750 feet to the Project Site. To the northeast, there are single-family residences located along Larmar Road, as close as 700 feet to the Project Site. To the northwest along Solar Drive, there are single-family residences located as close as 950 feet from the Project Site. The statements in the comments regarding the alleged excessive size of the proposed residence are noted for the record, but are out of context considering the design and concealment of the building, and do not provide any specific comment regarding the analysis.

Comment No. B22-2

The number of concrete trucks and other service vehicles will make the park virtually unusable and challenge the safety of the fragile roadway. The combination of a narrow road populated by pedestrians and dogs with concrete trucks could be a deadly mix.

Response to Comment No. B22-2

Draft EIR Section IV.M, Transportation/Traffic (see pages IV.M-4 through IV.M-7) provides an analysis of traffic impacts resulting from Project construction activities. As discussed therein, the Project includes the preparation of a Construction Traffic Management Plan (formally provided as TR-PDF-1). The Construction Traffic Management Plan would ensure that the Project's construction activities are managed in such a way that they do not conflict with other surrounding uses, and would include measures to maintain access for land uses in the vicinity of the Project Site, to conduct activities on-site as much as possible to avoid impacts to surrounding roadways, and to implement safety precautions for pedestrians and bicyclists as appropriate, among other measures. The analysis therefore concluded that the Project's traffic impacts during construction would be less than significant.

Comment No. B22-3

I also have concern about light pollution, given that the house faces wild areas of the park. I doubt the mountain peak would be allowed to be razed and concrete-sized under current rules. Only the existence of the existing Historic house makes building possible.

Response to Comment No. B22-3

Regarding the claim about light pollution, all light would be directed inward, where possible. In compliance with the Mulholland Scenic Parkway Specific Plan, Guideline 40, the exterior lighting will minimize the visual impact of lighting to avoid the creation of an urban street environment and protect movement of wildlife by including white light sources, and directing lighting fixtures downward to illuminate only the property. The Project will not uplight into trees, illuminate the exterior of the building or use floodlighting. The exterior lighting fixtures will be shielded to screen the light source. Further, all exterior lighting would be low-wattage and downward facing. In addition, the analysis of nighttime lighting contained on Draft EIR page IV.A-14 (in Section IV.A, Aesthetics) concluded that Project impacts would be less than significant as there are no light sensitive areas adjacent to the Project Site, as Runyon Canyon Park closes at sundown, and the nearest residential uses are located approximately 700 feet northeast of the Project Site. As discussed in Section IV.C, Biological Resources, it was determined that lighting impacts to biological resources would be less than significant, given the lack of special-status species associated with the native habitats adjacent to the Project Site. As described in the Response to Comment No. B1-38, Project Design Feature BIO-PDF-2 has been added to further reduce the already less than significant impacts of the Project with respect to the lighting impacts to biological resources, by prohibiting exterior construction work after dusk. Finally, contrary to the comment, the Project would develop a single-family residence on a site zoned for such uses, and a house could be built on the Project Site regardless of the existence of the historic Headley/Handley House.

Comment No. B22-4

Speaking of the current house, it would be jeopardized by its relegation to outbuilding status. My understanding is that this would allow future changes that would not be allowed currently to an Historic residence.

Response to Comment No. B22-4

As part of the Project, the Headley/Handley House would be reclassified as Accessory Living Quarters. However, this change would not change the historic designation of this building. As discussed in the Historical Resource Report (included as Appendix F-1 of the Draft EIR) and on Draft EIR page IV.D-16 (in Section IV.D, Cultural Resources), the Headley/Handley House was originally designed as a storage, garage, and stable structure in 1945. Therefore, the change in classification from primary residence to Accessory Living Quarters would not change the historical resource's site or environment. Accordingly, the reclassification as Accessory Living Quarters

would not conflict with the *Secretary of the Interior's Standards* and impacts with respect to historic resources were determined to be less than significant.

LETTER NO. B23

Alex Kakoyiannis
2820 Nichols Canyon Place
Los Angeles, CA 90046

Comment No. B23-1

I live at 2820 Nichols Canyon Pl, Los Angeles CA 90046 and enjoy the natural setting of Runyon on a daily basis. I won't go into detail of why I oppose building this house as it is obvious and the negative impact demonstrated by experts that are assigned to protect and serve our community, not high rollers that want a nice view.

With all that is going on in our government and how leadership is consistently and blatantly failing our citizens, I hope our local representatives do not, and use the wealth of information provided to stop this development.

Response to Comment No. B23-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B24

Lee Rose
2851 Nichols Canyon Road
Los Angeles, CA 90046

Comment No. B24-1

I am opposed to the house projected for 3003 Runyon cyn.. there is no place for this kind of home up here I live at 2851 nichols canyon road, Los Angeles CA 90046, United States And have for 25 years.. please protect our neighborhood ...

Response to Comment No. B24-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B25

Anastasia Mann
7220 Outpost Cove Drive
Hollywood, CA 90068

Comment No. B25-1

I am writing to you now as an individual, not in my position as president of HHWNC.

First of all, I am a child of Hollywood. I was born here and have lived here all my life. Even my first apartment and my first home were in Hollywood within what's now the Hollywood Hills West Community. I have lived adjacent to Runyon Canyon for over 40 years.

Response to Comment No. B25-1

The comment provides information about the commenter, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B25-2

The reality of private home ownership within Runyon today raises many questions due to the proliferation of AirBNB type rentals (currently underway) and party houses (also currently occurring at the other private residence in Runyon). These actions have allowed the locked gate entry codes to be shared with “transient guests”.

Response to Comment No. B25-2

The Project would be required to comply with Ordinance No. 185,451 (the “Party House Ordinance”), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

The Project would also be required to comply with the City’s Home-Sharing Ordinance, which places restrictions on short-term rentals.

The comment about the other private residence in Runyon Canyon Park is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B25-3

These activities in themselves have created environmental hazards within this Wilderness Park zone, elevating the risk of fire, for example.

Response to Comment No. B25-3

Project impacts with respect to wildfire hazards were addressed in Draft EIR Section IV.O, Wildfire, and Project impacts with respect to fire protection were addressed in Draft EIR Section IV.L, Public Services (Fire Protection). The analysis contained in these sections concluded that Project impacts with respect to wildfire hazards and fire protection services would be less than significant.

Comment No. B25-4

The sheer magnitude of the construction of this @24,000 sq ft property is enough to warrant a common sense reaction to the ultimate affects on the wildlife corridor as well as the limited infrastructure in the park.

It's clearly contradictory to the land use for which this property has been sacrosanct for generations.

Response to Comment No. B25-4

The Project does not involve the construction of a 24,000 square foot building. Regarding the size of the Project, the commenter is referred to Responses to Comment No. B1-2.

Project impacts with respect to wildlife and wildlife corridors were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant. Specifically, relative to wildlife movement, the Project would not have significant adverse impacts on wildlife movement, as stated on p IV.C-22 and addressed in detail in Responses to Comment Nos. A3-2, A3-3, A3-4, A3-13, A3-14, A3-15, and A3-16.

Project impacts with respect to infrastructure were addressed in Draft EIR Sections IV.E (Energy), IV.L (Public Services, Fire Protection), IV.M (Transportation/Traffic), and VI (Other CEQA Considerations, Effects Not Found to be Significant). The analyses included in these sections concluded that Project impacts with respect to infrastructure (including public services, utilities, and traffic) would be less than significant.

Finally, the Project Site is a privately owned parcel that is zoned and designated for single-family residential use. Contrary to the comment, the Project Site is not zoned for open space uses. As discussed in Draft EIR Section IV.D, Cultural Resources, the Project Site has been privately owned since before 1942, whereas the City purchased a portion of the larger site for what is now Runyon Canyon Park in 1984.

Comment No. B25-5

There is always a certain sense of suspicion to any DEIR paid for by the developer. That's not news. This particular one is beyond comprehension.

Response to Comment No. B25-5

While a draft of the EIR was prepared by a third-party environmental consultant (as is the City's standard practice for EIRs), the EIR was thoroughly reviewed and edited by City Planning staff. The EIR is ultimately the City's document, and the information contained in the EIR reflects the independent judgment of City staff. The comment provides the commenter's opinions about the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B25-6

You already have many detailed comments with specific examples of the concerns of residents, visitors and even far away admirers of this protected land.

I just want to add my personal voice to those concerns.

We must be the protectors of what's left of this park otherwise my fear is that it will ultimately end up covered in mixed use towers from Franklin to Mulholland.

Response to Comment No. B25-6

The comment provides opinions about the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B26

Jacquelin Sonderling
2657 Desmond Estates Road
Los Angeles, CA 90046

Comment No. B26-1

I live adjacent to the parking area at the Mulholland side of Runyon Canyon Park, and I'd like to express my feelings about the proposed project at 3003 N. Runyon Canyon Road.

In a word -- no.

Runyon Canyon is a unique area - a beautiful wilderness area in the midst of a busy city. And it's critical that it stay that way. A 20,000+ square foot project doesn't belong there. A 10,000 square foot project doesn't belong there. This is an urban wilderness and needs to remain that way.

We successfully fought the proposed basketball court several years ago. And while I realize there are many differences, there are also many similarities. The main one being the disruption and destruction it will bring to the park - with consequences that will ripple throughout the entire area. This is urban wilderness. You don't put a 20,000+ project in the middle of urban wilderness.

Response to Comment No. B26-1

The comment provides the commenter's opinions and opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the commenter's opinions are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

The comment states that the Project would be developed in an "urban wilderness." However, Project impacts with respect to biological resources were analyzed in Draft EIR Section IV.C, Biological Resources, and also in the Biological Technical Report (attached as Appendix E-2 to the Draft EIR), and it was determined that Project impacts with respect to biological resources would be less than significant.

Finally, regarding the claim of "destruction to the park," the Draft EIR prepared for the Project determined that all impacts would be less than significant.

Comment No. B26-2

Secondly, I have concerns about what this project - especially the grading -- will do to the hillside. We have enough erosion from the overuse of the Park. We don't need to invite more problems. And I'm sure there is more to this project than we've been told - which to me translates into more destruction of the land.

Response to Comment No. B26-2

Project impacts with respect to erosion were analyzed in Draft EIR Sections IV.F, Geology and Soils, and IV.I, Hydrology and Water Quality, and the analysis contained in the Draft EIR determined that Project impacts with respect to grading and erosion would be less than significant. Regarding grading, as stated in Draft EIR Table IV.J-1, the Project is requesting a Zoning Administrator Determination (ZAD) to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be re-located on-site with no net export) so that no haul route is required. Further, the portion of the Project Site that would accommodate the Project is a ridgeline that was previously disturbed. The grading design seeks to preserve the existing, natural terrain surrounding the Project Site by minimizing the development site overall and preventing encroachment into native landscape areas, thus facilitating wildlife access and movement. Finally, the Project adds approximately 700 square feet of impervious area to the Project Site when compared to existing conditions, which represents less than a 0.5% difference between the existing and proposed conditions. This is achieved through the inclusion of green roofs planted with grass (Project Design Feature GHG-PDF-1) and other landscaping.

With respect to the comment about there being “more to this project,” the Project could not be increased in size or scope from what was analyzed in the Draft EIR without undergoing subsequent environmental review.

Comment No. B26-3

Next, while the environmental impact report says construction will have minimal impact on the adjacent areas and hikers - that's just not true. As I said, I'm adjacent to the parking area. I already hear car stereos, people talking, car doors slamming all inside my house. Do you think those of us who live there won't also hear the construction trucks and crews arriving every morning at 6 or 6:30am? How disruptive and negatively impactful is that?

Response to Comment No. B26-3

Project impacts with respect to construction noise were analyzed in Draft EIR Section IV.K, Noise, and were determined to be less than significant. The discussion contained on Draft EIR pages IV.K-20 and IV.K-21 acknowledges that passbys from the Project's construction-related vehicles would increase noise levels at roadside receptors, although these impacts would be intermittent and short in duration. The discussion further acknowledges that the effect on average ambient noise levels could be somewhat pronounced due to low existing noise levels and the logarithmic nature of noise. However, overall, the Project's construction-related vehicle trips would only sporadically punctuate an otherwise quiet environment, and occasional noise events due to construction-related vehicle trips would only last a few seconds each in duration and would not constitute a substantial impact on the environment. Therefore, the Draft EIR concluded that the Project's impact from off-site construction noise sources would be considered less than significant (see Draft EIR page IV.K-21).

Comment No. B26-4

We're already inundated by more people than the park can accommodate. Without daily parking enforcement, we can't get in and out of our streets, let alone through the intersection at Mulholland. The insanity starts as soon as the gates are unlocked, about 4:30 or 5:00 in the morning. By 7 or 8, the parking area is often full. And yet you want to add construction trucks into the mix? This is absurd.

We also have to contend with frequent film, television and photo shoots. And now you want to add construction? Your environmental impact report takes none of this into account.

Response to Comment No. B26-4

Regarding Project construction traffic, the Project includes Project Design Feature TR-PDF-1, which involves the preparation of a Construction Traffic Management Plan (CTMP). The CTMP would include detailed construction information (such as street closure information, detour plans, haul routes (if required), and staging plans), and would be reviewed and approved by LADOT prior to the start of construction. The CTMP would also include a plan to minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians, and would prohibit construction worker and equipment parking on adjacent streets. The Draft EIR (Section IV.M, Transportation/Traffic) determined that implementation of TR-PDF-1 would ensure that all Project impacts with respect to construction traffic are less than significant.

Comment No. B26-5

I also have concerns that this will be turned into a party house. I know you can't deny permits based on what a house might become. But we're already having problems with an Air BnB within the park. This house has the potential to put our safety at even greater risk.

Response to Comment No. B26-5

As stated in the Response to Comment No. B1-5, the Project would be required to comply with Ordinance No. 185,451 (the "Party House Ordinance"), which prohibits loud or unruly gatherings and imposes fines for violating the ordinance. The Party House Ordinance, provided in Appendix F of this Final EIR, includes protections against loud noise and expressly prohibits gatherings that interfere with the public health, safety or welfare, or the comfortable enjoyment of life and property. The commenter is also referred to the Response to Comment No. B1-5, which discusses an additional noise analysis of gatherings that could be held on the outside patios of the proposed home. As discussed in this response, noise from these gatherings would be negligible with respect to surrounding homes and impacts would be less than significant. Finally, as also discussed in the Response to Comment No. B1-5, a project design feature (NOI-PDF-1) has been provided to prohibit the use of outside amplified noise.

The Project would also be required to comply with the City's Home-Sharing Ordinance, which places restrictions on short-term rentals.

The comment about the other private residence in Runyon Canyon Park is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment No. B26-6

But I go back to my main point.

Our unique urban wilderness is not an appropriate site for a project of this size.

Response to Comment No. B26-6

The comment provides the commenter's opinion about the size of the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the commenter's opinion is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

LETTER NO. B27

Thomas Watson
7582 Mulholland Dr
Los Angeles, CA 90046

Comment No. B27-1

As a 19-year resident on Mulholland Drive, who walks daily to Runyon Canyon, I write to strongly oppose this project. The wildlife in the area are already on the brink. I see far fewer animals than just a few years ago. No new construction of this scale should be allowed.

Response to Comment No. B27-1

The comment expresses opposition to the Project, but does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft EIR. Nevertheless, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. In addition, Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

LETTER NO. B28

Holly Han
3528 Multiview Drive
Los Angeles, CA 90046

Comment No. B28-1

Although my email is late, I hope it is not too late to be taken into consideration. I have been hiking as an LA local and then later training as a marathon runner and triathlete for 20 years at Runyon Canyon. I live a few minutes away at 3528 Multiview Drive. I have seen the canyon evolve over the years, and the beauty that I have seen is uniquely LA. I have seen large snakes, spiders the size of my hand, majestic views and hundreds of humming birds feeding on nectar in the spring. I have walked with Orlando Bloom and Miranda Kerr at Runyon and chatted with them about babies because they noticed my infant daughter.

I have witnessed the goat and horse who used to live in the house near the entrance of Runyon leave because the goat's leg was bitten by a dog. "Real" hikers scoff at those who consider Runyon a real hike, but they have no idea that I trained for the Honolulu marathon by running the Runyon loop 8x. Many of us who live nearby view Runyon as their happy place. It's the primary reason I live in Hollywood Hills and do not plan on moving.

Although I have a MBA, real estate broker's license and owned an architecture firm, I do not agree with the Runyon Canyon Development. It has not been well thought out and it benefits one family as opposed to the wildlife, regulars, locals, and tourists who consider Runyon their home or sanctuary. The proposal is lacking in risk management on its environmental impact to the Canyon.

Response to Comment No. B28-1

The comment expresses opposition to the Project, which is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Project impacts with respect to wildlife were assessed in Draft EIR Section IV.C, Biological Resources, and in the technical reports (Tree Report and Biological Technical Report) contained in Draft EIR Appendix E, and the analysis concluded that Project impacts with respect to biological resources would be less than significant.

In addition, the Project would not interfere with public access to Runyon Canyon Park.

3. Revisions, Clarifications, and Corrections

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15132(a), this Section of the Final Environmental Impact Report (EIR) provides changes to the Draft EIR that have been made to revise, clarify, correct, or supplement the environmental impact analysis for the 3003 Runyon Canyon Project (the Project). These changes and additions are due to recognition of inadvertent errors or omissions, and to respond to comments received on the Draft EIR during the public review period. The changes described in this Section do not add significant new information to the Draft EIR that would require recirculation of the Draft EIR. More specifically, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible alternative) that the project’s proponents have declined to implement. ‘Significant new information’ requiring recirculation includes, for example, a disclosure showing that:

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

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

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

Changes to the Draft EIR are indicated under the respective EIR section heading, page number, and paragraph. Paragraph reference is to the first full paragraph on the page. Deletions are shown with ~~strikethrough~~ and additions are shown with **bolded underline**.

Section I. Executive Summary

The following discussion has been added to page I-21 (to the end of Section I, Executive Summary):

6. Summary of Alternatives

In order to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines, this Draft EIR considers a range of alternatives to the Project. Section V. Alternatives to the Project, provides the analysis of each alternative. The Draft EIR analyzes the following three alternatives to the Project:

Alternative A: No Project/No Build Alternative

Alternative A assumes that the Project Site would remain in its current condition as developed with the Headley/Handley House. Although no new development would occur on the Project Site under Alternative A, this alternative assumes development of the related projects.

Alternative B: Reduced Project Alternative

Alternative B assumes development of the Project Site with a smaller house than the Project. Specifically, Alternative B would consist of a home that is reduced in size by approximately 30% when compared to the Project, with a total of approximately 5,670 square feet (not including the basement). Alternative B would be located in the same location on the Project Site as the Project, and each level of the home would be proportionately reduced when compared to the Project.

Alternative C: Alternate Placement Alternative

Alternative C assumes development of the Project Site with the same size house as the Project, but at a different location on the Project Site. Specifically, Alternative C would place the home down slope from the Project, 50 feet below the ridgeline, thereby not requiring a Specific Plan Exception for a new single-family home within 50 feet of a prominent ridge, as specified in the Mulholland Scenic Parkway Specific Plan. In order to access a home at this location, a separate partial elevated driveway and partial graded driveway of approximately 300 feet long would be required. In addition, a home in this location would require minimum 10-foot retaining walls below and above the elevated driveway, and would also require a 10- to 20-foot

retaining wall above the highest rooftop of the home in order to hold back the ridgeline above the home.

Section II. Project Description

The bottom paragraph on page II-2 is revised as follows:

The Project proposes the construction of a multi-level, single-family residential structure along the western side of a modified³⁶ prominent ridge on the Project Site. The proposed building would include a basement, first floor area, and second floor area totaling approximately **6,982** ~~8,099~~ square feet in size not including the basement, which is excluded by the Department of Building and Safety.³⁷ The proposed building would also include approximately 2,475 square feet of mechanical/electrical area, and approximately **7,769** ~~6,454~~ square feet of covered patio area. There would also be an attached four-car garage. The existing historical structure (the Headley/Handley House) would remain intact and is located on the opposing eastern facing side of the modified prominent ridge. As part of the Project, the Headley/Handley House would be reclassified as Accessory Living Quarters. There is an existing pool and patio area associated with the existing structure, which would remain as part of the Project. **In addition, a new pool would be constructed adjacent to the proposed residence, and the Project would also include an outdoor direct vent gas (propane) operated fireplace that would be enclosed with glass.** The new building would become the primary residence on the Project Site and the historic residence would act as a guest house for the owner. Finally, the Project would include the construction of three retaining walls **(designed for slopes with a ratio of 1.5:1)**, which would be constructed along the hillside at the mid-point of the northwest portion of the parcel. The height of the retaining walls would be a maximum of 10 feet, and the height would be lower than the current driveway along the northwest portion of the Project Site.³⁸

Table II-2 on page II-3 is replaced with REVISED Table II-2, to clarify the square footage of the proposed home:

³⁶ The original ridgeline was significantly modified by the architect of the Headley/Handley house in the 1930s/1940s; as a result, the current ridgeline has been modified significantly from its original state.

