



Alejandro Huerta <alejandro.huerta@lacity.org>

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## Comment on Crossroads Hollywood Project

1 message

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**Doug Carstens** <dpc@cbcearthlaw.com>  
To: alejandro.huerta@lacity.org  
Cc: Doug Carstens <dpc@cbcearthlaw.com>

Tue, Jul 25, 2017 at 4:41 PM

Dear Mr. Huerta,

Attached please find our comments on behalf of Livable LA about the Crossroads Hollywood Project.

Please contact me if you have any questions.

Best Regards,

Doug Carstens

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**Letter re EIR.pdf**  
1981K



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July 25, 2017

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Re: Comments on Crossroads Hollywood Project- Environmental Impact  
Report ENV-2015-2026-EIR State Clearinghouse No. 2015101073

Dear Mr.Huerta:

These comments on the Crossroads Hollywood Project are provided on behalf of Livable LA. Livable LA is a group of concerned residents seeking a positive future for Los Angeles through good land use planning, environmental stewardship, transparent government, availability of affordable housing, and community empowerment.

The Crossroads Hollywood project (the Project) would be enormous. At the current Crossroads of the World site, the Project would add a new, mixed-use development that would include eight new mixed-use buildings with residential, hotel, commercial/retail, office, entertainment, and restaurant uses, and a new stand-alone, one-story commercial/retail building on the eastern edge of the Crossroads of the World complex (Building C3 on Figure II-4).

The Project design would impact the historic setting of the Crossroads of the World complex by locating new buildings on the other portions of the Project Site. Upon buildout, the Project would include approximately 1,432,500 square feet of floor area, consisting of 950 residential units, 308 hotel rooms, approximately 95,000 square feet of office uses, and approximately 185,000 square feet of commercial/retail uses. The proposed floor area ratio (FAR) would be approximately 4.72:1 averaged across the Project Site. As such, the Project would result in a net increase of approximately 1,259,927 square feet of floor area on-site.

The Crossroads could potentially have severe adverse impacts on a historic area by looming over and even destroying historic buildings. The net loss of permanent affordable housing is sizable and unmitigated. The intense use could severely impede access to, and exiting off of, the 101 Freeway, because Highland Avenue and Cahuenga are heavily congested and this project's traffic must be mitigated. Significant and unavoidable Project impacts are identified with regard to regional air quality emissions for construction and operation, demolition of historical resources, on-site and off-site noise and vibration during construction, traffic intersection levels of service during construction, and traffic on residential street segments during operation. These impacts could be mitigated with a reduced size project so should not be regarded as unavoidable.

Furthermore, the City of Los Angeles (City) should cease further processing of the EIR and instead allow the City Redevelopment Agency of Los Angeles (CRA/LA) to assume the lead agency role, as is required by Los Angeles Municipal Code section 16.05G.

#### **I. Legal Framework and Overview.**

Because it has significant impacts even after mitigation, disapproval of the Project is required unless there are no feasible mitigation measures or alternatives, and specific benefits outweigh the significant impact. (Pub. Resources Code § 21081.) That is because CEQA requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects. (Pub. Resources Code § 21002; *Sierra Club v. Gilroy City Council* (6th Dist. 1990) 222 Cal.App.3d 30, 41.) The Legislature has stated:

The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. . . . The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

(Pub. Resources Code § 21002.)

CEQA mandates that:

Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one

or more significant effects on the environment that would occur if the Project is approved or carried out unless both of the following occur:

(a) . . . (3) Specific economic, legal, social, technological, or other considerations . . . make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Pub. Resources Code § 21081.) The Guidelines that implement CEQA restate this requirement. (Guidelines § 15091 (a)(3).) As discussed below, feasible mitigation measures were not identified, a reasonable range of alternatives was not considered, and the alternatives that were included were analyzed and rejected arbitrarily.

#### **B. Impacts Have Been Understated or Omitted.**

“CEQA is essentially an environmental full disclosure statute, and the EIR is the method by which this disclosure is made.” (*Rural Landowners Assn. v. City Council* (1983) 143 Cal.App.3d 1013, 1020.) “In many respects the EIR is the heart of CEQA.” (*County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.) The purpose of an EIR “is to provide public agencies and the public in general with detailed information about the effect which a proposed Project is likely to have on the environment, . . .” (Pub. Resources Code § 21061; emphasis added.) Contrary to these principles, numerous of the impacts that are analyzed in the EIR are understated.

An EIR must analyze all potentially significant impacts of a proposed Project on the environment. (Public Resources Code § 21082.2(a).)

