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June 6, 2024

Subject: Notice of Availability of Recirculated Portions of the Draft Environmental Impact Report for the Sidewalk Repair Program (SCH No. 2017071063)

The City of Los Angeles (City) has prepared recirculated portions of the Sidewalk Repair Program Environmental Impact Report (2021 EIR or EIR) for the proposed Los Angeles Sidewalk Repair Program (proposed Project) that addresses the manner in which sidewalk repair projects are undertaken pursuant to the City's obligations under the *Willits Settlement Agreement* (*Willits Settlement*). The EIR was certified on June 22, 2021, but subsequently challenged by United Neighborhoods for Los Angeles and Angelenos for Trees, resulting in a judgment in favor of the petitioners and decertification of the EIR.¹ The recirculated portions of the EIR address the legal defects in the 2021 EIR that were identified by the court so that the City may reconsider the Project for approval. The portions of the EIR are being recirculated pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15088.5. The City is requesting input on the recirculated portions of the Draft EIR from public agencies, residents, and other interested project stakeholders.

Project Description: Under the proposed Project, the City would adopt a new uncodified ordinance to revise the way sidewalk repairs undertaken pursuant to the *Willits Settlement* are reviewed and approved, with a primary goal of streamlining the *Willits Settlement* implementation process. The key components of the ordinance include:

- A ministerial approval process to enable sidewalk repair projects falling within certain specified parameters to proceed upon approval by the City Engineer or a designee, without undergoing further environmental review under the California Environmental Quality Act (CEQA);
- A streamlined discretionary approval process by the City Engineer or a designee for sidewalk repair projects falling outside the specific parameters for a ministerial sidewalk repair approval;
- A revised Street Tree Retention, Removal and Replacement Policy establishing a 2:1 street tree replacement to removal ratio requirement for years 1-10, 3:1 for years 11-21, and 2:1 for years 22-30, and;
- Mandatory Project Design Features (PDFs) generally consisting of regulatory compliance measures and standard construction conditions and procedures.

¹ *United Neighborhoods for Los Angeles v. City of Los Angeles* (Los Angeles County Superior Court Case No. 21STCP02401) (*United Neighborhoods*).

Project Objectives: The following is a list of objectives for the proposed Project that support the underlying purpose, including the fundamental project objective which is to:

- Ensure the continued and efficient compliance with the requirements of the *Willits* Settlement while amending the existing program for sidewalk repairs within the City, in accordance with the applicable disabled access requirements, including those required by the American with Disabilities Act (ADA), Public Right-of-Way Accessibility Guidelines, and California Code of Regulations Title 24 Part 2 Chapter 11B.

The following additional project objectives have also been identified:

- Retain existing street trees that are the cause of sidewalk barriers to the extent feasible, provided the work would not result in street tree mortality compromise public safety, or prohibit compliance with minimum disabled access standards;
- If street tree removal(s) are required, ensure compliance with the revised Street Tree Retention, Removal and Replacement Policy, including: a 2:1 street tree replacement to removal ratio requirement for the first 10 years from July 2017, a 3:1 ratio for years 11 to 21, and a 2:1 ratio for the last 9 years of the 30-year Project;
- Identify the criteria and process for ministerial approval of future sidewalk improvements and street tree removals and replacements, with the goal of avoiding the need to undertake individualized environmental review of every repair of every City sidewalk or of every street tree removal and replacement and the potential legal challenge to each such approval; thereby streamlining the *Willits* Settlement implementation and providing certainty to the City and its disabled community.

Environmental Impacts: The analysis contained in the recirculated portions of the Draft EIR determined that the proposed Project would have less-than-significant impacts related to short-term impacts on special-status species and common species, naturally occurring trees, individual trees not contained within a locally designated natural habitat or plan community, cumulative aesthetic impacts, and cumulative impacts on biological resources. The analysis contained in the recirculated portions of the Draft EIR did not identify any significant and unavoidable environmental impacts.

Public Review Period: The recirculated portions of the Draft EIR public review and comment period begins June 6, 2024 and ends on July 23, 2024. The recirculated portions of the Draft EIR are available online at <https://sidewalks.lacity.org/>. The recirculated portions of the Draft EIR and all documents incorporated by reference can also be reviewed at the below address. Please contact Lauren Rhodes at (213) 485-5733 or lauren.rhodes@lacity.org to schedule an appointment. Appointments are available Monday through Friday, 8 a.m. to 4 p.m.

City of Los Angeles
Department of Public Works, Bureau of Engineering
Environmental Management Group
1149 S. Broadway, 6th Floor, Mail Stop 939
Los Angeles, CA 90015-2213

Ways to Participate and Provide Input:

Submit comments on the recirculated portions of the Draft EIR online using the comment form at the following link:



<https://bit.ly/RDEIR-SRP-Comment>

Comments may also be submitted by mail to the following address:

Lauren Rhodes, Environmental Supervisor I
City of Los Angeles
Department of Public Works, Bureau of Engineering
Environmental Management Group
1149 S. Broadway, 6th Floor, Mail Stop 939
Los Angeles, CA 90015-2213

Comments may also be submitted by e-mail to lauren.rhodes@lacity.org. Please remember to:

- 1) Include "SRP DEIR" in the subject line; and
- 2) Include a mailing address in the comment letter.

Following the close of the comment period on July 23, 2024, the City will consider and prepare responses to the comments received and compile the recirculated portions of the Final EIR. All responses to comments submitted on the recirculated portions of the Draft EIR by public agencies will be provided to those agencies at least 10 days prior to certification of the recirculated portions of the Final EIR. The Board of Public Works and City Council Committee(s) may consider and make recommendations to the Los Angeles City Council regarding the recirculated portions of the Final EIR and proposed Project. The Los Angeles City Council will make findings regarding the extent and nature of the environmental impacts as described in the recirculated portions of the Final EIR. The recirculated portions of the Final EIR will need to be certified by the City prior to making a decision to approve the proposed Project. Public input is encouraged at all public meetings before the City.

The contents of this Notice of Availability have been prepared in accordance with Section 15087 of the CEQA Guidelines. For additional information about the environmental review process, please contact Lauren Rhodes at (213) 485-5733 or lauren.rhodes@lacity.org