³⁷ Including the basement, the total square footage of the proposed residence would be approximately **11,860** ~~43,306~~ square feet. However, as discussed above, the Department of Building and Safety excludes the basement from the square footage calculation.

³⁸ **If the Department of Building and Safety requires slopes with a ratio of 2.0:1 (i.e., less steep), only two retaining walls would be required and the third retaining wall near the driveway would be eliminated. Figures II-22 (New) through II-24 (New) provide a site plan and elevations showing the two retaining walls under this scenario. Further, Figures II-25 (New) and II-26 (New) provide sight line views of the retaining walls under this scenario.**

**Table II-2
Summary of Proposed Uses**

<i>Proposed Project</i>	
Basement (Exempt)	5,207 sf
First Floor (Ground)	3,175 sf
Second Floor	4,201 sf
Garage	723 sf
<i>Total Proposed</i>	<i>8,009 sf</i>
<i>Existing Residence</i>	
Accessory Living Quarters	2,018 sf
<i>sf = square feet</i>	
<i>Source: Ameen Ayoub Design Studio.</i>	

**REVISED Table II-2
Summary of Proposed Uses**

<u>Proposed Project</u>	
<u>Total Area (Specific Plan)</u>	
<u>Basement</u>	
<u>Livable Space</u>	<u>4,878 sf</u>
<u>Mechanical/Electrical Area¹</u>	<u>453 sf</u>
<u>Covered Patio</u>	<u>180 sf</u>
<u>First Floor (Ground)</u>	
<u>Livable Space</u>	<u>3,413 sf</u>
<u>Mechanical/Electrical Area¹</u>	<u>851 sf</u>
<u>Covered Patio</u>	<u>2,312 sf</u>
<u>Garage</u>	<u>923 sf</u>
<u>Second Floor</u>	
<u>Livable Space</u>	<u>3,046 sf</u>
<u>Mechanical/Electrical Area¹</u>	<u>1,171 sf</u>
<u>Covered Patio</u>	<u>5,457 sf</u>
<u>Total Livable Space</u>	<u>11,337 sf</u>
<u>Total Mechanical/Electrical Area</u>	<u>2,475 sf</u>
<u>Total Covered Patio Area</u>	<u>7,949 sf</u>
<u>Garage</u>	<u>923 sf</u>
<u>Baseline Hillside Ordinance (BHO) Floor Area</u>	
<u>First Floor (Ground)</u>	<u>3,413 sf</u>
<u>Second Floor</u>	<u>3,046 sf</u>
<u>Garage</u>	<u>523 sf</u>
<u>Covered Patio</u>	<u>7,769 sf</u>
<u>Total BHO Floor Area</u>	<u>14,751 sf</u>
<u>Existing Residence</u>	
<u>Accessory Living Quarters</u>	<u>2,018 sf</u>
<i>sf = square feet</i>	
¹ <i>Includes mechanical and electrical room, pool equipment room, stairs, and elevator.</i>	
<i>Source: Ameen Ayoub Design Studio.</i>	

The following text below Table II-2 on page II-3 is revised as follows:

Project plans are provided in Figures II-1 through Figure II-5. **Updated Project plans are provided in Figures II-1 (Revised) through II-5 (Revised) and in Figures II-2.5 (New) through II-4.5 (New).** Elevations are provided in Figures II-6 through II-9. **Updated elevations are provided in Figures II-6 (Revised) through II-9 (Revised) and in Figure II-6.5 (New),** sections are provided in Figures II-10 and II-11, the proposed rendering of the west-facing elevation is provided in Figure II-12.- **If solar panels are required, their proposed location is shown on Figure II-15 (New),** landscape plans are provided in

Figures II-16 (New) through II-20 (New), and Figure II-21 (New) shows the location of the proposed seepage pits.

The following Project Design Features are added to the list on page II-5:

Project Design Feature BIO-PDF-2 Exterior construction work will be prohibited after dusk.

Project Design Feature BIO-PDF-3 Landscaping provided as part of the Project will be limited to native plantings.

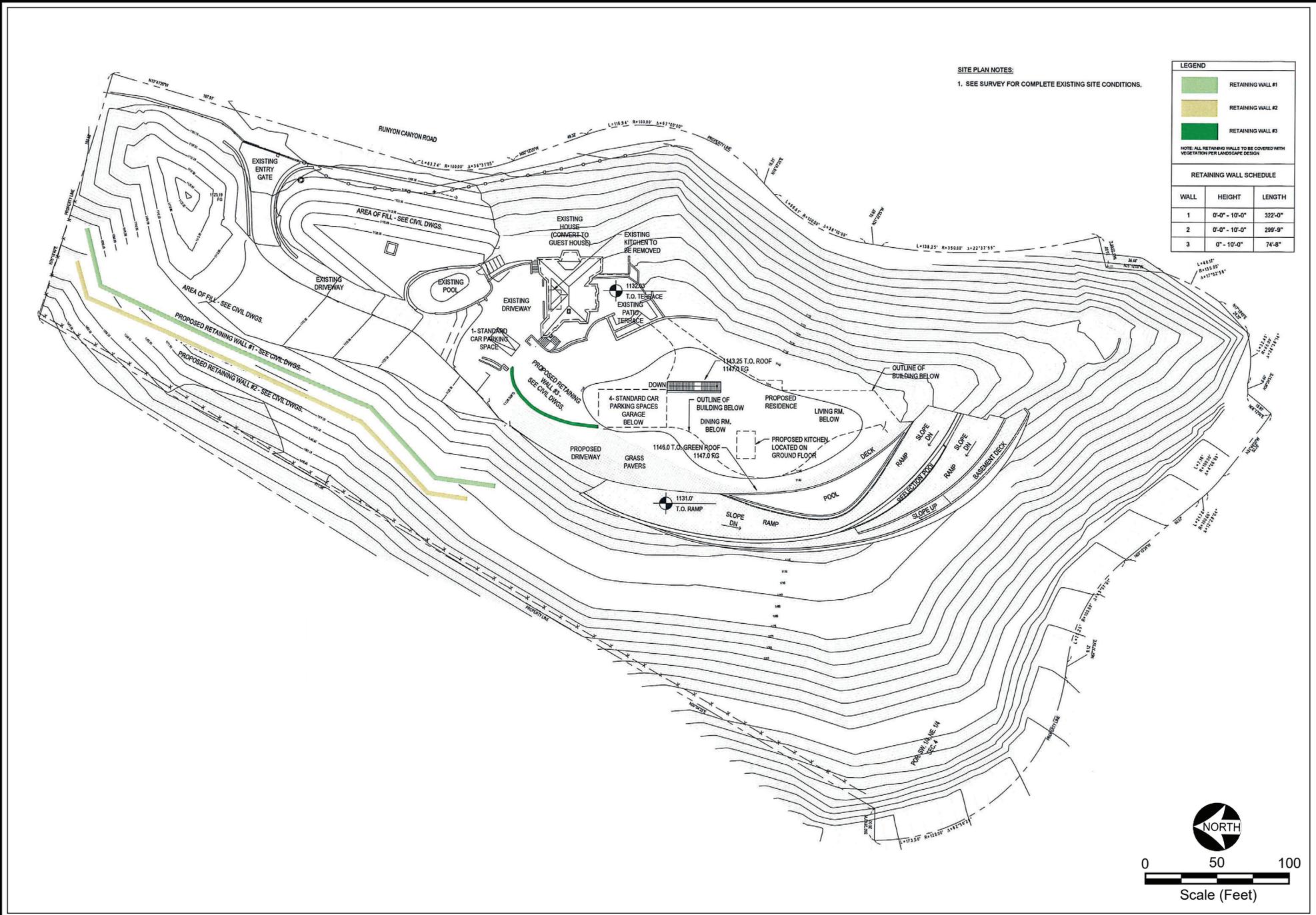
Project Design Feature CUL-PDF-3 Prior to the issuance of any building permits, the Applicant will retain a qualified historic preservation professional (“professional”), meeting the Secretary of the Interior’s Professional Qualifications Standards for architectural history or historic architecture, to review construction and landscape plans related to the alterations to the Headley/Handley House and its setting. The plans will be reviewed by this professional for compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards). If the construction and landscape plans do not comply with the Standards, the professional will make recommendations for changes to the plans to comply with the Standards. The review will be summarized in a memorandum, and submitted to the Office of Historic Resources (OHR) for concurrence. Building permits may be issued after the OHR has concurred that the plans comply with the Standards. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

After the memorandum has been approved by the OHR, the professional meeting the qualifications described above will monitor the construction of the project as it relates to the Headley/Handley House. The professional will meet with the contractor on site before construction begins to review the requirements of this PDF and provide guidance on appropriate treatments to protect the historic property from damage during construction. The professional will monitor construction during any demolition and grading activities that have the potential to affect the historic property and will meet with the contractor at regular intervals during construction. The intervals will include 10 percent, 30 percent, 50 percent, 90 percent, and 100 percent construction. Within five days after each of these meetings, the professional will

prepare a memorandum summarizing the findings, making recommendations as necessary to ensure compliance with the Standards, and documenting construction with digital photographs. The memorandum will be submitted to OHR for concurrence. In the event OHR does not concur, all activities should cease until conformance with the Standards is resolved and concurrence is obtained. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

Project Design Feature NOI-PDF-1 The use of outside amplified noise will be prohibited at the Project Site.

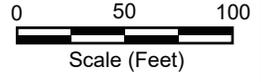
Project Design Feature TR-PDF-2 All construction material deliveries will occur during off-peak hours.



SITE PLAN NOTES:
 1. SEE SURVEY FOR COMPLETE EXISTING SITE CONDITIONS.

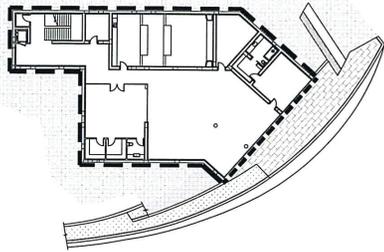
RETAINING WALL SCHEDULE		
WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	322'-0"
2	0'-0" - 10'-0"	299'-5"
3	0' - 10'-0"	74'-5"

NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN



Source: Ameen Ayoub Design Studio, 2019.

Revised Figure II-1
 Proposed Site Plan

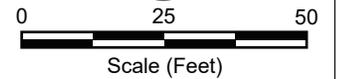
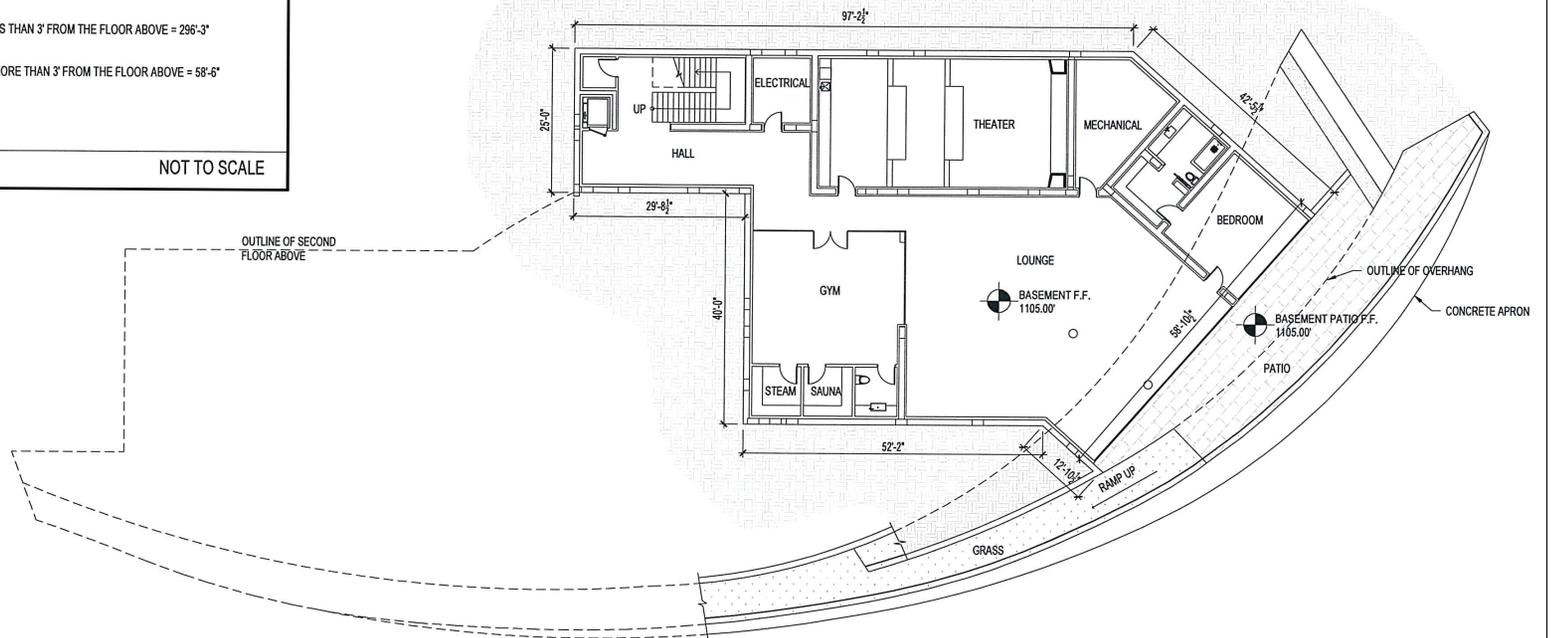


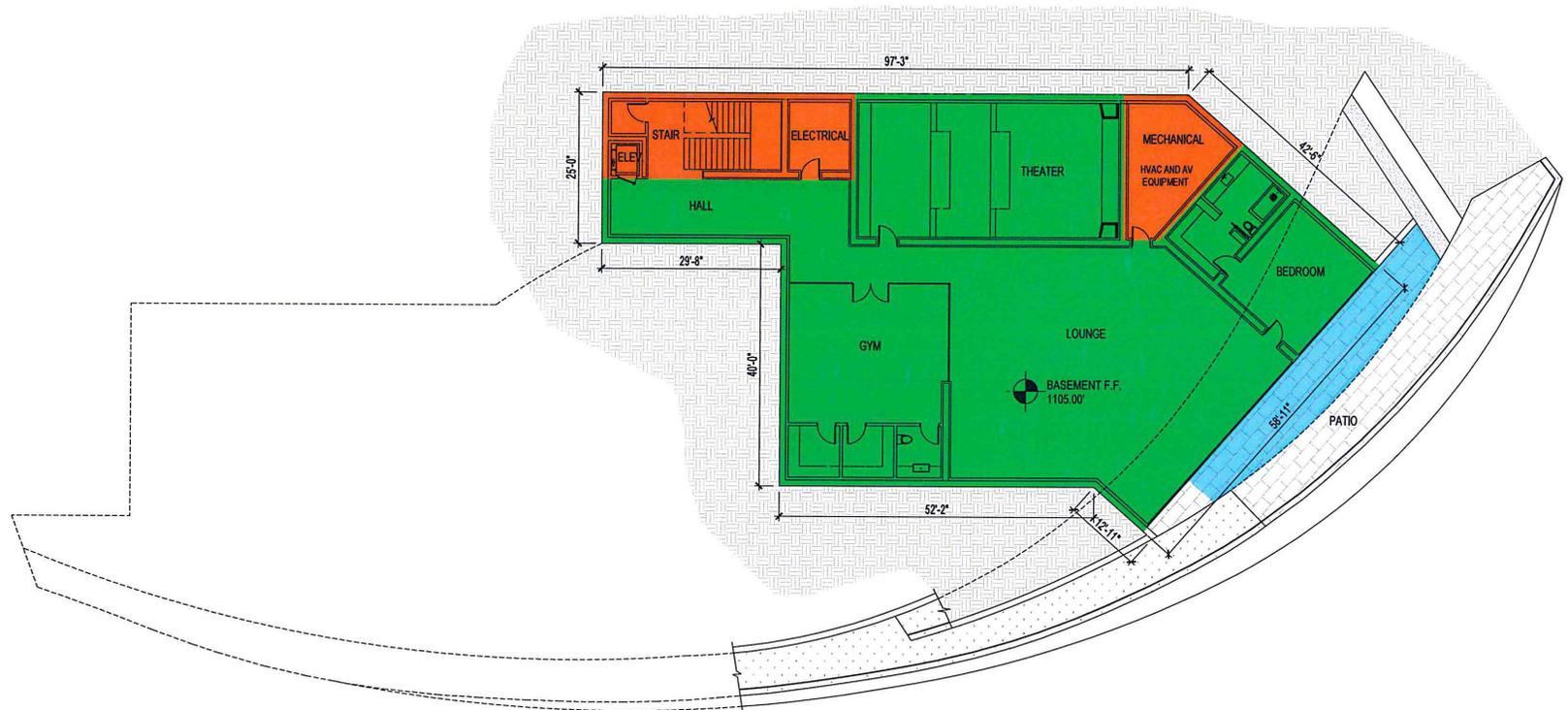
LEGEND

- BURIED BASEMENT - PERIMETER OF BASEMENT LESS THAN 3' FROM THE FLOOR ABOVE = 296'-3" = 84% OF THE PERIMETER (REQUIREMENT IS >60%)
- - - DAYLIGHT BASEMENT - PERIMETER OF BASEMENT MORE THAN 3' FROM THE FLOOR ABOVE = 58'-6" = 16% OF THE PERIMETER (REQUIREMENT IS <40%)
- TOTAL PERIMETER OF BASEMENT = 354'-9"

BASEMENT PERIMETER DIAGRAM FOR EXEMPTION

NOT TO SCALE

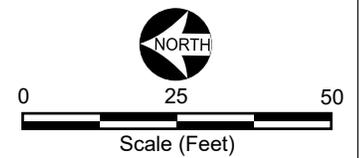


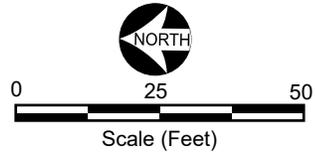
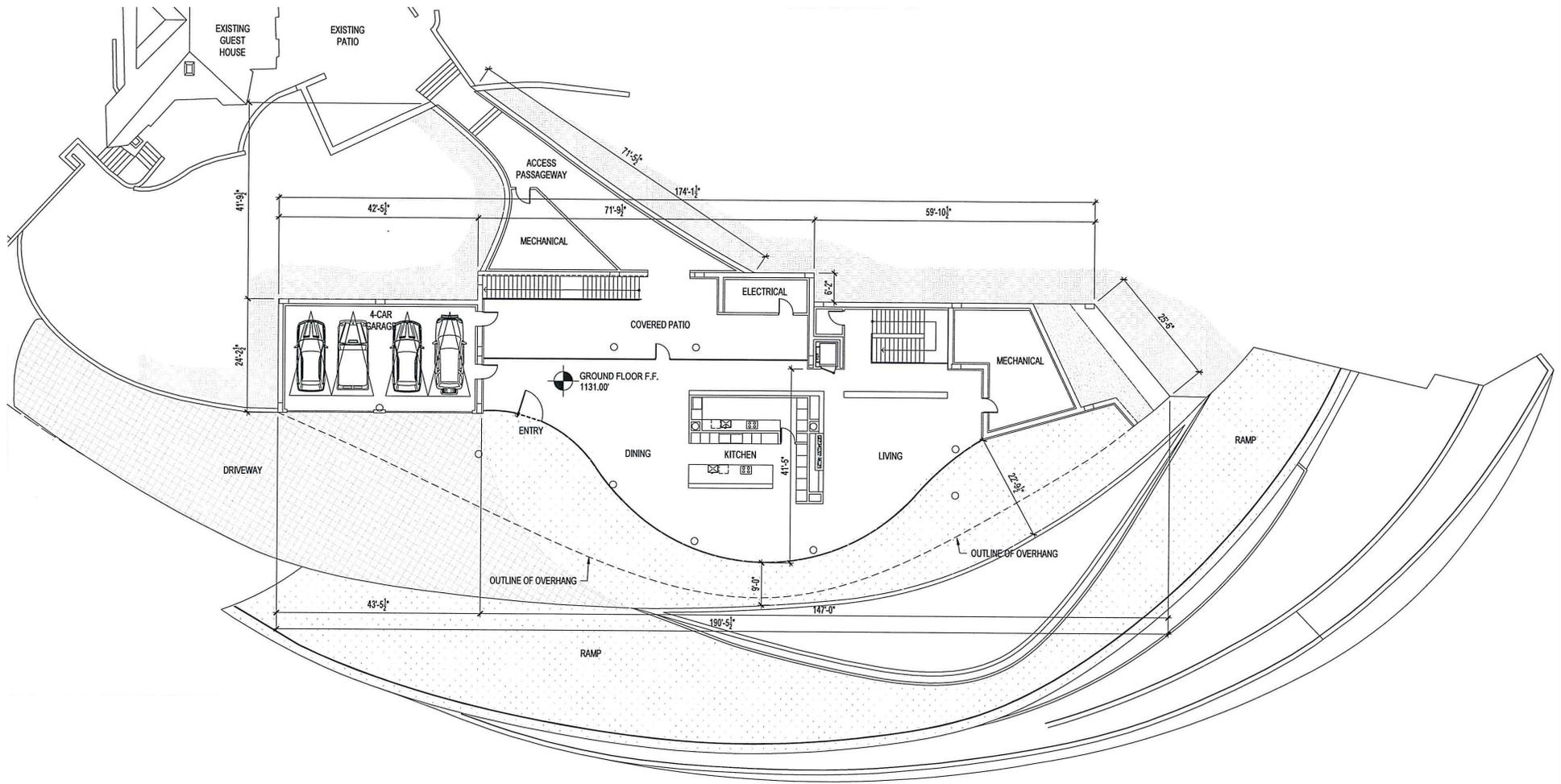