#### **C. Reliance on Vague, Unenforceable, or Deferred Mitigation Measures is Impermissible.**

Mitigation measures must be “required in, or incorporated into” a project. (Pub. Resources Code § 21081 (a)(1); *Federation of Hillside and Canyon Assoc. v. City of Los Angeles* (2000) 83 Cal.App.4<sup>th</sup> 1252, 1261.) Deferral of the analysis of the feasibility and adoption of mitigation measures violates CEQA. (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 306-308.) Many of the mitigation measures are no more than a commitment to “comply with the law.” These measures do not meet CEQA’s mandate to have effective, enforceable mitigation measures.

## **II. Deficiencies in the EIR and Review Process Must Be Remedied.**

### **A. Traffic and Circulation Impacts are Inadequately Analyzed and Mitigated.**

The EIR identifies the criteria for considering a project regionally significant (EIR Page IV.L-78), but then does not treat the proposed Project as regionally significant. The Crossroads Project should be considered regionally significant, as was the Millennium Project. In connection with the relatively nearby Millennium Project, the California Department of Transportation (Caltrans) opined that the US-101 Freeway, which operates at Level of Service (LOS) F in this area, would be further hurt by the massive project within blocks of the US-101. Caltrans' letters in connection with the Millennium are attached here. (Enclosure 1.) Because Crossroads is regionally significant in the same way the Millennium Project is, we incorporate all of Caltrans' comments by reference for the Crossroads project and ask that you respond to them as such.

Crossroads is proposed several blocks south of the US-101, and to the west of the Millennium. The Sunset/Highland area where Crossroads would be built includes numerous feeder surface streets of traffic trying to get to the busiest US-101 north/south ramp in Hollywood, which is on Highland next to the Hollywood Bowl. The backup of traffic on Highland, waiting to get on the US-101, backs up well south of Sunset much of the time, rush hour or not.

The Project is also close enough to the Cahuenga to US-101 Freeway entrance and exit ramps to contribute significant traffic and create significant impacts to them. The EIR should address these impacts, and how to reduce them, including a reduction in the size of the Project.

### **B. Historic and Cultural Resource Values are Insufficiently Protected.**

The EIR claims the demolition of six historic buildings will be significant and cannot be avoided. (EIR page IV.D-46.) This conclusion is false as demolition could be avoided with a redesign of the proposed Project. In order to approve the Project as proposed, the City would have to adopt a statement of overriding considerations to allow the demolition of the historic buildings. (Pub. Resources Code § 21081.) However, such a statement may not be adopted where there are feasible alternatives and mitigation measures which will avoid the significant impact. This principle was explained as follows:

[T]he Legislature has also declared it to be the policy of the state “that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects....” (§ 21002.) “Our Supreme Court has described the alternatives and mitigation sections as ‘the core’ of an EIR.” (*Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1029, 68 Cal.Rptr.2d 367.) In furtherance of this policy, section 21081, subdivision (a), “contains a ‘substantive mandate’ requiring public agencies to refrain from approving projects with significant environmental effects if ‘there are feasible alternatives or mitigation measures’ that can substantially lessen or avoid those effects.” (*County of San Diego v. Grossmont–Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 98, 45 Cal.Rptr.3d 674, italics omitted; *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 134, 65 Cal.Rptr.2d 580, 939 P.2d 1280.)

(*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 597.)

The proposed Project would demolish existing buildings on the site, including a 1907 1-story vernacular at 1547-49 McCadden, three 2-story 1939 Regency Revival courtyard apartments (6700 Selma, 1535-55 Las Palmas), a 1910 Craftsman at 1542 McCadden, a 2-story commercial block at 6683 Sunset (1923), a 2-story Craftsman at 1606-08 Las Palmas (1912), and the Hollywood Reporter Building at 6713 Sunset. The 1907, 1910, and 1912 structures are among the oldest in Hollywood, and this population has been disappearing at a rapid rate throughout the former CRA area and in other parts of the Community Plan area over the past five years. Commercial blocks from the 1920s, which give the major boulevards their character, are similarly at risk, as are the collection of prewar apartments that serviced the Golden Age of Hollywood in the 20s, 30s, and 40s. The Hollywood Reporter Building has been nominated for Historic Cultural Monument status by the Art Deco Society and is under review. Therefore, the Project would demolish prime examples of several periods of significance in the Hollywood core.

The proposed Project has impacts to Crossroads of the World. While the complex is not being demolished, it is being altered. One building is being reoriented and relocated. New construction is being added. This will diminish the integrity of a significant designated landmark, the Crossroads of the World which has National Register and Cultural Heritage designations. Moving these parts around will result in a false sense of history on the site. The setting will be irrevocably changed by altering the street grid and the addition of substantial new construction.