LEGEND

- LIVABLE AREA - LOUNGE, THEATER, GYM, BEDROOM, HALLWAYS
4,878 SF
- MECHANICAL & ELECTRICAL ROOM,
STAIR AND ELEVATOR = NON LIVABLE AREA *
453 SF
- COVERED PATIO AREAS
180 SF

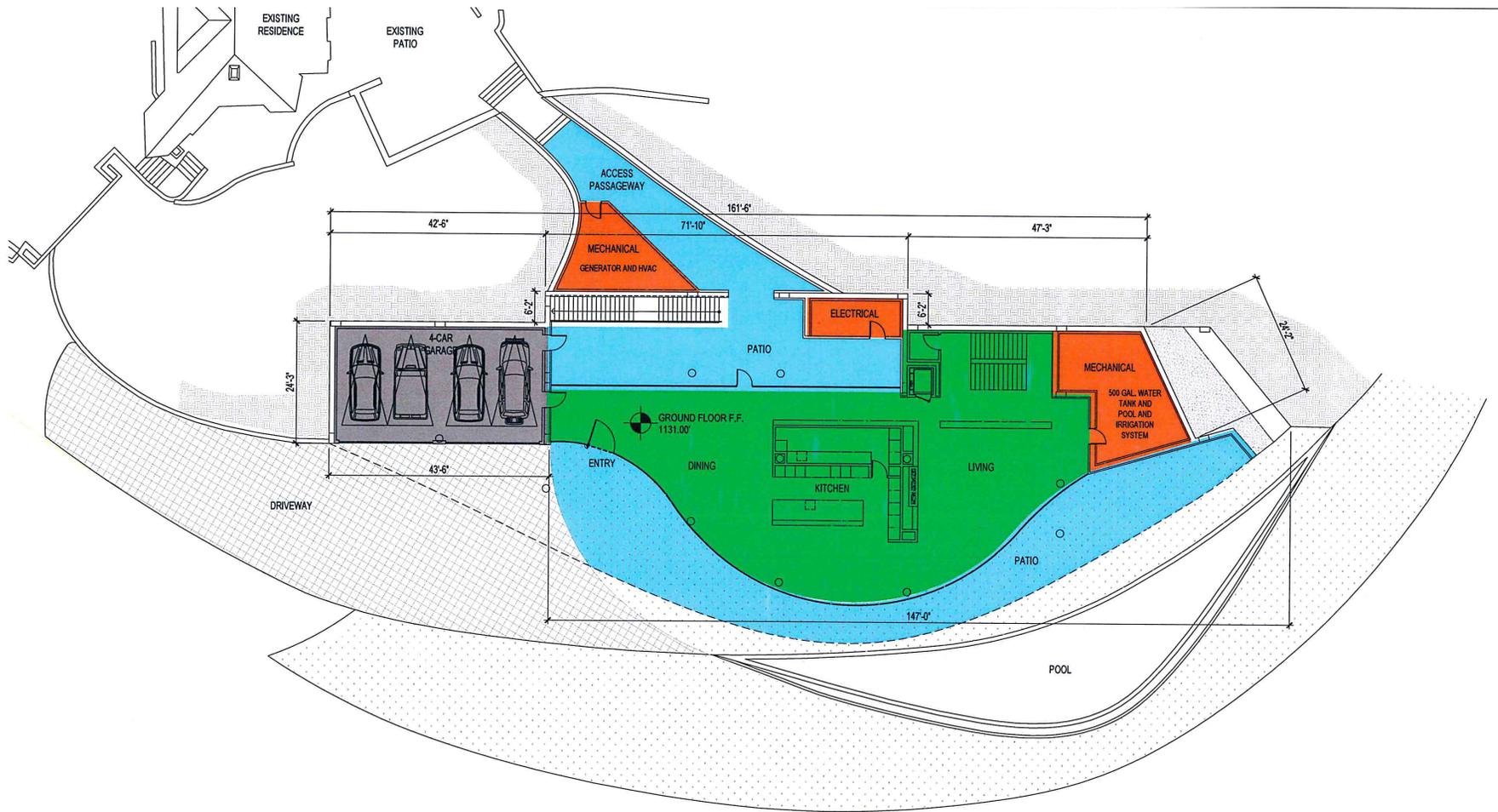
*MEP consultants have not designed yet, these rooms are placeholders for expected equipment. MEPs to finalize location and rooms upon final design through LADBS.





Source: Ameen Ayoub Design Studio, 2019.

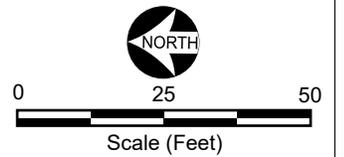
Revised Figure II-3
Proposed Ground Floor Plan

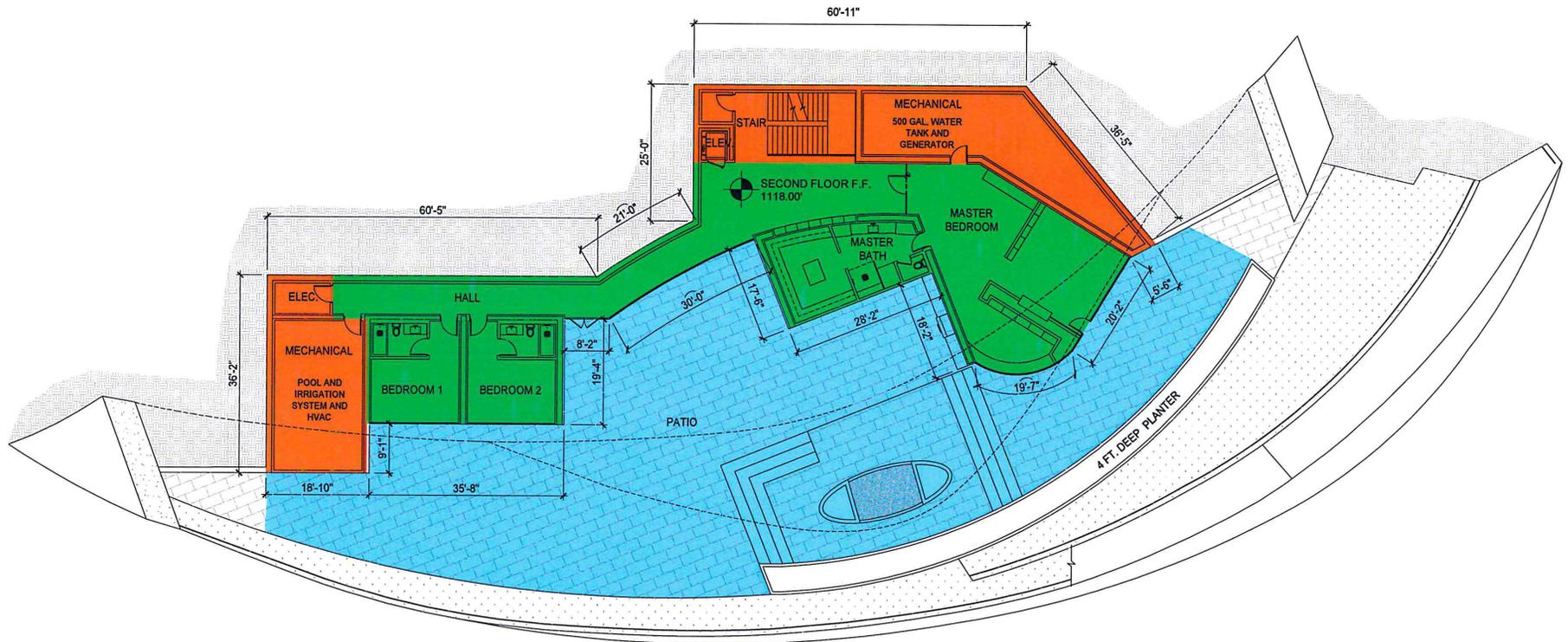


LEGEND

- LIVABLE AREA - LIVING, DINING, KITCHEN, STAIR/ELEVATOR
3,413 SF
- MECHANICAL & ELECTRICAL ROOMS
NON LIVABLE AREA *
851 SF
- COVERED PATIO AREAS
2,312 SF
- GARAGE
923 SF

*MEP consultants have not designed yet, these rooms are placeholders for expected equipment, MEPs to finalize location and rooms upon final design through LADBS.

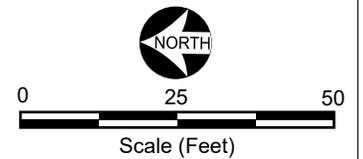


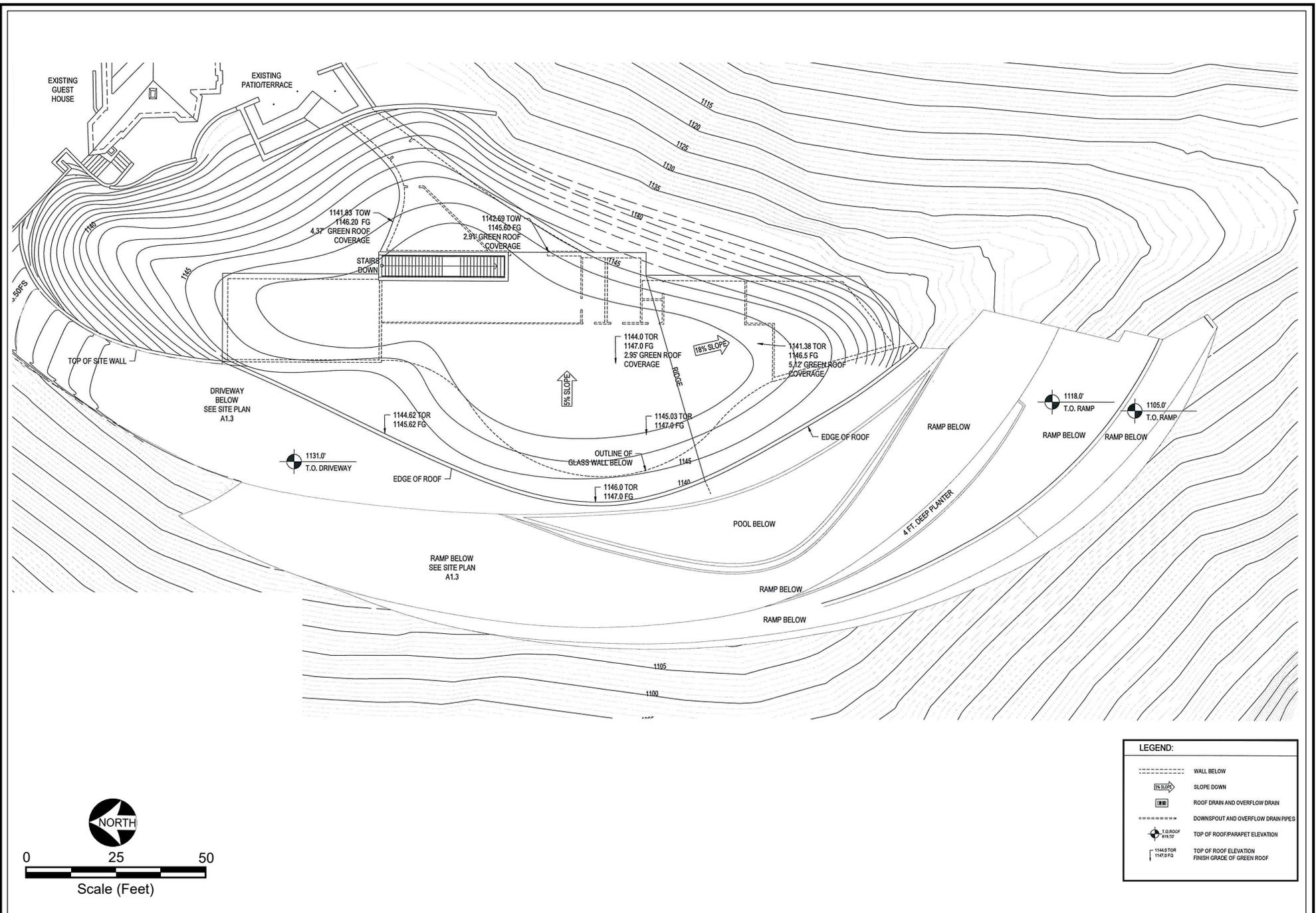


LEGEND

- LIVABLE AREA - BEDROOMS, HALLWAYS
3,046 SF
- MECHANICAL, ELECTRICAL,
POOL EQUIPMENT ROOM,
STAIR AND ELEVATOR = NON LIVABLE AREA *
1,171 SF
- COVERED PATIO AREAS
5,457 SF

*MEP consultants have not designed yet, these rooms are placeholders for expected equipment. MEPs to finalize location and rooms upon final design through LADBS.





LEGEND:

	WALL BELOW
	SLOPE DOWN
	ROOF DRAIN AND OVERFLOW DRAIN
	DOWNSPOUT AND OVERFLOW DRAIN PIPES
	TOP OF ROOF/PARAPET ELEVATION
	TOP OF ROOF ELEVATION FINISH GRADE OF GREEN ROOF

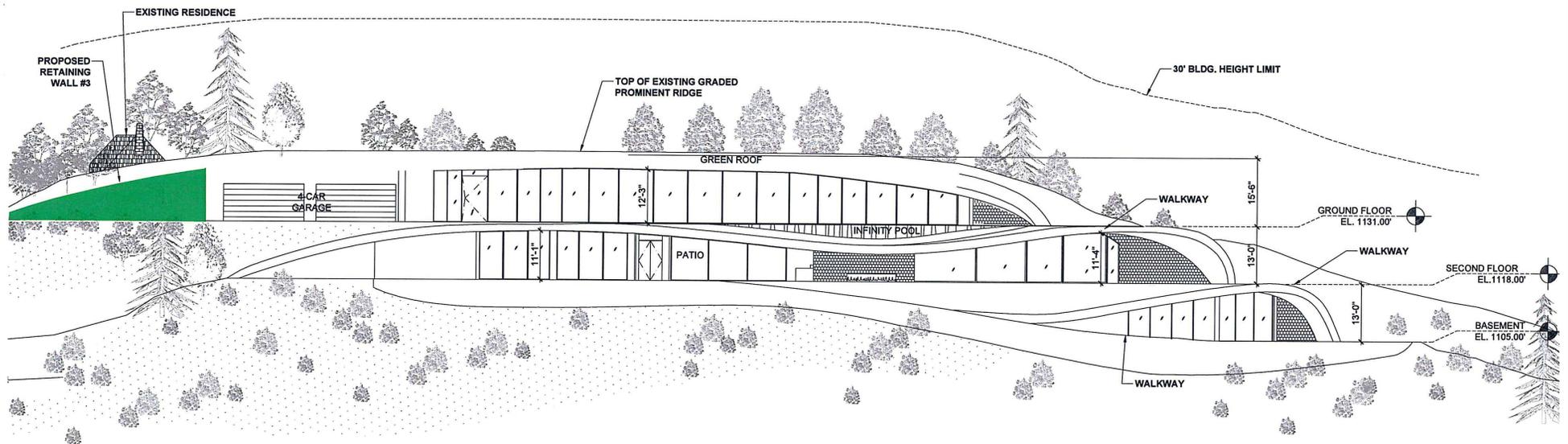
Revised Figure II-5
Proposed Roof Plan

Source: Ameen Ayoub Design Studio, 2019.

LEGEND		
	RETAINING WALL #1	
	RETAINING WALL #2	
	RETAINING WALL #3	
NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN		
RETAINING WALL SCHEDULE		
WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	322'-0"
2	0'-0" - 10'-0"	299'-9"
3	0' - 10'-0"	74'-8"

EXTERIOR ELEVATION NOTES

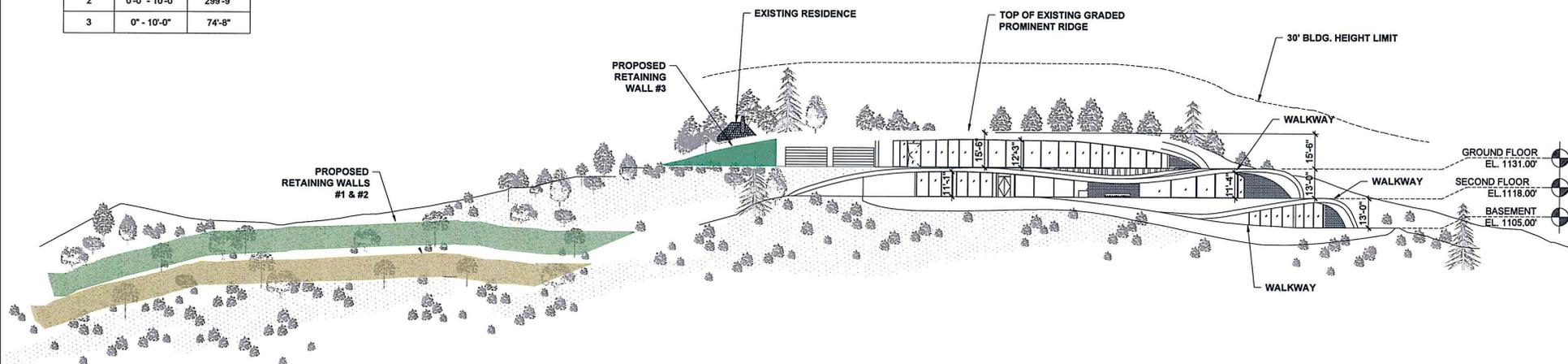
1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.



LEGEND		
	RETAINING WALL #1	
	RETAINING WALL #2	
	RETAINING WALL #3	
NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN		
RETAINING WALL SCHEDULE		
WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	322'-0"
2	0'-0" - 10'-0"	299'-9"
3	0' - 10'-0"	74'-8"

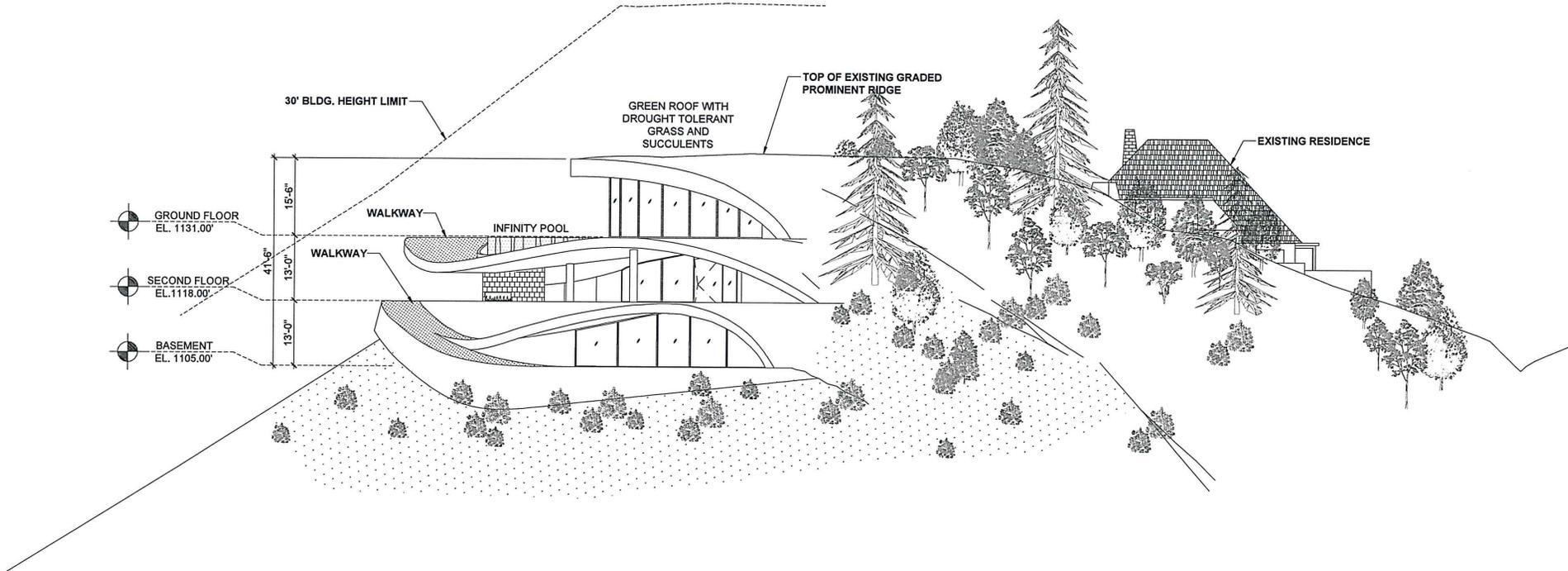
EXTERIOR ELEVATION NOTES

1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.



EXTERIOR ELEVATION NOTES

- 1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
- 2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.



LEGEND

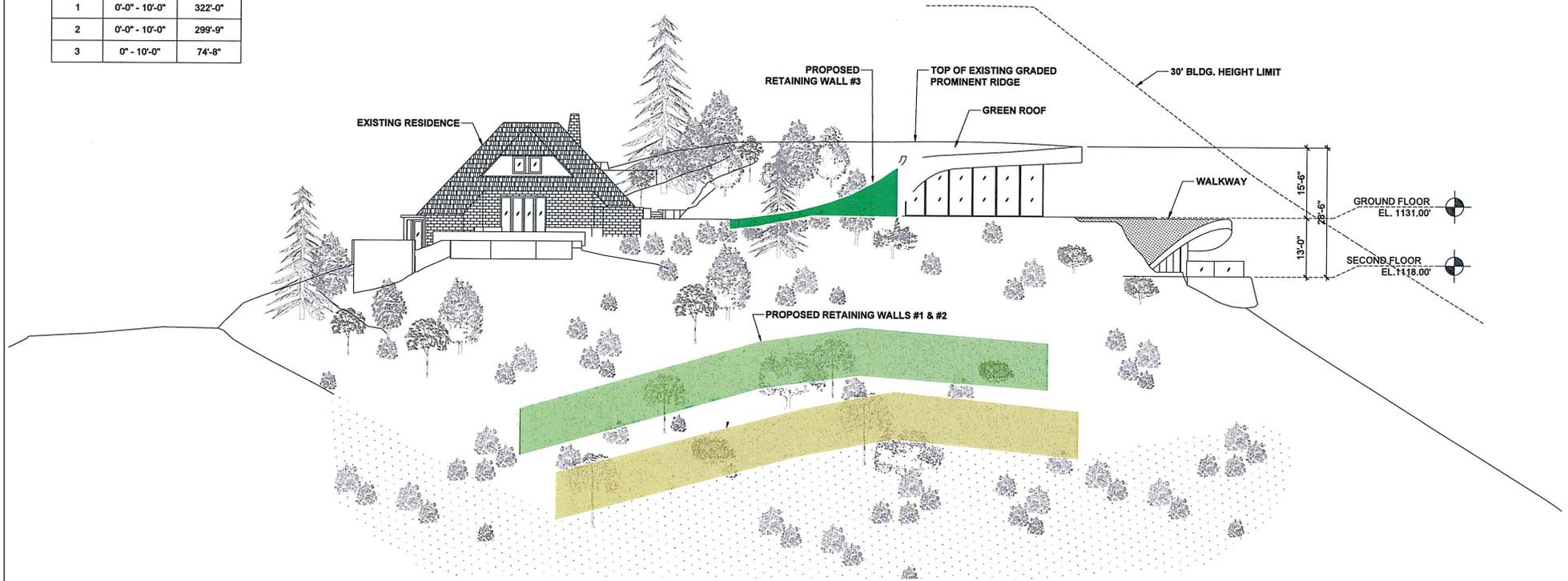
	RETAINING WALL #1
	RETAINING WALL #2
	RETAINING WALL #3

NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN

RETAINING WALL SCHEDULE

WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	322'-0"
2	0'-0" - 10'-0"	299'-9"
3	0' - 10'-0"	74'-8"

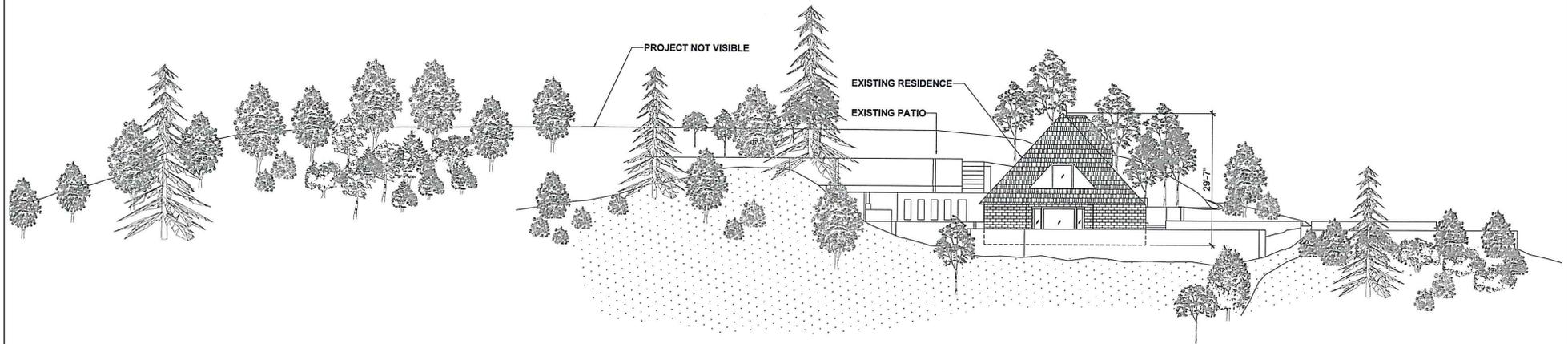
- EXTERIOR ELEVATION NOTES**
1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
 2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.

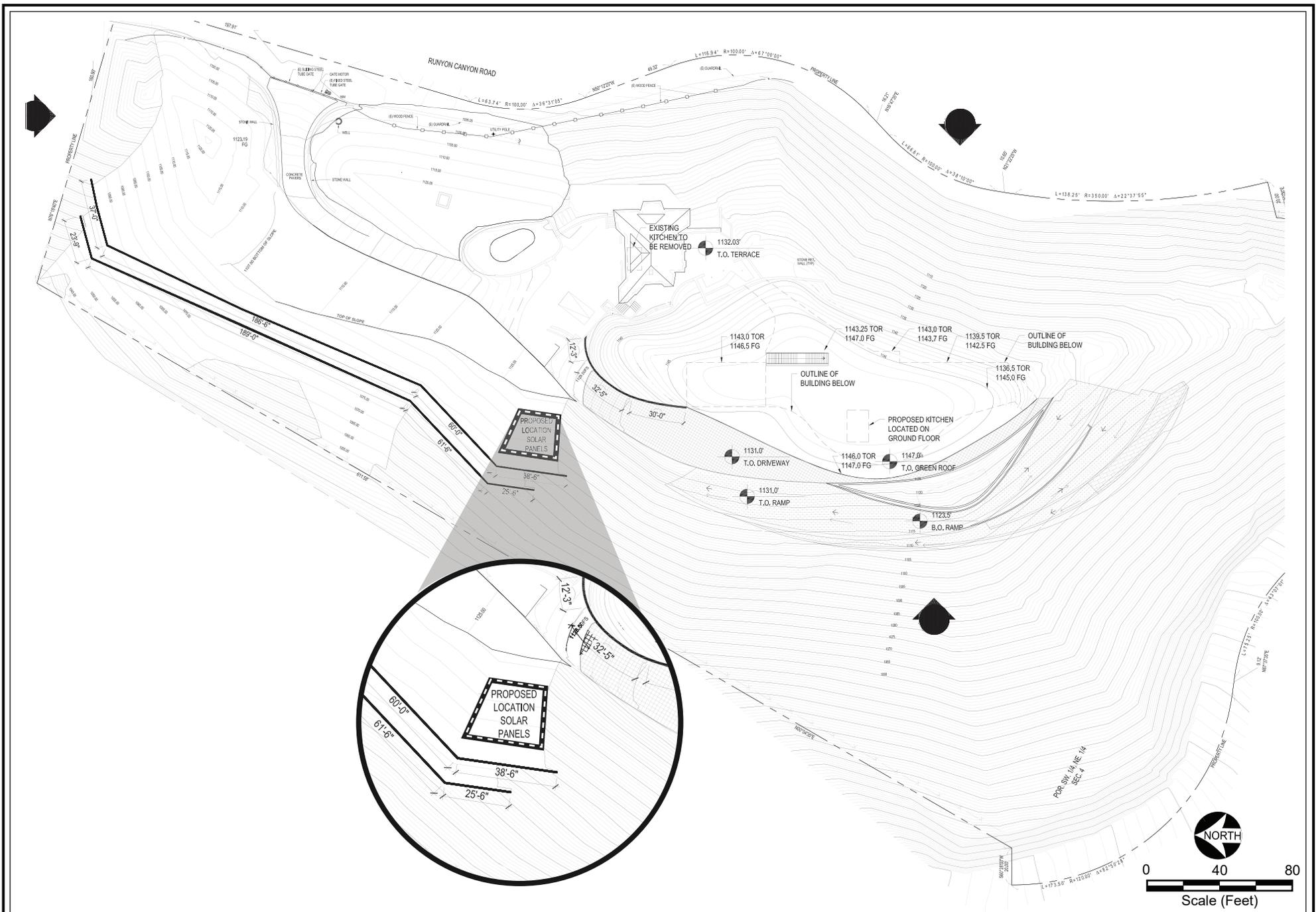


Revised Figure II-8
North Elevation

EXTERIOR ELEVATION NOTES

1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.





Source: Ameen Ayoub Design Studio, 2020.

New Figure II-15
Location of Solar Panels

Landscape Zones

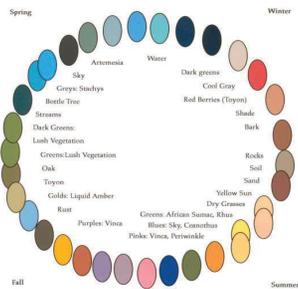
Native Meadow Grass



	botanical name	common name	size (gal.)	spacing	qty.	ht x width at planting	ht x width at maturity	years to maturity	Sunset Zone: 23 / Zone: 3	WUCOLS	remarks
m1	muhlenbergia rigens	deer grass	1 gal.	30" o.c.	10,960 s.f.			1	L	L	
	bouteloua gracilis	mosquito grass	1 gal.	12" o.c.							
	aristida purpurea (equal parts)	purple threeawn	1 gal.	18" o.c.							
m2	bulbine 'hallmark'	hallmark bulbinella	1 ga.	5/1000 s.f. of meadow	60 units	15"x18"	15"x18"	3	L	L	note: ,m2 (bulbine), to be spotted by the landscape architect within the native grass meadow



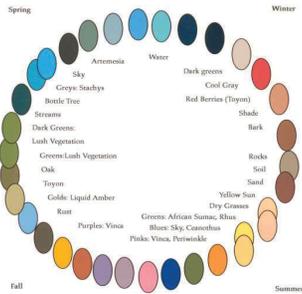
m3	bouteloua gracilis (within turfblock)	mosquito grass	1 gal.	6"-8" o.c.	n/a				L	L	note: install as plugs in all turf block areas designed by architect's plan
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Landscape Zones

Mixed Meadow (Meadow Edge)

botanical name	common name	size (gal.)	spacing	qty.	ht x width at planting	ht x width at maturity	years to maturity	Sunset Zone: 23 / Zone: 3	WUCOLS	remarks
mixed meadow (meadow edge)										
e1	agave angustifolia marginata	1	60" o.c.	68 units	12" x 8"	24" x 36"	2	Very Low		
e2	muhlenbergia rigens	5	36" o.c.	87 units	6" x 8"	36" x 48"	2	Low		
e3	aloe 'moon glow'	5	30" o.c.	87 units	8" x 6"	18" x 24"	3	Low		
e4	agave 'blue flame'	5	36" o.c.	29 units	8" x 10"	36" x 48"	3	Low		
e5	yucca recurvifolia	5	48" o.c.	58 units	6" x 15"	48" x 36"	3	Very Low		
e6	tagetes lemmonii	1	48" o.c.	242 units	6" x 8"	18" x 24"	3	Low		
e7	baccharis 'centennial'	1	42" o.c.	34 units	8" x 8"	36" x 36"	3	Low		
e8	calylophus berlandierii	1	24" o.c.	136 units	6" x 6"	18" x 18"	2	Low		
e9	penstemon centranthifolius	1	12" o.c.	242 units	6"x6"	12"x12"	2	Low		
e10	penstemon 'margarita bop'	1	12" o.c.	242 units	8" x 12"	24" x 18"	2	Moderate		
e11	bulbine 'hallmark'	1	18" o.c.	242 units	8" x 12"	24" x 18"	2	Low		
e12	carex pansa	1	12" o.c.	242 units	4" x 6"	8" x 12"	1	Low		
e13	asclepias californica	1	24" o.c.	30 units	4" x 6"	18" x 18"	1	Very Low		



Santa Monica Mountain Plant Color Wheel



Landscape Zones 'Planted Chaparral'



small - medium sized plants would be located in the open space between trees and large shrubs

'planted chaparral' slope zone - small to medium size shrubs

botanical name	common name	size (gal.)	spacing	qty.	ht x width at planting	ht x width at maturity	years to maturity	Sunset Zone: 23 / Zone: 3 WUCOLS	remarks
s1 haplopappus venetus (isocoma menziesii)	goldenbush	1	36" o.c.	210 units	15-18"	24" x 24"	3	Very Low	
s2 lotus scoparius	deerweed	1	18" o.c.	164 units	6" x 8"	36" x 48"	3	Low	
s3 artemisia 'canyon gray'	coastal sage bush	1	24" o.c.	70 units	4" x 8"	36" x 48"	3	Low	
s4 salvia leucophylla	purple sage	1	60" o.c.	70 units	12" x 8"	42" x 42"	3	Very Low	
s5 erigonum fasciculatum	buckwheat	1	48" o.c.	164 units	6" x 6"	30" x 30"	3	Very Low	top of wall cascading down
s6 salvia apiana	white sage	1	48" o.c.	123 units	6" x 6"	48" x 48"	3	Low	
s7 keckiella cordifolia	climbing penstemon	1	48" o.c.	0 units	6" x 6"	60" x 60"	3	Very Low	top of wall cascading down
s8 macfadyena unguis- cati	cat's claw	5	6' o.c.	91 units	n/a	n/a	8	Low	(vine) base of wall

note: layout of shrubs to mimic randomness (and beauty) of adjacent native chaparral

'planted chaparral' slope zone - large shrubs

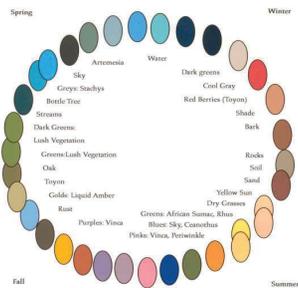
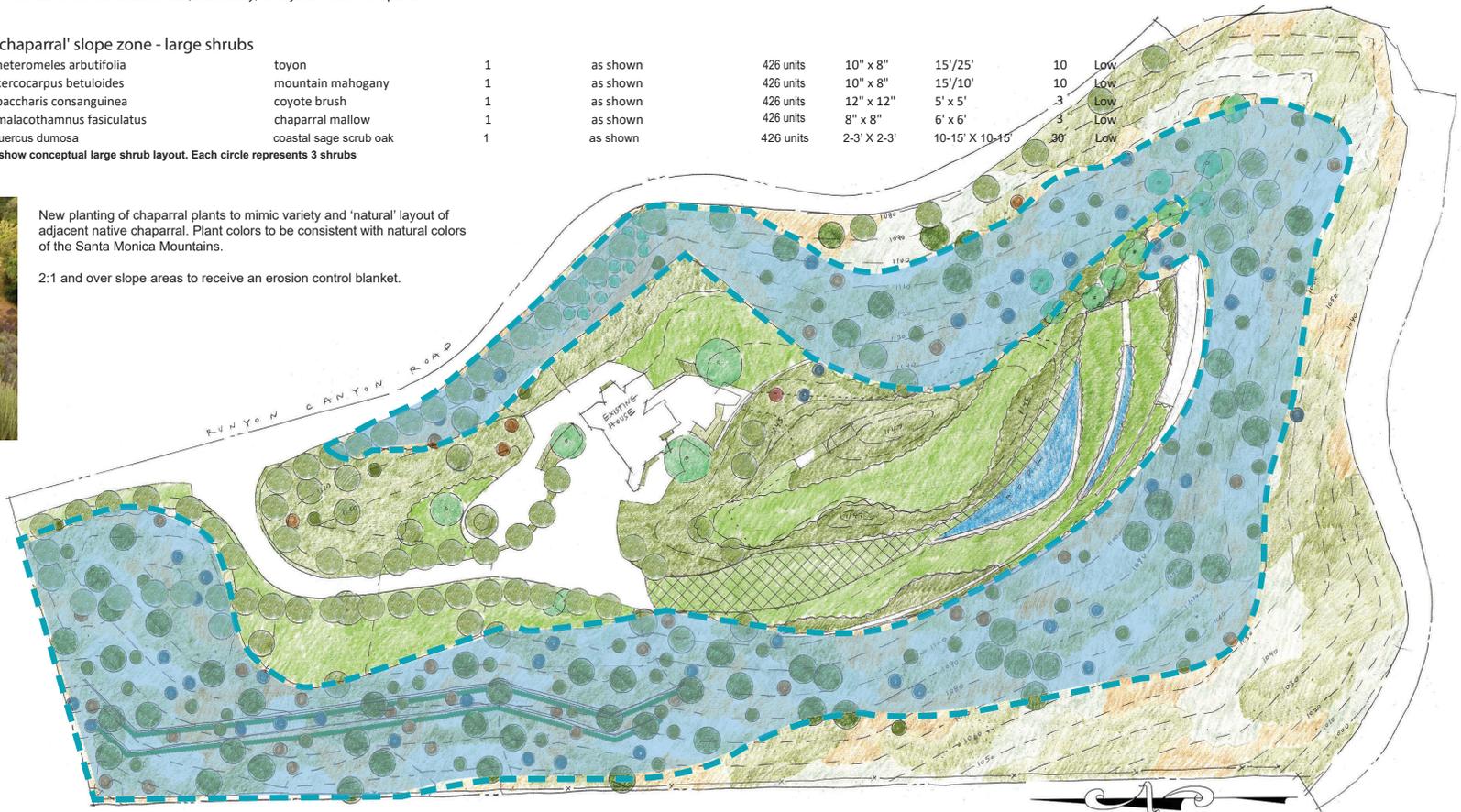
s1 heteromeles arbutifolia	toyon	1	as shown	426 units	10" x 8"	15'/25'	10	Low	
s2 cercocarpus betuloides	mountain mahogany	1	as shown	426 units	10" x 8"	15'/10'	10	Low	
s3 baccharis consanguinea	coyote brush	1	as shown	426 units	12" x 12"	5' x 5'	3	Low	
s4 malacothamnus fasciculatus	chaparral mallow	1	as shown	426 units	8" x 8"	6' x 6'	3	Low	
s5 quercus dumosa	coastal sage scrub oak	1	as shown	426 units	2-3' X 2-3'	10-15' X 10-15'	30	Low	

note: circles show conceptual large shrub layout. Each circle represents 3 shrubs



New planting of chaparral plants to mimic variety and 'natural' layout of adjacent native chaparral. Plant colors to be consistent with natural colors of the Santa Monica Mountains.

2:1 and over slope areas to receive an erosion control blanket.



Santa Monica Mountain Plant Color Wheel

Landscape Zones

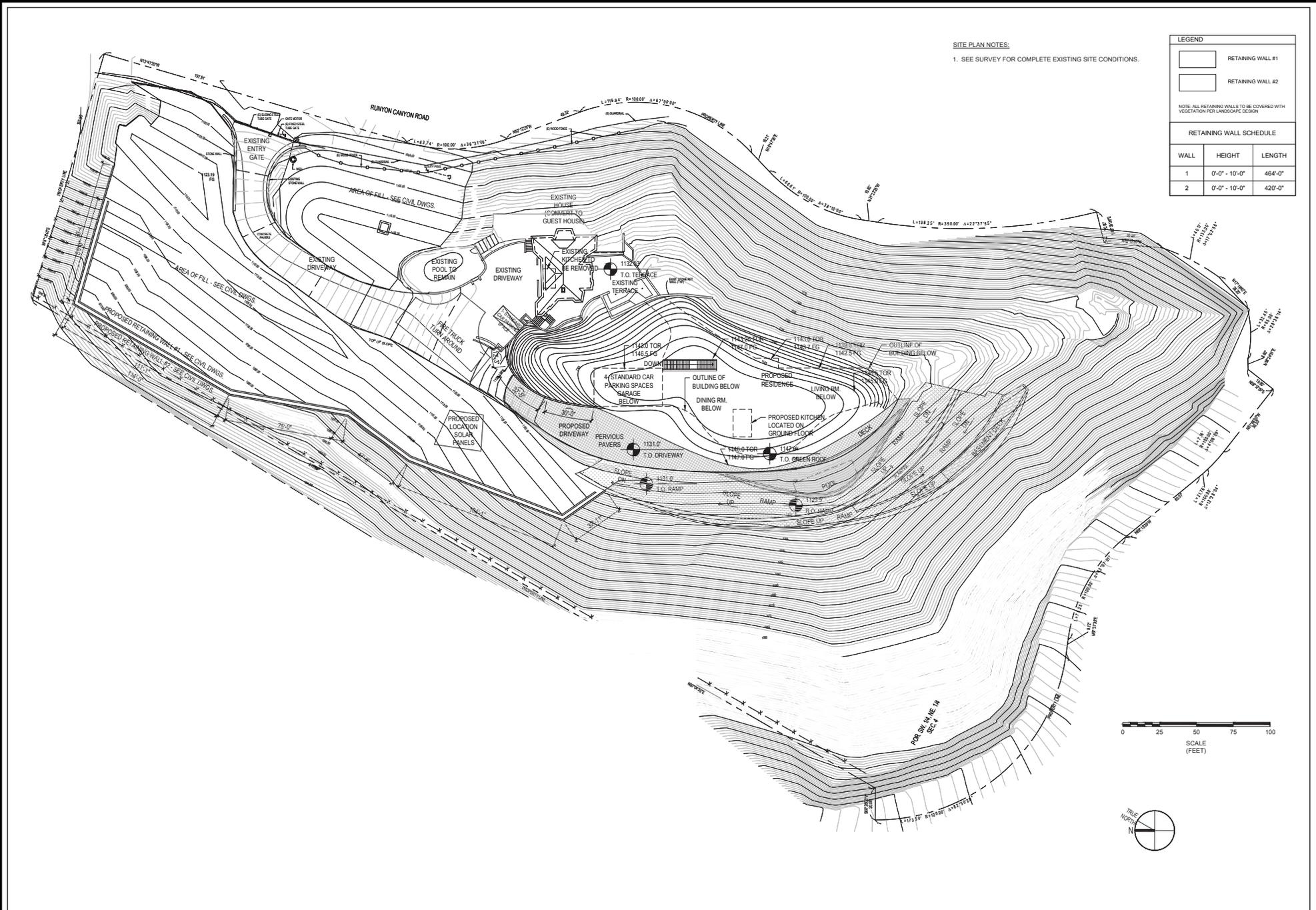
Native Chaparral to Remain



native chaparral
to remain
note: clean up existing landscape. Remove dead branching.



Santa Monica Mountain Plant Color Wheel



LEGEND

RETAINING WALL #1
 RETAINING WALL #2

NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION FOR LANDSCAPE DESIGN

RETAINING WALL SCHEDULE

WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	464'-0"
2	0'-0" - 10'-0"	420'-0"

LEGEND

- RETAINING WALL #1
- RETAINING WALL #2

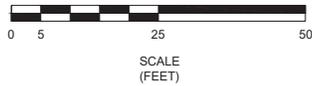
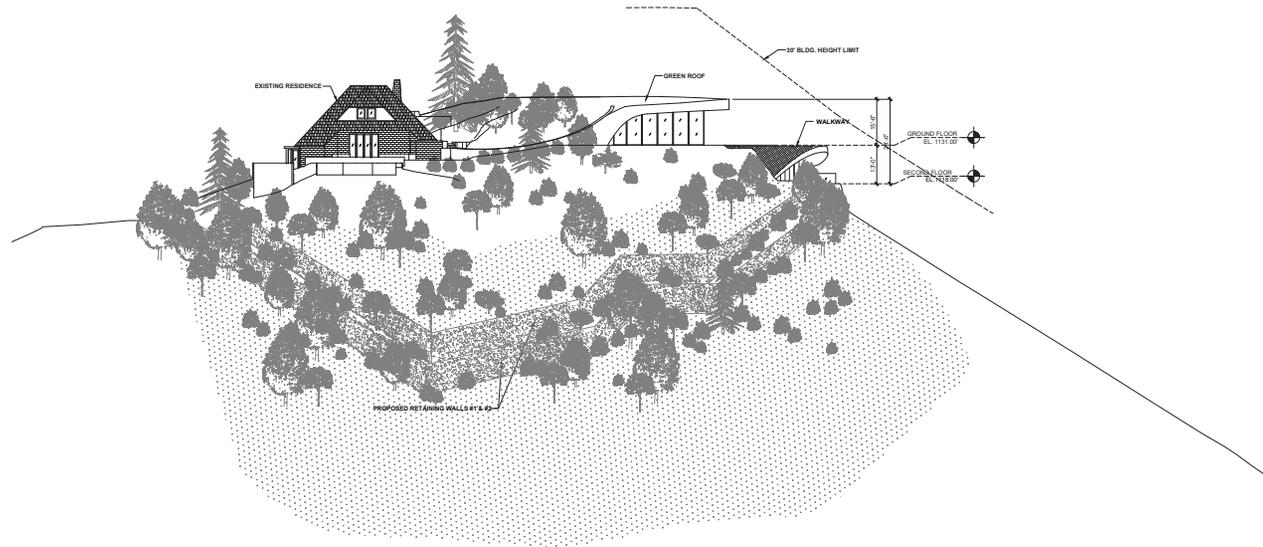
NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN

RETAINING WALL SCHEDULE

WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	464'-0"
2	0'-0" - 10'-0"	420'-0"

EXTERIOR ELEVATION NOTES

1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.



LEGEND

-  RETAINING WALL #1
-  RETAINING WALL #2

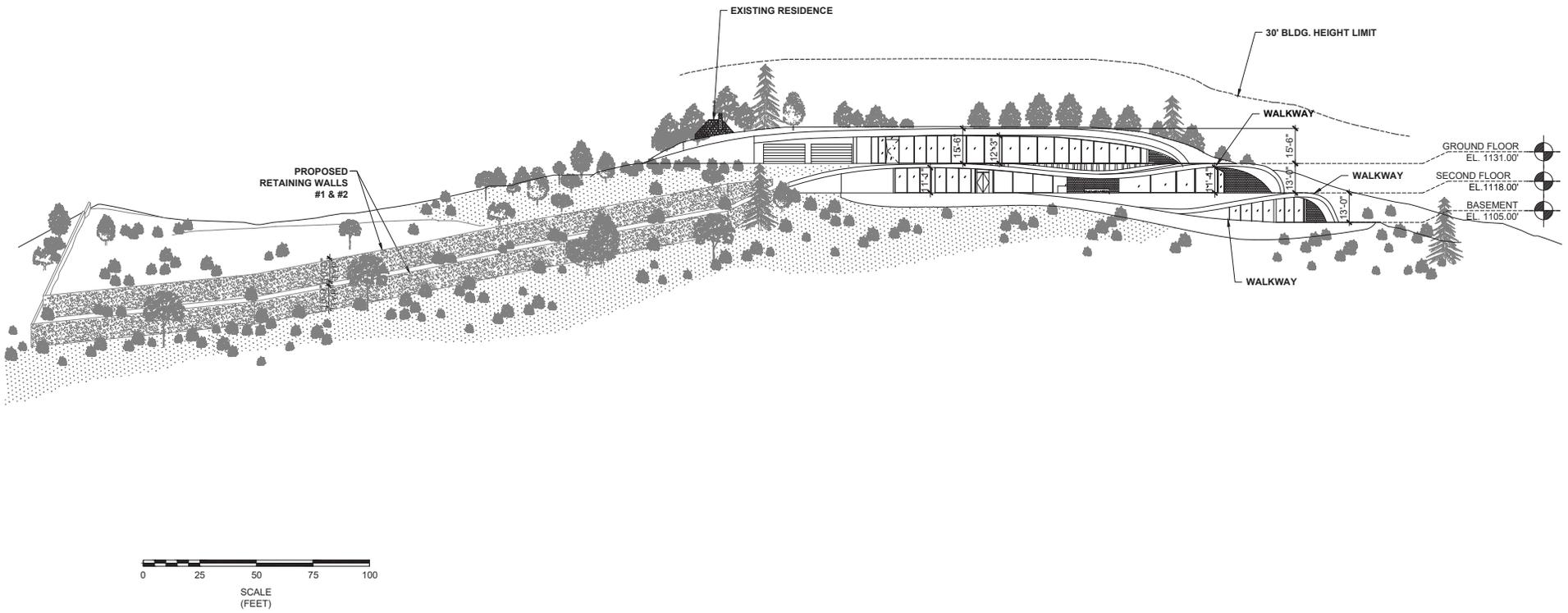
NOTE: ALL RETAINING WALLS TO BE COVERED WITH VEGETATION PER LANDSCAPE DESIGN

RETAINING WALL SCHEDULE

WALL	HEIGHT	LENGTH
1	0'-0" - 10'-0"	464'-0"
2	0'-0" - 10'-0"	420'-0"

EXTERIOR ELEVATION NOTES

1. ALL EXTERIOR GLAZING WILL BE NON-GLARE GLASS.
2. ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND SHIELDED.



New Figure II-24
Overall West Site Elevation (2.0:1 Retaining Wall Scheme)



3003 RUNYON CANYON
SITE LINE 5 Solar View South

Figure II-25 (New)
Sight Line (2.0:1 Retaining Wall Scheme)



3003 RUNYON CANYON
SITE LINE 8 Solar View South

Figure II-26 (New)
Additional Sight Line (2.0:1 Retaining Wall Scheme)

Section IV.A. Aesthetics

The discussion of Project impacts with respect to scenic vistas on pages IV.A-9 and IV.A-10 is revised as follows:

As discussed above, the nearest area that provides a scenic vista is Mulholland Drive, which has been designed a City of Los Angeles scenic highway, and is subject to design review guidelines for single-family residences and other development pursuant to the MSPSP. The MSPSP has designated 14 major vista points (MVPs) along Mulholland Drive that are maintained by the Bureau of Street Maintenance of the City of Los Angeles Department of Public Works. Additionally, as the Inner Corridor of the MSPSP area is designated as part of the Santa Monica Mountains National Recreation Area, the Santa Monica Mountains Conservancy has designated 13 scenic overlooks along Mulholland Drive. The nearest MVP (also the nearest Overlook) is the Hollywood Bowl MVP and Overlook, which is located approximately 0.3 miles east of the Project Site. However, the Project would not be viewable from the Hollywood Bowl MVP and Overlook **(see New Figures IV.A-8 and IV.A-9, which show that the Project would not be viewable from these vantage points).**

The Project has been designed such that the proposed home would be built into the hillside. The home itself sits below the disturbed ridgeline, which is the result of prior grading activities on the Project Site completed by a prior owner, on the western side of the property.³⁹ (See Figures II-3 and II-4 in Section II, Project Description, for views of the flattened ridgeline.) The roof of the proposed home has been designed such that it would match the existing topography and the roof of the home would replace the existing ridgeline in-kind. In addition, the roof would be planted with grass (as formally provided in GHG-PDF-1). As a result, the Project is completely hidden from Mulholland Drive. The proposed residence is sited physically within the bluff (buried) so that the only face of the residence that would be visible is on the western elevation. The home has further been designed in a modern style with curvilinear roof lines that blend in with the natural topography. The proposed home would also be an earth-toned color to match the surrounding landscape, and is designed to look like a natural land formation that grows out of the hillside and has no sharp angles. These design features of the Project have been provided above formally as Project Design Feature AES-PDF-1. **New Figures IV.A-7 and IV.A-10 provide sight line views of the Project Site from Solar Drive looking southeast. These views provide simulations of the landscaped fill sites and retaining walls after development of the Project.**

As shown in Figures IV.A-1 through IV.A-4, the view of the western elevation of the proposed home is only available from limited vantage points on the public hiking trail

³⁹ *The original ridgeline was significantly modified by the architect of the Headley-Handley house in the 1930s/1940s; as a result, the current ridgeline has been modified significantly from its original state.*

looking to the north and east. Specifically, Figure IV.A-1 provides a legend to show the location and vantage point of each of the view simulations. Figure IV.A-2 provides a sight line view from within Runyon Canyon Park, looking north. From this vantage point, a small portion of the western face of the home is visible, sitting below the ridgeline. Figure IV.A-3 provides a sight line view looking east, also from within Runyon Canyon Park. From this vantage point, the western face of the home is visible, looking upslope. This vantage point is only available from a limited range of Runyon Canyon Road, where the trail curves and the western face of the home is visible. Finally, Figure IV.A-4 provides an additional sight line view, looking east from within Runyon Canyon Park, closer to the Project Site. As shown in this figure, looking upslope a very small portion of the home is visible. **New Figure IV.A-6 (New) provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.** The home would not be visible from other vantage points within Runyon Canyon Park.

Overall, the Project has been designed in an organic aesthetic that incorporates grass roofs. The Project has been designed to meet the requirements of the MSPSP and Hillside Ordinance standards for height, sensitivity to topography, and bulk of structures. As such, the Project would not have a substantial adverse effect on a scenic vista and impacts would be less than significant.

The discussion of Project impacts with respect to visual character on pages IV.A-12 and IV.A-13 is revised as follows:

The Project proposes the construction of a single-family residential structure, with the existing structure reclassified as Accessory Living Quarters. As discussed previously, the Project has been designed such that the proposed home would be built into the hillside and the home itself sits below the disturbed ridgeline on the western side of the property. The roof of the proposed home has been designed such that it would match the existing topography and the roof of the home would replace the existing ridgeline in-kind. In addition, the roof of the home would be planted with grass (as formally provided in GHG-PDF-1). As a result, the Project is completely hidden from Mulholland Drive. The home has been designed in a modern style with curvilinear roof lines that blend in with the natural topography. The proposed home would also be an earth-toned color to match the surrounding landscape, and is designed to look like a natural land formation that grows out of the hillside and has no sharp angles. Overall, the proposed home has been designed in an organic aesthetic and also includes grass roofs. **New Figures IV.A-7 and IV.A-10 provide sight line views of the Project Site from Solar Drive looking southeast. These views provide simulations of the landscaped fill sites and retaining walls after development of the Project.**

Finally, as shown in Figures IV.A-1 through IV.A-4, the proposed residence is sited physically within the bluff (buried) so that the only face of the residence that would be

visible is on the western elevation. Additionally, as shown in Figures IV.A-1 through IV.A-4, the view of the western elevation is only available from limited vantage points on the public hiking trail looking to the north and east. Specifically, Figure IV.A-1 provides a legend to show the location and vantage point of each of the view simulations. Figure IV.A-2 provides a sight line view from within Runyon Canyon Park, looking north. From this vantage point, a small portion of the western face of the home is visible, sitting below the ridgeline. Figure IV.A-3 provides a sight line view looking east, also from within Runyon Canyon Park. From this vantage point, the western face of the home is visible, looking upslope. This vantage point is only available from a limited range of Runyon Canyon Road, where the trail curves and the western face of the home is visible. Finally, Figure IV.A-4 provides an additional sight line view, looking east from within Runyon Canyon Park, closer to the Project Site. As shown in this figure, looking upslope a very small portion of the home is visible. **New Figure IV.A-6 (New) provides an additional view of the Project Site from the west ridge of the hiking trail and confirms that only a small portion of the western face of the proposed home would be visible from the hiking trail.** The home would not be visible from other vantage points within Runyon Canyon Park. As such, Project impacts with respect to visual character would be less than significant.



Revised Figure IV.A-1
Sight Line Views



3003 RUNYON CANYON
SITE LINE 4 - West Ridge
North East View



3003 RUNYON CANYON
SITE LINE 5 Solar View South



3003 RUNYON CANYON
SITE LINE 6 Mulholland
Hollywood Bowl Overlook 2



Project Site

3003 RUNYON CANYON
SITE LINE 7 Mulholland
Hollywood Bowl Overlook 1



3003 RUNYON CANYON
SITE LINE 8 Solar View Southeast

Section IV.B. Air Quality

The following discussion under Threshold (c) on page IV.B-23 is revised as follows:

Threshold (c): ***Would the Project expose sensitive receptors to substantial pollutant concentrations?***

~~As discussed in Chapter VI (subsection Impacts Found not to be Significant) of this Draft EIR, and in the Initial Study (Appendix A of this Draft EIR), the Project would not expose sensitive receptors to substantial pollutant concentrations. A less than significant impact would occur with respect to Threshold (c). No further analysis is required.~~

An updated air quality memo was prepared (included in Appendix D-1 of this Final EIR) to assess the Project's construction and operational emissions. The updated memo includes the following:

- **Adjusting the construction start date to July 1, 2020, with an operational year of 2021. These are conservative assumptions that would be valid if the Project were to start construction later and/or begin operation after 2021.**
- **Haul route emissions associated with the export of approximately 16,529 cubic yards of soil using haul trucks with 14 cubic yards of capacity (if a haul route is required).**
- **Operational emissions from a refined inventory of sources. This conservative analysis adds several assumptions to the default operational assumptions for a single-family home in the CalEEMod model. This includes an analysis of emissions from the electric charging of two Tesla vehicles, a doubling of use of electricity to convey water to the Project Site, and the use of a diesel-powered generator for one hour each day.**

Construction

If the Zoning Administrator's Determination is denied, haul trucks (if required) will travel on approved truck routes designated within the City. Assuming a capacity of 14 cubic yards per haul truck, the export of 16,529 cubic yards would require 1,181 haul trips. Further, this analysis includes a conservative assumption of 25 miles to an off-site landfill. As shown in (New) Table IV.B-7, below, construction emissions would be below the SCAQMD's recommended thresholds of significance and impacts would therefore be less than significant.

New Table IV.B-7 Estimated Daily Construction Emissions - Unmitigated						
Construction Phase	Pounds Per Day					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
2020	4	45	22	<1	20	12
2021	4	19	18	<1	1	1
Maximum Regional Total	4	45	22	<1	20	12
Regional Significance Threshold	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Maximum Localized Total	4	46	22	<1	9	6
Localized Significance Threshold	--	126	3,016	--	80	28
Exceed Threshold?	N/A	No	No	N/A	No	No

Source: DKA Planning, 2020, based on CalEEMod 2016.3.2 model runs. LST analyses based on 2-acre site with 200-meter distances to receptors in Central LA County source receptor area. SCAQMD LST thresholds are established for 1, 2, and 5 acres. Reliance on the smaller threshold of 2 acres ensures that the analysis holds the Project's impacts to a threshold more stringent than would otherwise be the case.

Note that in the Draft EIR, the analysis of Project construction emissions is contained in Section VI, Other CEQA Considerations (subsection Impacts Found not to be Significant). Therefore, this New Table IV.B-7 is the same as Revised Table VI-1, which is provided later in this section. Modeling included in Appendix D to this Final EIR.

Operation

While the Project's interior space would total approximately 14,535 square feet (including all indoor livable space, mechanical/electrical areas, and the garage), the analysis conservatively assumed up to 16,000 square feet of floor area.⁴⁰ This operational analysis relies on default assumptions in the CalEEMod model for single-family homes. As such, air quality emissions from electricity uses including an elevator, audio/video equipment, irrigation equipment, pool pumps, and other mechanical equipment are assumed to be included in the analysis.

However, some additional assumptions were made given the Project's description, including:

- Use of a portable generator fired by diesel fuel for one hour per day to convey water to the water tank or other operational need.
- Electricity demand from charging two Tesla vehicles. This assumes each Tesla requires 100 kWh to fully charge an extended range vehicle twice per week. This additional electricity demand was added to non-Title 24 electricity intensity.

⁴⁰ While there is also approximately 7,769 square feet of covered patio area, there are no emissions from combustion of natural gas to heat or cool this space. As such, this space was not included in the analysis of area, energy, or stationary source emissions.

- A conservative assumption that the home would consume twice the indoor and outdoor water use of an average home, as well as twice the electricity intensity to supply water to the home.
- The use of a propane-fueled outdoor fireplace/pit.

As noted in (New) Table IV.B-8, below, operational emissions from all on-site sources would not result in significant regional or localized emissions. Therefore, the Project’s operational air quality impacts would continue to be less than significant.

New Table IV.B-8 Estimated Daily Operations Emissions - Unmitigated						
Emission Source	Pounds per Day					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
Area Sources	<u>5</u>	<u><1</u>	<u>5</u>	<u><1</u>	<u>1</u>	<u>1</u>
Energy Sources	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>
Mobile Sources	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>	<u><1</u>
Stationary Sources	<u><1</u>	<u><1</u>	<u>1</u>	<u><1</u>	<u><1</u>	<u><1</u>
Net Regional Total	<u>5</u>	<u>1</u>	<u>6</u>	<u><1</u>	<u>1</u>	<u>1</u>
Regional Significance Threshold	<u>55</u>	<u>55</u>	<u>550</u>	<u>150</u>	<u>150</u>	<u>55</u>
Exceed Threshold?	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>
Net Localized Total	<u>5</u>	<u>1</u>	<u>5</u>	<u><1</u>	<u>1</u>	<u>1</u>
Localized Significance Threshold	<u>-</u>	<u>80</u>	<u>498</u>	<u>-</u>	<u>20</u>	<u>7</u>
Exceed Threshold?	<u>N/A</u>	<u>No</u>	<u>No</u>	<u>N/A</u>	<u>No</u>	<u>No</u>
<i>Source: DKA Planning, 2020, based on CalEEMod 2016.3.2 model runs. LST analyses based on 2-acre site with 200-meter distances to receptors in Central LA County source receptor area. SCAQMD LST thresholds are established for 1, 2, and 5 acres. Reliance on the smaller threshold of 2 acres ensures that the analysis holds the Project’s impacts to a threshold more stringent than would otherwise be the case.</i>						
<i>Note that in the Draft EIR, the analysis of Project operational emissions is contained in Section VI, Other CEQA Considerations (subsection Impacts Found not to be Significant). Therefore, this New Table IV.B-8 is the same as Revised Table VI-2, which is provided later in this section.</i>						
<i>Modeling included in Appendix D to this Final EIR.</i>						

Section IV.C. Biological Resources

The following Project Design Features are added to the list on page IV.C-17:

BIO-PDF-2 Exterior construction work will be prohibited after dusk.

BIO-PDF-3 Landscaping provided as part of the Project will be limited to native plantings.

The discussion of wildlife movement on page IV.C-22 is updated as follows:

As mentioned previously, a wildlife connectivity assessment was performed by Cooper Ecological Monitoring, Inc. Their results state that the site is occasionally used by wildlife including mule deer. There is nothing in the proposed development plan that would eliminate occasional foraging by mule deer on the ornamental vegetation on-site, and therefore, the Project would not result in any permanent, negative impact to wildlife movement. Further, due to its location surrounded by open space, the proposed development will not appreciably affect the movement of this and other local species using the site.

In addition, a memorandum was prepared by Glenn Lukos Associates, dated December 1, 2020 (included in Appendix J of this Final EIR), to address wildlife movement of mountain lions, in light of the California Fish and Game Commission vote on April 16, 2020, to designate the Southern California population of mountain lions as a State Candidate Endangered Species. As discussed in this memo, the Project is not expected to have a substantial adverse impact on wildlife movement, including mountain lions, because the proposed development will generally occupy the same development footprint that an existing structure and landscaping (including turf grass) currently occupies. In addition, the existing fencing does not surround the property and will not be expanded or modified by the Project, thus allowing for the same access for wildlife as it currently provides. The lighting and windows of the proposed house have been designed to reduce nighttime light spillage and glare to reduce any potential impacts on wildlife use of the surrounding areas, including wildlife movement. Finally, the adjacent ridgelines, fire access roads, and Runyon Canyon Road will not be modified by the Project and therefore will still provide for unrestricted wildlife movement for local wildlife, including the mountain lion. As such, it was determined that the Project would not result in significant impacts on mountain lion movement. As such, impacts related to wildlife movement would be less than significant.

The discussion of protected trees on page IV.C-24 is revised as follows:

According to the Protected Tree Report prepared for the Project by The Tree Resource (2016), included in Appendix E-1 of this Draft EIR, there are no native protected tree species on-site. However, there are a total of ninety-six (96) Non-Protected Significant trees on the Site and seventeen (17) Non-Protected Significant trees are recommended for removal. These trees are in close proximity of the proposed construction and will not tolerate the encroachment. Thus, the Project would remove the existing non-native trees on the Project Site and would provide replacement trees. **However, the Project does not include the removal of any protected trees.**

In addition, Glenn Lukos Associates completed an **informal** peer review of Tree Resource's tree survey as part of the biological survey of the Project Site **(included in Appendix E-2 of the Draft EIR)** and agreed with the prior tree identification findings,

except that, as discussed above, it identified one additional tree, a California walnut tree, which is subject to the protected tree ordinance of the City of Los Angeles, that occurs within the Biological Survey Area. However, this tree is completely avoided by the Project and associated fuel modification boundary, and the Project would not remove any protected trees. An updated letter was prepared by The Tree Resource on September 15, 2021, in response to the new ordinance passed in December 2020 (Ordinance No. 186873), which adds Toyon (*Heteromeles arbutifolia*) and Mexican elderberry (*Sambucus mexicana*) shrubs in the class of protected trees and shrubs (letter included in Appendix M-1 of this Final EIR). According to this letter, there are no City of Los Angeles protected trees or shrubs on the Project Site or in close proximity to the Project Site that would be impacted by the Project. The Tree Resource inspected the expanded fuel modification boundary on January 8, 2022, to determine whether any protected trees or shrubs are located within the Project's additional fuel modification area. According to the Tree Resource, there are no City of Los Angeles protected trees or shrubs within the expanded fuel modification area (letter included in Appendix M-2 of this Final EIR). Finally, as clarified in the letter contained in Appendix M-3 of this Final EIR, while the biological resources technical report contained in Appendix E-2 of the Draft EIR indicated toyon in the expanded fuel modification area, it only indicated individual toyon, and did not indicate that the toyon were large enough to meet the protected criteria of 4 inches in cumulative diameter measured at 54 inches above grade. The letter contained in Appendix M-3 of this Final EIR confirms that there are no trees or shrubs in the expanded fuel modification area that would be considered protected within the City's Protected Tree Ordinance. With implementation of Project Design Feature BIO-PDF-1, provided above, impacts with respect to protected trees would be less than significant.

The first paragraph on page IV.C-21 is revised as follows:

There would be a temporary increase in noise levels during construction; however, noise would be minimized to the greatest extent practicable, meaning that All construction vehicles and equipment, fixed or mobile, would be equipped with properly operating and maintained mufflers to minimize noise. Further, construction would be limited to allowable daytime construction hours to limit noise impacts.

Section IV.D. Cultural Resources

The following Project Design Feature is added to the list on page IV.D-14:

CUL-PDF-3 **Prior to the issuance of any building permits, the Applicant will retain a qualified historic preservation professional ("professional"), meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history or historic architecture, to review construction and landscape plans**

related to the alterations to the Headley/Handley House and its setting. The plans will be reviewed by this professional for compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards). If the construction and landscape plans do not comply with the Standards, the professional will make recommendations for changes to the plans to comply with the Standards. The review will be summarized in a memorandum, and submitted to the Office of Historic Resources (OHR) for concurrence. Building permits may be issued after the OHR has concurred that the plans comply with the Standards. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

After the memorandum has been approved by the OHR, the professional meeting the qualifications described above will monitor the construction of the project as it relates to the Headley/Handley House. The professional will meet with the contractor on site before construction begins to review the requirements of this PDF and provide guidance on appropriate treatments to protect the historic property from damage during construction. The professional will monitor construction during any demolition and grading activities that have the potential to affect the historic property and will meet with the contractor at regular intervals during construction. The intervals will include 10 percent, 30 percent, 50 percent, 90 percent, and 100 percent construction. Within five days after each of these meetings, the professional will prepare a memorandum summarizing the findings, making recommendations as necessary to ensure compliance with the Standards, and documenting construction with digital photographs. The memorandum will be submitted to OHR for concurrence. In the event OHR does not concur, all activities should cease until conformance with the Standards is resolved and concurrence is obtained. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

The Historic Report is included as Appendix F-1 to the Draft EIR. The bottom paragraph of page 15/top paragraph of page 16 of the historic report is revised as follows:

1. Construction of New Primary Residence (See Figure 11 and Figure 12, below): The proposed project includes construction of a new 8,099 square foot residence (new primary residence) on the western side of the hill comprising the parcel. The style and

siting of the new primary residence were designed in consultation with GPA to be sympathetic to the historic residence. The new primary residence was designed to be subterranean. It will be cut or “tucked” into the hillside and will be covered with a grass roof. This subterranean siting will have an unobtrusive massing and profile, ensuring that the adjacent knoll visible from the historic residence will not be altered ~~and there will be no changes to the immediate setting of the historic residence.~~ The subterranean design minimizes impacts to the setting of the historic residence and meets the Secretary’s Standards.

The Historic Report is included as Appendix F-1 to the Draft EIR. The top paragraph of page 17 of the historic report is revised as follows:

3. Construction of Retaining Walls (see Figure 13 below): Two retaining walls will be constructed along the hillside at the mid-point of the northwest portion of the parcel. The existing historic residence is located on the opposing eastern-facing side of the hill. The retaining walls will not be visible from the historic residence and will not impede views of the historic residence from the public right-of-way. The height of the retaining walls will be lower than the current driveway along the northwest portion of the property and will not be visible from the historic residence. **A third retaining wall is below the top of the ridgeline on the west side of the Project Site and continues the line of an existing retaining wall on the Site. Retaining wall #3 would continue from the existing driveway to the proposed driveway. Retaining wall #3 would not be visible from the historic residence and would continue the line of existing Site features. Retaining Wall #3 would therefore not negatively affect the setting of the historic residence.**

Section IV.E. Energy

The discussion of the existing electricity demand on page IV.E-10 is revised as follows:

LADWP supplies electrical power to the Project Site from electrical service lines located in the Project vicinity. Based on electrical bills for the existing residence, the existing home uses approximately 67 kWh of electricity per day, for a total of approximately 24,455 kWh per year. ~~As shown in Table IV.E-1, the existing land use on the Project Site consumes approximately 8,528 kWh of electricity per year.~~

**Table IV.E-1
Existing Electricity Consumption on the Project Site**

Land Use	Size	Total (kw-h/yr)
Single-family residence	2,018 sf	8,528
Total		8,528
<i>Sf = square foot kw-h = kilowatt-hour yr = year Source: Calculated via CalEEMod. Refer to Appendix D of this Draft EIR. LADWP does not provide or comment on generation rates to provide an estimate of demand.</i>		

The discussion of the Project's estimated electricity demand on pages IV.E-17 and IV.E-18 is revised as follows:

During operation of the Project, energy would be consumed for multiple purposes, including, but not limited to, heating/ventilating/air conditioning (HVAC); refrigeration; lighting; and the use of electronics, equipment, and machinery. Energy would also be consumed during Project operations related to water usage, solid waste disposal, and vehicle trips. As shown in Table IV.E-3 and IV.E-4 below, the Project's energy demand would be approximately **28,776** ~~7,976~~ kWh of electricity per year, 27,496 kBtu of natural gas per year, 1,439 gallons of gasoline per year, and 509 gallons of diesel fuel per year.

(i) *Electricity*

As shown in Table IV.E-3, with compliance with 2016 Title 24 standards and applicable 2016 CALGreen requirements, buildout of the Project would result in a projected on-site demand for electricity totaling approximately **28,776** ~~7,976~~ kWh per year (or approximately **28.78** ~~15.895~~ MWh per year). In addition to complying with CALGreen, the Project will also implement Project Design Feature PDF-GHG-1, presented in Section IV.G, Greenhouse Gas Emissions, of this Draft EIR, which states that the Project would include a green roof, and would use Energy Star-labeled products and water-efficient and drought-tolerant landscaping. These measures would further reduce the Project's energy demand. In addition, LADWP is required to procure at least 33 percent of their energy portfolio from renewable sources by 2020. The current sources procured by LADWP include wind, solar, and geothermal sources. These sources account for 29 percent of LADWP's overall energy mix in 2017, the most recent year for which data are available.⁴¹ This represents the available off-site renewable sources of energy that would meet the Project's energy demand. Furthermore, the Project would comply with Section 110.10 of Title 24, which includes mandatory requirements for solar-ready buildings, and, as such, would not preclude the potential use of alternate fuels.

Based on LADWP's 2017 Power Strategic Long-Term Resource Plan, LADWP forecasts that its retail sales in the 2020–2021 fiscal year will be 22,492 GWh of electricity.⁴² As such, the Project-related net increase in annual electricity consumption of approximately **28.78** ~~7.98~~ MWh per year would represent approximately **0.00012** ~~0.008~~ percent of LADWP's projected sales in 2020-2021. In addition, as previously described, the Project would incorporate a variety of energy conservation measures to reduce energy usage.

⁴¹ LADWP, 2017 Power Strategic Long-Term Resource Plan, p. ES-1.

⁴² LADWP, 2017 Power Strategic Long-Term Resource Plan, p. 71.

**Table IV.E-3
Estimated Project Operation Electricity Demand**

Land Use	Size	Total (kWh/yr) ¹
Single-family residence	1 du	<u>28,776</u> 7,976
Project Total		<u>28,776</u> 7,976
<i>du = dwelling unit kWh = kilowatt-hours yr = year</i> ¹ Calculated via CalEEMod. Refer to Appendix D-2 of this Draft Final EIR. While the basement and mechanical/electrical areas are excluded from floor area calculations per the Department of Building and Safety, the calculations contained in Appendix D conservatively include these areas. Note: LADWP does not provide or comment on generation rates to provide an estimate of demand.		

Section IV.F. Geology and Soils

The following information is added beneath the first paragraph on page IV.F-1:

In addition, this analysis incorporates the following documents: (1) Geology and Soils Report Correction Letter (2016) from the Los Angeles Department of Building and Safety; (2) Addendum Geologic and Soils Engineering Exploration (2016), prepared by Irvine Geotechnical in response to the letter from LADBS; (3) a second Addendum Geologic and Soils Engineering Exploration (2020); and (4) Geology and Soils Report Approval Letter, which was received from LADBS on April 24, 2020. All of these documents are included in Appendix G of this Final EIR. Any conditions specified by LADBS would become conditions of Project approval.

The following discussion on page IV.F-12 under Threshold a.i) is revised as follows:

As discussed in Chapter ~~Section~~ **Section** VI (subsection Impacts Found not to be Significant) of this Draft EIR and in the Initial Study (Appendix A), no known active faults cross or are directed toward the Project Site, nor is the Site located in a currently established Alquist-Priolo (AP) Zone of Required Investigation. The closest established AP Zones are along the Hollywood Fault and the Newport-Inglewood Fault, based on a review of the Alquist-Priolo Special Studies Zone for the Hollywood Quadrangle (CGS, 2014). **The Project Site is located within the Hollywood Fault Zone, but is not located in an Alquist-Priolo Fault Rupture Hazard Study Zone. In addition, the Project would be designed and constructed in conformance with the California Building Code, the Uniform Building Code, and the City Building Code.** Thus, the potential for fault surface rupture at the Project Site is considered low, and the Project would not exacerbate existing environmental conditions related to fault rupture. Therefore, no direct or indirect impact related to the surface rupture of a known earthquake fault would occur.

Section IV.I. Hydrology and Water Quality

The discussion of runoff on page IV.I-16 under Threshold c(ii) is revised as follows, and also includes the addition of Tables IV.I-1 and IV.I-2:

As discussed in Chapter ~~Chapter~~ **Section VI** (subsection Impacts Found not to be Significant) of this Draft EIR and in the Initial Study (Appendix A), a significant impact may occur if a project results in increased runoff volumes during construction or operation of the project that would result in flooding conditions affecting the Project Site or nearby properties (**see Tables IV.I-1 and IV.I-2, below**). As discussed in the response to threshold (c)(i), above, no natural watercourses exist on or in the vicinity of the Project Site, and runoff flows toward the existing storm drains. Further, development of the Project would not significantly increase overall stormwater runoff volume as the Project design includes green roofs planted with grass. Therefore, no flooding is expected to occur on- or off-site. Impacts related to surface runoff, including through the alteration of the course of a stream or river or the increase of impervious surface area, would therefore be less than significant.

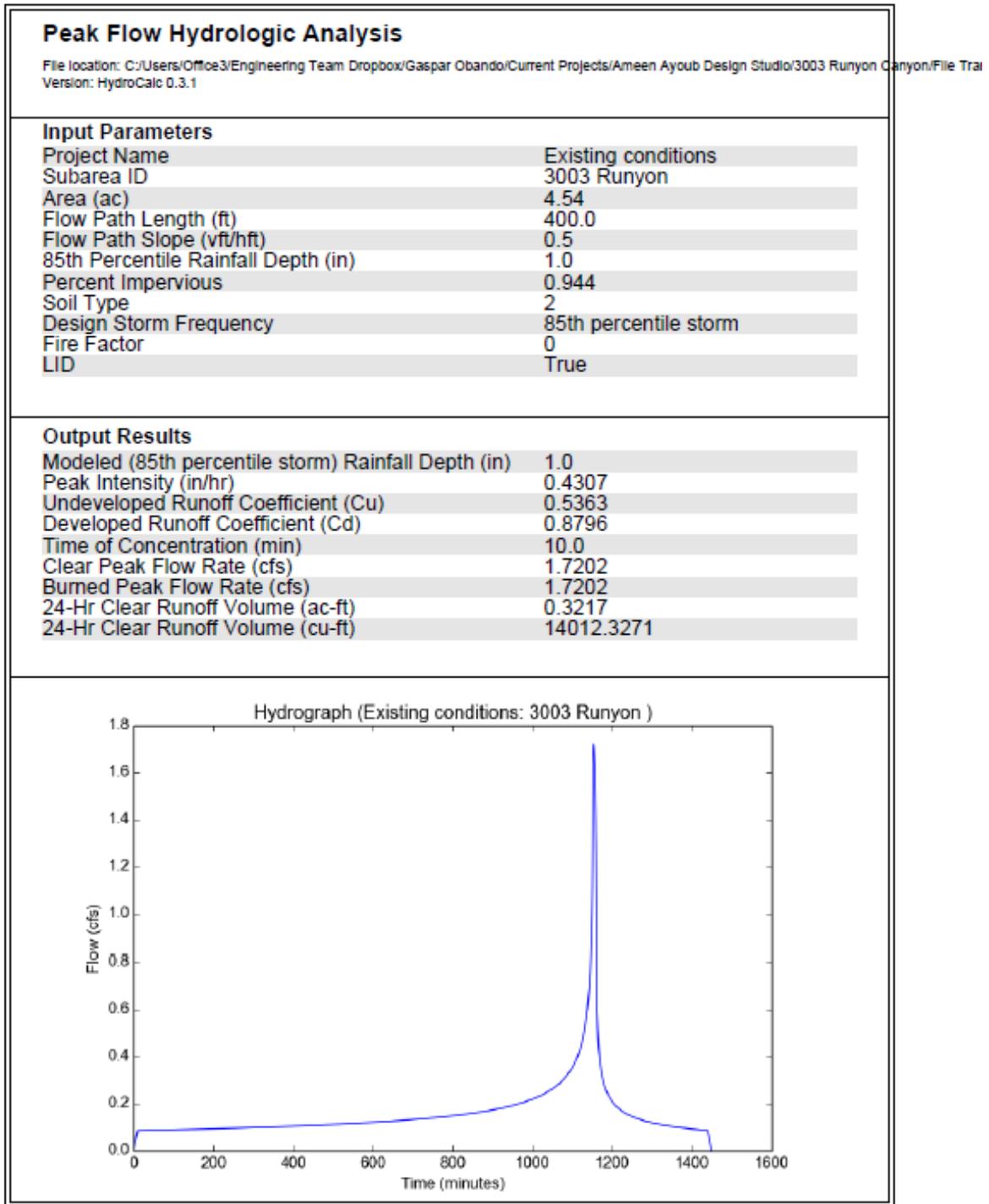
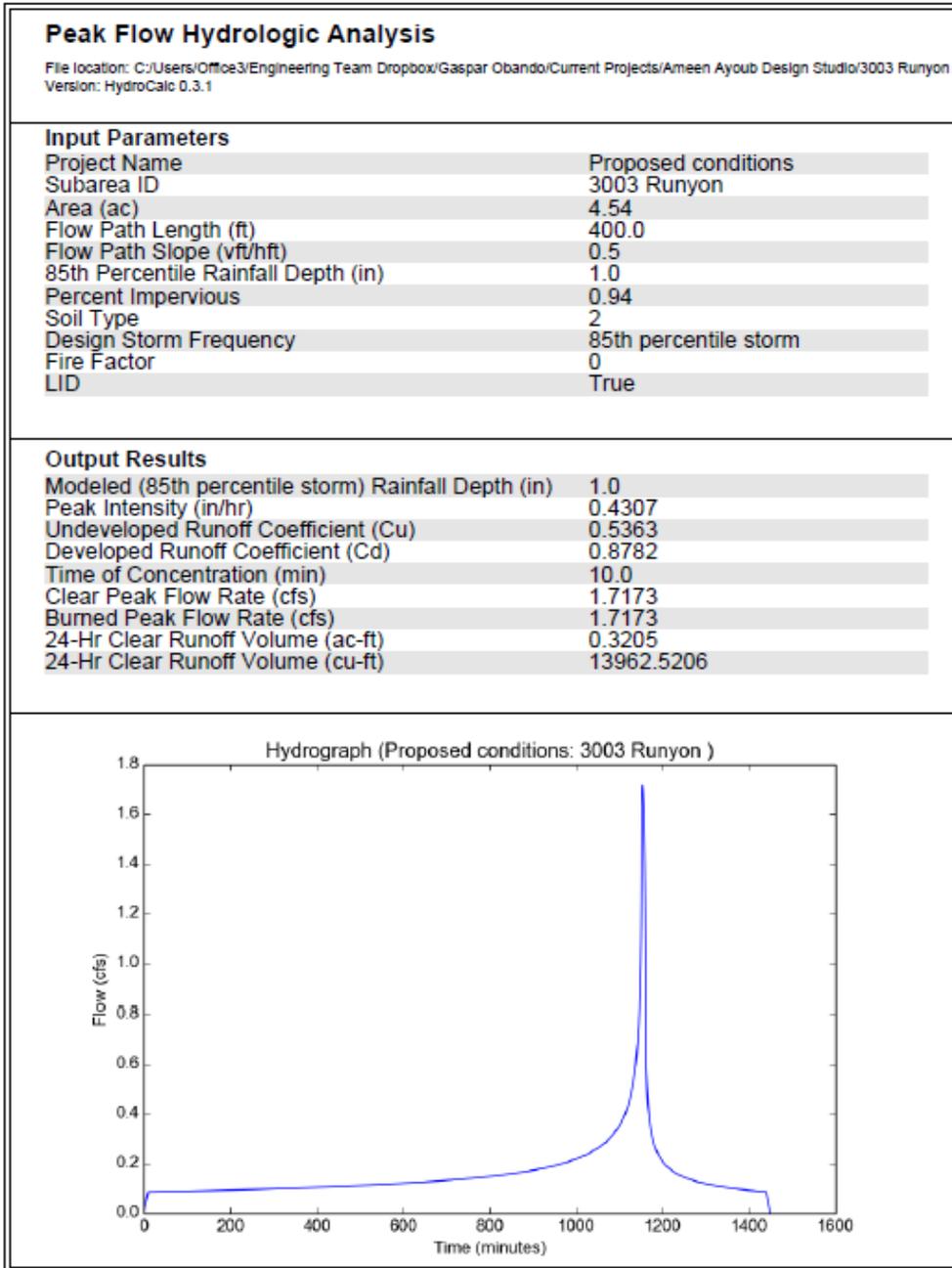
Table IV.I-1, Existing Runoff Calculations

Table IV.I-2, Proposed Runoff Calculations



Section IV.J. Land Use and Planning

The following discussion is added to page IV.J-13, above the “Zoning Code” heading:

The following analysis addresses applicable environmental protection measures contained in the Mulholland Scenic Parkway (Outer Corridor) Specific Plan:

Prominent Ridges: As discussed on Draft EIR page II-9, the Project includes a request for a Specific Plan Exception to allow construction of a single-family dwelling to be located within 50 feet of a prominent ridge as specified in the Mulholland Scenic Parkway Specific Plan.

Projects Near Parklands: The Project is one of two single-family homes sites located within the boundaries of Runyon Canyon Park, and hikers regularly access the perimeter of the Project Site as part of the popular hiking trails at Runyon Canyon. The Project would be sited on an already disturbed pad adjacent to an existing residence. The implementation of the Project would not affect the public use of Runyon Canyon Park.

Oak Trees: As discussed in Draft EIR Section IV.C (Biological Resources), the Project would not result in the removal of any protected trees, included oak trees. As further discussed on Draft EIR page IV.C-19, there is one California Walnut tree, which is subject to the City’s protected tree ordinance, that occurs within the Biological Survey Area. While this tree would be completely avoided by the Project and associated fuel modification boundary, the Project would nevertheless include BIO-PDF-1, which would ensure that this tree would not be impacted by any construction activities. An updated letter was prepared by The Tree Resource on September 15, 2021, in response to the new ordinance passed in December 2020 (Ordinance No. 186873), which adds Toyon (*Heteromeles arbutifolia*) and Mexican elderberry (*Sambucus mexicana*) shrubs in the class of protected trees and shrubs (letter included in Appendix M-1 of this Final EIR). According to this letter, there are no City of Los Angeles protected trees or shrubs on the Project Site or in close proximity to the Project Site that would be impacted by the Project. Therefore, Project impacts with respect to protected trees would be less than significant.

Archaeological and Paleontological Resources: Project impacts with respect to archaeological impacts are addressed in Draft EIR Section IV.D (Cultural Resources), which included a records search with the South Central Coastal Information Center (SCCIC) at California State University, Fullerton. The results of this records search show that there are no known archaeological resources within the Project Site. Nevertheless, the Project includes CUL-PDF-2 in the event of the inadvertent discovery of unknown archaeological resources. Regarding paleontological resources, the analysis of Project impacts is contained in Draft EIR Section IV.F (Geology and Soils), which included a records search with the Los

Angeles County Museum of Natural History. According to this records search, there are no known vertebrate fossil localities that lie directly within the Project Site boundaries. However, the Draft EIR conservatively concluded that the Project would have the potential to cause a significant impact to paleontological resources. The analysis contained in the Draft EIR concluded that with implementation of Mitigation Measure GEO-MM-1, Project impacts with respect to paleontological resources would be less than significant.

Grading: As discussed on Draft EIR page II-9, the Project includes a request for a Zoning Administrator Determination to allow 28,012 cubic yards of grading (14,008 cubic yards of fill to be relocated on-site with no net export) so no haul route is required.

Allowable Building Heights: The Project would be consistent with the requirements for maximum building height. As discussed on Draft EIR page II-3, the maximum height of the Project would be approximately 17 feet, 8 inches.

Landscaping: As shown in Figure II-19 (New), the area of the proposed fill sites and retaining walls would be planted with mixed chaparral plants to mimic the variety and layout of the adjacent native chaparral. The plant colors would be consistent with the natural colors of the Santa Monica Mountains, and would also be consistent with the Santa Monica Mountain Plant Color Wheel. In addition, the Project includes BIO-PDF-3, which would ensure that all landscaping provided as part of the Project consists of native plantings.

Section IV.K. Noise

The discussion of Project Design Features on page IV.K-17 is revised as follows:

c. Project Design Features

~~No specific Project Design Features are proposed with regard to noise.~~

NOI-PDF-1 The use of outside amplified noise will be prohibited at the Project Site.

The following information is added to discussion of “On-Site Operational Noise Sources” on page IV.K-20:

A supplemental noise memo was prepared (included in Appendix C of this Final EIR) to assess the operational noise from the Project’s proposed outdoor patios. The Project’s operational noise impacts would be considered significant if Project operations would cause a 5 dBA increase over the existing average ambient noise levels of an adjacent property.

Ambient Noise Levels

The existing noise environment surrounding the Project Site is consistent with low-density hillside residential areas. Ambient noise is mostly characterized by natural sounds such as wind and bird calls and is only intermittently punctuated by noise from passing vehicles. Distant landscaping-related noises were audible at some locations. Draft EIR Tables IV.K-5 summarizes the baseline ambient conditions at nearby sensitive receptors.

Source Analysis

The proposed single-family residence would include outdoor patios on two levels that are oriented toward the western portion of the Project Site. These patios could host outdoor social events that include dozens of people who socialize, including, drinking, eating, and conversation. This analysis uses the SoundPLAN Essential model (version 5.) and includes the following assumptions:

- Any outdoor spaces would not involve amplified music through speakers (consistent with NOI-PDF-1).
- Regardless of the number of people, any outdoor activities would include a reference noise level of 71 dBA. This uses data from the SoundPLAN model for a “large beer garden.” This assumes 2.3 square meters per person and assumes 50 percent of people would speak at the same time.
- Outdoor social activities could extend from daytime hours (6:00 AM to 6:00 PM), evening hours (6:00 PM to 10:00 PM), to night hours (10:00 PM to 6:00 AM). The SoundPLAN model assigns a penalty for the evening and night hours to reflect the increased sensitivity of people to sound during evening and night hours.

As shown in Table 2 of the supplemental noise memo (in Appendix C of the Final EIR), these activities would generate noise levels of up to 26.1 dBA Leq at any of the local sensitive receptors, all of which are over 700 feet away from the outdoor patios. As illustrated in Figure 1 in the noise memo (included in Appendix C of the Final EIR), noise levels from any outdoor patios would attenuate quickly given the strength of the noise source, distance to local sensitive receptors, topography of the area, and the substantial soft surfaces (e.g., trees, dirt) that would further attenuate noise.

When existing noise levels in these neighborhoods are considered, there would be no audible increase in ambient noise levels when considering CNEL levels at all of these local receptors, and impacts would continue to be less than significant.

The discussion of vibration on page IV.K-21 under the “Building Damage Vibration Impact” is revised as follows:

As shown earlier in Table IV.K-6, construction of the Project would require large steel-tracked earthmoving equipment such as bulldozers and excavators. Such vehicles can produce vibration levels of 0.089 inches per second PPV at a reference distance of 25 feet. This vibration level at 25 feet would not exceed the FTA's most stringent vibration threshold of 0.12 inches per second PPV for "buildings extremely susceptible to vibration damage." The residential structures nearest to the Project Site are located well over 500 feet away. At these distances, groundborne vibrations generated by the Project's on-site construction activities would be nominal and far below any thresholds for building damage. As a result, the Project's potential to damage nearby structures and buildings due to its construction-related groundborne vibrations would be considered less than significant.

The Project would also not result in significant vibration impacts to the Headley/Handley House. Specifically, at a distance of approximately 35 feet from the construction activities to the existing residence, a large bulldozer (i.e., 0.089 in/sec PPV) would produce a vibration level of 0.064 in/sec, well below the 0.12 in/sec threshold for extremely fragile historic buildings that is recommended by both Caltrans and the Federal Transit Administration (FTA). The 0.12 in/sec threshold for extremely fragile historic buildings is recommended by both Caltrans and the FTA. In addition, Caltrans notes that continuous/frequent intermittent sources include equipment far more impacting (e.g., pile drivers, pogo-stick compactors, crack-and-seat equipment) than the equipment proposed for construction of the Project. While the Caltrans manual does list the AASHTO criteria as part of its summary of other vibration guidance, the Draft EIR uses the appropriate thresholds recommended by Caltrans and FTA. Nevertheless, neither the 0.08 in/sec threshold for continuous/frequent intermittent sources nor the AASHTO guidance of 0.1 in/sec would be exceeded at the existing residence as a result of Project construction activities, and this impact would therefore be less than significant.

Section IV.L. Public Services

The first full paragraph on page IV.L-14 under "Operation" is revised as follows to reflect the additional fuel modification that would be required as part of the Project:

The Project would increase the amount of developed square footage on the Project Site, but would not involve an increase in residents at the Project Site. As the LAFD currently serves the existing residence on the Project Site, and also currently serves the needs of hikers in Runyon Canyon Park, the construction of a new home on the Project Site would only nominally affect the need for fire protection services at the Project Site. In addition, based on the Project Site's location within a Very High Fire Hazard Severity Zone, the Project Applicant currently follows fuel modification requirements and maintains an approximately 2.88 acres of fuel modification zones as required by the LAFD. The maintenance of the **existing** fuel modification zones would continue with development of

the Project. **As part of the Project, there would be an additional 0.59 acres of fuel modification that would be subject to thinning, although a portion of this area is the road and does not contain vegetation that would require thinning.** LAFD will be involved as part of the plan check process and will provide all necessary conditions of approval for the Project. The paragraphs below discuss the criteria for determining the Project's operational impacts to fire protection services, including fire flow and response distance.

Section IV.M. Transportation/Traffic

The following Project Design Feature is added to the list on page IV.M-5:

TR-PDF-2 All construction material deliveries will occur during off-peak hours.

Section IV.O. Wildfire

The second full paragraph on page IV.O-16 is revised as follows to reflect the additional fuel modification that would be required as part of the Project:

Further, the Project would be designed and constructed in accordance with applicable regulations related to construction of structures in a VHFHSZ, including California Fire Code Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure. In addition, after development of the Project, the Project Applicant would continue to maintain the approximately 2.88 acres of **existing** fuel modification zones as required by the LAFD. **As part of the Project, there would be an additional 0.59 acres of fuel modification that would be subject to thinning, although a portion of this area is the road and does not contain vegetation that would require thinning. Exhibit 4 attached to the Biological Technical Report (contained in Appendix E-2 of the Draft EIR) shows the fuel modification zone, including the 0.59 acres of area not previously subject to brush thinning.** Therefore, the Project would not exacerbate any fire risks that could result in the uncontrolled spread of a wildfire.

Section V. Alternatives

The bottom paragraph on page V-3 is revised as follows:

However, it was determined that a home built on top of the ridgeline would result in a potential impact with respect to historic resources. This is because a home built on top of the ridgeline would likely be in conflict with the Secretary of the Interior's Standards relative to compatibility and setting of the existing historical residence on the Project Site (the Headley/Handley House). As shown in Figures V-1 through V-3, a residence on top of the ridgeline would not preserve the setting of the existing historic residence and the new residence would be visible from the Headley/Handley House and the Hollywood Bowl Outlook (as opposed to the Project, where the home is buried within the bluff). This

location would also modify the setting of the existing Headley/Handley house significantly. **GPA Consulting (the historic consultant) prepared a memo (included in Appendix E of the Final EIR) that addresses a potential home based on the top of the ridgeline. According to GPA Consulting, a large home sited on the top of the bluff could cause a substantial adverse change in the significance of the Headley/Handley House because it would introduce a new large element into the setting of the historic residence.** Therefore, based on the potential to result in more severe impacts to scenic vistas, scenic resources, visual character and quality, and the potential historic impact to the Headley/Handley House, an alternative located on top of the ridgeline was rejected as infeasible.

Section VI. Other CEQA Considerations

Table VI-1 on page VI-9 is updated as follows based on the updated air quality memo:

Table VI-1 Estimated Daily Construction Emissions - Unmitigated						
Construction Phase	Pounds Per Day					
	VOG	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
2018	5	52	25	<1	21	13
2019	4	23	18	<1	1	1
Maximum Regional Total	5	52	25	<1	21	13
Regional Significance Threshold	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Maximum Localized Total	5	52	23	<1	21	13
Localized Significance Threshold	--	126	3,016	--	80	28
Exceed Threshold?	N/A	No	No	N/A	No	No
<i>Source: DKA Planning, 2017 based on CalEEMod 2016.3.1 model runs. LST analyses based on 2-acre site with 200-meter distances to receptors in Central LA source receptor area. Modeling included as Appendix D to this Draft EIR.</i>						

Revised Table VI-1						
Estimated Daily Construction Emissions - Unmitigated						
Construction Phase	Pounds Per Day					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
2020	4	45	22	<1	20	12
2021	4	19	18	<1	1	1
Maximum Regional Total	4	45	22	<1	20	12
Regional Significance Threshold	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Maximum Localized Total	4	46	22	<1	9	6
Localized Significance Threshold	--	126	3,016	--	80	28
Exceed Threshold?	N/A	No	No	N/A	No	No

Source: DKA Planning, 2020, based on CalEEMod 2016.3.2 model runs. LST analyses based on 2-acre site with 200-meter distances to receptors in Central LA County source receptor area. SCAQMD LST thresholds are established for 1, 2, and 5 acres. Reliance on the smaller threshold of 2 acres ensures that the analysis holds the Project's impacts to a threshold more stringent than would otherwise be the case. Modeling included in Appendix D to this Final EIR.

Table VI-2 on page VI-10 is updated as follows based on the updated air quality memo:

Table VI-2						
Estimated Daily Operations Emissions -- Unmitigated						
Emission Source	Pounds per Day					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
Area Sources	4	<1	4	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	<1	<1	<1	<1	<1	<1
Net Regional Total	4	<1	4	<1	<1	<1
Regional Significance Threshold	55	55	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Net Localized Total	4	<1	8	<1	<1	<1
Localized Significance Threshold	-	80	498	-	20	7
Exceed Threshold?	N/A	No	No	N/A	No	No

Source: DKA Planning 2017 based on CalEEMod 2016.3.1 model runs. Modeling included as Appendix D to this Draft EIR.

Revised Table VI-2						
Estimated Daily Operations Emissions - Unmitigated						
Emission Source	Pounds per Day					
	VOC	NO_x	CO	SO_x	PM₁₀	PM_{2.5}
Area Sources	5	<1	5	<1	1	1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	<1	<1	<1	<1	<1	<1
Stationary Sources	<1	<1	1	<1	<1	<1
Net Regional Total	5	1	6	<1	1	1
Regional Significance						
Threshold	55	55	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Net Localized Total	5	1	5	<1	1	1
Localized Significance						
Threshold	-	80	498	-	20	7
Exceed Threshold?	N/A	No	No	N/A	No	No
<i>Source: DKA Planning, 2020, based on CalEEMod 2016.3.2 model runs. LST analyses based on 2-acre site with 200-meter distances to receptors in Central LA County source receptor area. SCAQMD LST thresholds are established for 1, 2, and 5 acres. Reliance on the smaller threshold of 2 acres ensures that the analysis holds the Project's impacts to a threshold more stringent than would otherwise be the case.</i>						
<i>Modeling included in Appendix D to this Final EIR.</i>						

The following discussion on page VI-12 under Threshold a.i) is revised as follows:

Fault rupture is defined as the surface displacement that occurs along the surface of a fault during an earthquake. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. Active faults may be designated as Earthquake Fault Zones under the Alquist-Priolo Earthquake Fault Zoning Act, which includes standards regulating development adjacent to active faults. In addition, the City of Los Angeles designates Fault Rupture Study Zones on each side of active and potentially active faults to establish areas of hazard potential. A significant impact would occur if the Proposed Project would exacerbate existing environmental conditions by bringing people or structures into areas potentially susceptible to substantial adverse effects, including fault rupture. According to the California Department of Conservation Special Studies Zone Map⁴³, the Project Site is not located within an Alquist-Priolo Special Studies Zone or Fault Rupture Study Area and is not located on a known fault. **The Project Site is located within the Hollywood Fault Zone, but is not located in an Alquist-Priolo Fault Rupture Hazard Study Zone. In addition, the Project would be designed and constructed in conformance with the California Building Code, the Uniform Building Code, and the City Building Code.** The Proposed Project would not expose people or structures to potential adverse effects resulting from the rupture of known earthquake faults, caused in whole or in part by the Project's exacerbation of existing environmental conditions. Therefore, no direct or indirect impacts would occur.

⁴³ California Department of Conservation, California Geological Survey Regulatory Maps: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>

The discussion of runoff on page VI-17 under Threshold c(ii) is revised as follows, and also includes the addition of Tables VI-3 and VI-4:

A significant impact may occur if a project results in increased runoff volumes during construction or operation of the project that would result in flooding conditions affecting the Project Site or nearby properties. No natural watercourses exist on or in the vicinity of the Project Site, and runoff flows toward the existing storm drains. Further, development of the Project would not significantly increase overall stormwater runoff volume as the Project design includes green roofs planted with grass **(see Tables VI-3 and VI-4, below)**. Therefore, no flooding is expected to occur on- or off-site. Impacts related to surface runoff, including through the alteration of the course of a stream or river or the increase of impervious surface area, would therefore be less than significant.

Table VI-3, Existing Runoff Calculations

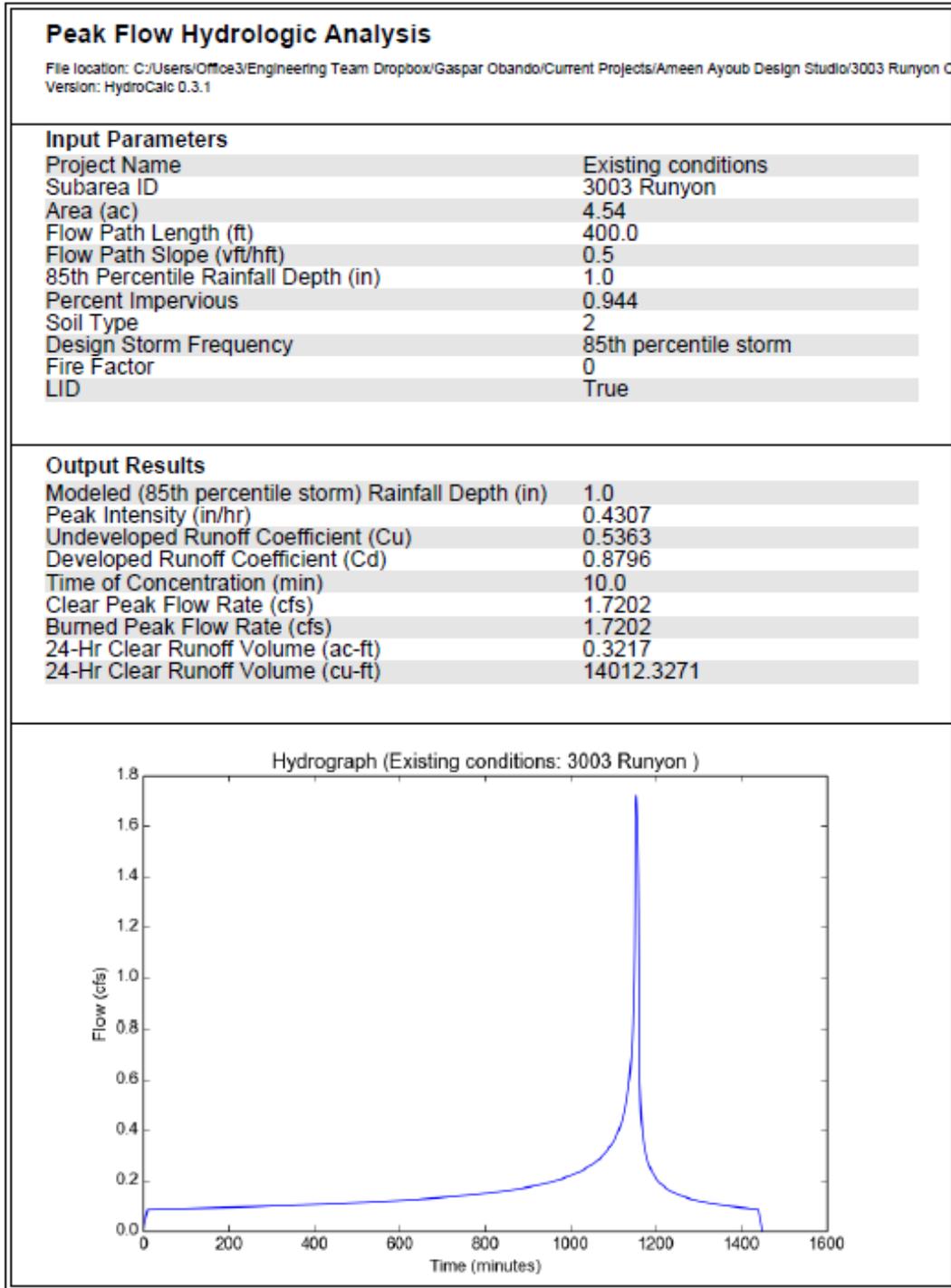
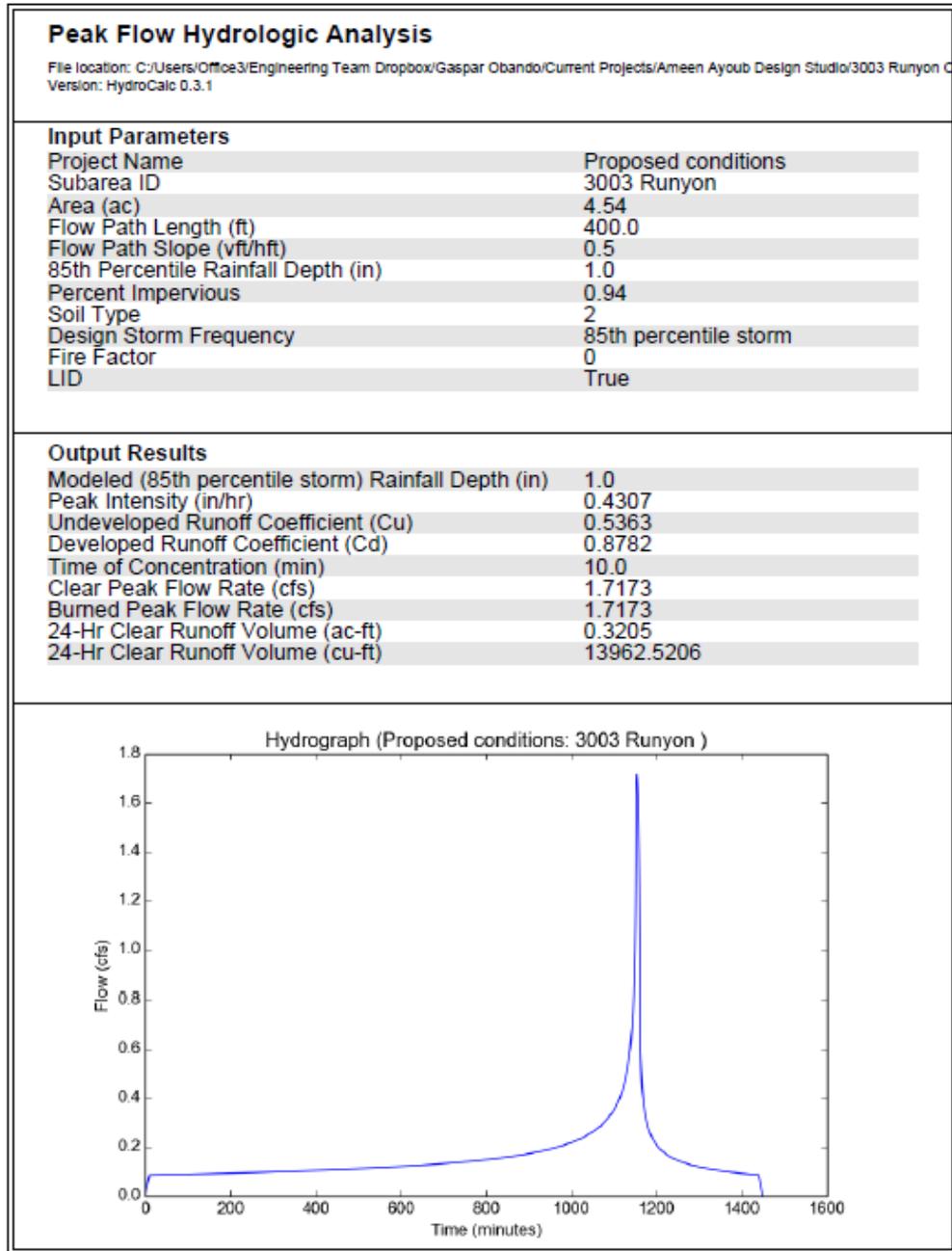


Table VI-4, Proposed Runoff Calculations



The following is added to the discussion of the Project's water demand on pages VI-25 and VI-26:

A significant impact may occur if a project were to increase water consumption to such a degree that new water sources would need to be identified, or that existing resources would be consumed at a pace greater than planned for by purveyors, distributors, and service providers. The City's water supply comes from local groundwater sources, the Los Angeles-Owens River Aqueduct, State Water Project, and from the Metropolitan Water District of Southern California, which is obtained from the Colorado River Aqueduct. These sources, along with recycled water, are expected to supply the City's water needs in the years to come. **Nevertheless, Table VI-5 has been added below to provide an estimate of the Project's water demand.**

**Table VI-5
Estimated Project Water Demand**

<u>Land Use</u>	<u>Size</u>	<u>Water Consumption Rates¹</u>	<u>Total (gpd)</u>
<u>Residential (4 bedrooms)</u>	<u>N/A</u>	<u>336 gpd</u>	<u>336</u>
<u>Residential – Home Gym</u>	<u>N/A</u>	<u>60 gpd</u>	<u>60</u>
<u>Residential – Home Theater</u>	<u>N/A</u>	<u>60 gpd</u>	<u>60</u>
<u>Swimming Pool</u>	<u>2,600 sf</u>	<u>260</u>	<u>260</u>
<u>Project Total</u>			<u>716</u>
<u>sf = square feet</u>			
<u>gpd = gallons per day</u>			
<u>¹ Source: Bureau of Sanitation. Water consumption is assumed to be 120% of wastewater generation. The residential home gym and the residential theater are each assumed to demand similar water to an additional bedroom.</u>			

The 2015 Urban Water Management Plan projects a supply of 611,800 AFY in 2020. Any shortfall in LADWP controlled supplies (groundwater, recycled, conservation, LA aqueduct) is offset with MWD purchases to rise to the level of demand. Also, the Project is solely a single-family residential structure and would not require expanded entitlements during normal, dry, and multiple dry years.

In addition, any project that is consistent with the General Plan has been taken into account in the planned growth in water demand from the LADWP. Since the Project is only a single family residential structure and is on a parcel that is zoned for residential structures, the development would be consistent with the City's General Plan and the LADWP would have sufficient water supplies available to serve the needs of the Project. Therefore, the Project's water supply needs have already been accommodated within water supply projections for the region

4. Mitigation Monitoring Program

1. Introduction

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

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

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

2. Purpose

It is the intent of this MMP to:

1. Verify compliance with the project design features and mitigation measures identified in the EIR;
2. Provide a framework to document implementation of the identified project design features and mitigation measures;
3. Provide a record of mitigation requirements;
4. Identify monitoring and enforcing agencies;
5. Establish and clarify administrative procedures for the clearance or project design features and mitigation measures;
6. Establish the frequency and duration of monitoring; and

7. Utilize the existing agency review processes wherever feasible.

3. Organization

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

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

4. Administrative Procedures and Enforcement

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

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

5. Program Modification

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

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

6. Mitigation Monitoring Program

A. Aesthetics

Project Design Feature

AES-PDF-1 The Project has been designed to be built into the hillside, and would include the following design elements:

- Siting within the bluff (physically buried) so that the only face of the residence that is visible is on the western elevation;
 - Rooflines designed to blend in with the natural topography;
 - Five to ten-foot roof overhangs over the windows and patios; and
 - Use of low-E glass windows.
- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once, at plan check
- **Action Indicating Compliance:** Plan approval

Mitigation Measures

None required.

C. Biological Resources

Project Design Features

BIO-PDF-1 Although no impacts to protected trees are anticipated as a result of the Project, the walnut tree within 100 feet of the Project grading limits shall be flagged. Flagging shall be installed under the supervision by the Project Biologist prior to the start of grading and be maintained until completion of construction activity to ensure that the walnut tree is not impacted by any construction activities.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Board of Public Works Urban Forestry Division
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; Board of Public Works Urban Forestry Division
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at plan check; once at field inspection
- **Action Indicating Compliance:** Plan approval; field inspection sign-off

BIO-PDF-2 Exterior construction work will be prohibited after dusk.

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

BIO-PDF-3 Landscaping provided as part of the Project will be limited to native plantings.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once, at plan check
- **Action Indicating Compliance:** Plan approval

Mitigation Measure

BIO-MM-1 The following requirements under the MBTA and California Fish and Game Code Sections 3503.5, 3503, and 3513 are to be implemented to ensure that nesting birds are not harmed during Project construction. It should be noted that raptor species are not expected to nest within the Development Area due to a lack of suitable habitat:

1. If feasible, the removal of vegetation should occur outside of the nesting season, generally recognized as March 15 to August 31 (potentially earlier for raptors). If vegetation removal must occur during the nesting season, then a qualified biologist shall conduct a nesting bird survey prior to any vegetation removal. If active nests are identified, the biologist shall flag vegetation containing active nests. The biologist shall establish appropriate buffers around active nests to be avoided until the nests are no longer active and the young have fledged. Buffers will be based on the species identified, but generally will consist of 50 feet for non-raptors and 300 feet for raptors.
2. If for some reason it is not possible to remove all vegetation during the non-nesting season, then vegetation to be removed during the nesting season must be surveyed by a qualified biologist no more than three days prior to removal. If no nesting birds are found, the vegetation can be removed. If nesting birds are detected, then removal must be postponed until the fledglings have vacated the nest or the biologist has determined that the nest has failed. Furthermore, the biologist shall establish an appropriate buffer zone where construction activity may not occur until the fledglings have vacated the nest or the biologist has determined that the nest has failed.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Prior to issuance of grading permit
- **Monitoring Frequency:** Once, at plan check
- **Action Indicating Compliance:** Issuance of grading permit

D. Cultural Resources

Project Design Features

CUL-PDF-1 The siting and design of the proposed new residence will be in a manner that preserves the integrity of the setting of the Headley/Handley House.

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once, at plan check
- **Action Indicating Compliance:** Plan approval

CUL-PDF-2 Prior to the start of Project construction, the prime contractor and any subcontractor(s) will be advised of the legal and/or regulatory implications of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other cultural materials from the Project Site. In addition, in the event that buried archaeological resources are exposed during Project construction, work within 50 feet of the find will stop until a professional archaeologist, meeting the standards of the Secretary of the Interior, can identify and evaluate the significance of the discovery and develop recommendations for treatment, in conformance with California Public Resources Code Section 21083.2. However, construction activities could continue in other areas of the Project Site. Recommendations could include preparation of a Treatment Plan, which could require recordation, collection and analysis of the discovery; preparation of a technical report; and curation of the collection and supporting documentation in an appropriate depository. Any Native American remains shall be treated in accordance with state law.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Prior to issuance of grading permit; again if materials are encountered

- **Action Indicating Compliance:** Field inspection sign-off; submittal of compliance documentation prepared by Construction Monitor and/or qualified archaeologist

CUL-PDF-3 Prior to the issuance of any building permits, the Applicant will retain a qualified historic preservation professional (“professional”), meeting the Secretary of the Interior’s Professional Qualifications Standards for architectural history or historic architecture, to review construction and landscape plans related to the alterations to the Headley/Handley House and its setting. The plans will be reviewed by this professional for compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties (Standards). If the construction and landscape plans do not comply with the Standards, the professional will make recommendations for changes to the plans to comply with the Standards. The review will be summarized in a memorandum, and submitted to the Office of Historic Resources (OHR) for concurrence. Building permits may be issued after the OHR has concurred that the plans comply with the Standards. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

After the memorandum has been approved by the OHR, the professional meeting the qualifications described above will monitor the construction of the project as it relates to the Headley/Handley House. The professional will meet with the contractor on site before construction begins to review the requirements of this PDF and provide guidance on appropriate treatments to protect the historic property from damage during construction. The professional will monitor construction during any demolition and grading activities that have the potential to affect the historic property and will meet with the contractor at regular intervals during construction. The intervals will include 10 percent, 30 percent, 50 percent, 90 percent, and 100 percent construction. Within five days after each of these meetings, the professional will prepare a memorandum summarizing the findings, making recommendations as necessary to ensure compliance with the Standards, and documenting construction with digital photographs. The memorandum will be submitted to OHR for concurrence. In the event OHR does not concur, all activities should cease until conformance with the Standards is resolved and concurrence is obtained. Once the plans have been approved by the professional and OHR, the Applicant will transmit a copy to the Department of City Planning for the case file.

- **Enforcement Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Agency:** City of Los Angeles Department of City Planning, Office of Historic Resources
- **Monitoring Phase:** Prior to issuance of building permits; construction

- **Monitoring Frequency:** Once, prior to issuance of building permits; periodic field inspection
- **Action Indicating Compliance:** Issuance of building permits; field inspection sign-off

Mitigation Measures

None required.

F. Geology and Soils

Project Design Features

None provided.

Mitigation Measure

GEO-MM-1 During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor, who shall be responsible for coordinating with a certified paleontologist to implement and enforce the following:

1. If any paleontological materials are encountered during the course of Project development, the Construction Monitor, in accordance with GEO-MM-1 shall coordinate with the services of a paleontologist, and all further development activity shall halt and the following shall be undertaken:
 - a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology-USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum-who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - b. In the event of a discovery, or when requested by the Project paleontologist, the contractor shall divert, direct, or temporarily halt ground disturbing activities in an area in order to evaluate potentially significant paleontological resources. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. The Construction Monitor shall also prepare and submit documentation of the Applicant's compliance with Mitigation Measure GEO-MM-1 during construction every 30 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance

Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with the mitigation measure within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the Construction Monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

2. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
 3. The Applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
 4. At the conclusion of monitoring activities, the Project paleontologist shall prepare a signed statement indicating the first and last dates monitoring activities took place, and submit it to the Department of City Planning, for retention in the administrative file for Case No. ENV-2016-4180-EIR. Copies of the paleontological survey, study, or report shall also be submitted to the Los Angeles County Natural History Museum.
 5. Prior to the issuance of any building permit, the Applicant shall submit a letter to the case file indicating what, if any, paleontological reports, have been submitted, or a statement indicating that no material was discovered.
- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
 - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
 - **Monitoring Phase:** Construction
 - **Monitoring Frequency:** Prior to issuance of grading permit; again if materials are encountered
 - **Action Indicating Compliance:** Field inspection sign-off; submittal of compliance documentation prepared by Construction Monitor and/or qualified paleontologist

G. Greenhouse Gas Emissions

Project Design Feature

GHG-PDF-1 The design of the Project shall include, but not be limited to, the following sustainability features:

- Inclusion of green roofs that are planted with grass.
- Water-efficient plantings with drought-tolerant species.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at plan check; once during field inspection
- **Action Indicating Compliance:** Plan approval; field inspection sign-off

Mitigation Measures

None required.

K. Noise

Project Design Feature

NOI-PDF-1 The use of outside amplified noise will be prohibited at the Project Site.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** If notified of a violation
- **Action Indicating Compliance:** Field inspection sign-off

Mitigation Measures

None required.

L. Public Services (Fire Protection)

Project Design Feature

FIR-PDF-1 A new fire hydrant is proposed as part of the Project and shall be installed as shown on the approved fire hydrant and access map, stamped as approved on August 9, 2018.

- **Enforcement Agency:** City of Los Angeles Fire Department

- **Monitoring Agency:** City of Los Angeles Fire Department
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once, at plan check
- **Action Indicating Compliance:** Plan approval

Mitigation Measures

None required.

M. Traffic

Project Design Features

TR-PDF-1 Construction Traffic Management Plan. Prior to the start of construction, the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes (if required), and staging plans, and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The Construction Traffic Management Plan and Worksite Traffic Control Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Provide advance notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibit construction worker or equipment parking on adjacent streets;

- Provide temporary pedestrian, bicycle, and vehicular traffic controls during all construction activities to ensure traffic safety on public rights of way. These controls shall include flag people trained in pedestrian and bicycle safety;
- Schedule construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Contain construction activity within the Project Site boundaries to the extent feasible;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic detours and control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Schedule construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible; and/or
- Prepare a haul truck route program that specifies the construction truck routes to and from the Project Site.
- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at plan check; periodic field inspection
- **Action Indicating Compliance:** Plan approval; field inspection sign-off

TR-PDF-2 All construction material deliveries will occur during off-peak hours.

- **Enforcement Agency:** City of Los Angeles Department of Transportation
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at plan check; periodic field inspection
- **Action Indicating Compliance:** Plan approval; field inspection sign-off

Mitigation Measures

None required.