The proposed Project alters the historic street grid of the Hollywood core. One of the clues to history lies in the street patterns of cities. In Hollywood, many of these street

patterns have to do with previous land ownership dating back to the days when the core was a series of small “ranches”. Streets not in alignment reflect these patterns of ownership. The Las Palmas offset has existed for over a hundred years. The core was developed with churches and schools and businesses around that anomaly. The Project’s need for a through block diagonal and underground parking is driving this change. It puts extra pressure on the historic environment and buildings along the grid. This aspect of the Project should be redesigned to avoid these impacts.

### **C. Greenhouse Gas Emission Analysis and Mitigation are Insufficient.**

The EIR sets forth an analysis that depends on a “No Implementation of Energy Reduction Measures (NIERM)” scenario. (EIR Page IV.C-38.) This approach is misleading and no better than the “Business as Usual” scenario adopted by Newhall Ranch in *Center for Biological Diversity v. Department of Fish and Wildlife*, discussed at EIR page IV.C-23. Basing an analysis on a comparison to a situation that is not legally permissible creates an illusory baseline for comparison. Instead, the EIR should address comparison of the existing environment to the increases in emissions associated with the Project, and how those emissions can be reduced.

The greenest building construction is reusing one that already exists. The Project proposes to demolish certain historic buildings and in their place re-build structures. This is wasteful not only of historic and cultural values, but also of energy usage which in turn creates avoidable greenhouse gas emissions.

Greenhouse gas emission can be reduced by energy usage reductions. Appendix F of the CEQA Guidelines requires an analysis of energy usage of a project. The EIR must consider the energy usage of the Project, including the energy that can be saved by rehabilitating existing buildings compared to that which will be used to demolish existing buildings and construct new buildings onsite.

LEED certification of the Crossroads project was apparently granted on December 31st, 2016. This happened due to the joint Legislative Budget Committee being neither a concur or non concur with the Governor 30 days after his submission of the project. It appears that the project has been deemed certified.

While a challenge to the LEED certification may be allowable within 270 days, up to around September 28, 2018, we believe the City should not wait for such a challenge and should instead assure valid analysis and mitigation of GHG issues is included in the EIR.

Studies that have been done on embedded carbon (also known as life cycle of carbon) include the following:

- 1) Greenest Building study which is at the following link: [https://living-future.org/wp-content/uploads/2016/11/The\\_Greenest\\_Building.pdf](https://living-future.org/wp-content/uploads/2016/11/The_Greenest_Building.pdf) ;
- 2) The Total Carbon Study, which is at the following link: <http://www.ecobuildnetwork.org/projects/total-carbon-study>;
- 3) Berkeley study of uncounted carbon at the following link: <http://iopscience.iop.org/article/10.1088/1748-9326/5/1/014003/meta>.

The techniques in these studies should be used to calculate the total carbon emissions for the Project, and to mitigate emissions at each stage in its lifecycle.

#### **D. Affordable Housing Loss Must be Mitigated.**

A project's contemplated loss of housing, particularly affordable or low-income housing, can pose a potentially significant impact that must be considered under CEQA. (*See Concerned Citizens of S. Cent. L.A. v. LAUSD* (1994) 24 Cal. App. 4th 826; *Sacramento Old City Assn. v. City Council* (1991) 229 Cal. App. 3d 1011, 1038-39 [indicating that loss of housing can constitute a potentially significant impact necessitating adequate mitigation measures.]

The proposed Project demolishes existing “affordable” housing as 84 units of housing in historic buildings will be demolished. It may be replaced at some point, but the size of the development warrants much more affordable housing than is proposed. There is no need to turn people out of historic buildings that continue to provide shelter. In fact, the most “sustainable” way to create housing is to use what is already there, as explained in the “The Greenest Building” study which is cited above. Buildings will need rehabilitation but there should be different kinds of housing at all economic levels.

The Project must provide replacement for the loss of truly affordable RSO housing, as RSO can only apply to structures built and occupied prior to 1978.

#### **E. Consistency with the Hollywood Redevelopment Plan Must Be Ensured.**

“[T]he requirement of consistency is the linchpin of California’s land use and development laws. It is the principle which infused the concept of planned growth with the force of law.” (*Debottari v. City of Norco* (1985) 171 Cal.App.3d 1204, 1213.) A redevelopment plan must be consistent with the general plan and proposed projects must be consistent with both.

The Project must be consistent with the Hollywood redevelopment plan. The DEIR asserts that the "Findings are consistent with the Redevelopment Plan" under page

I-18 of the Executive Summary 8. Necessary Approvals. However, this project does not meet Hollywood Redevelopment Plan goals (1), (3),(4),(5b), (5g), (7g), (9), (10), (11), (12), (13), (14), (15), and (16).

These Hollywood redevelopment plan goals are:

1) Encourage the involvement and participation of residents, business persons, property owners, and community organizations in the redevelopment of the community.

3) Promote a balanced community meeting the needs of the residential, commercial, industrial, arts and entertainment sectors.

4) Support and encourage the development of social services with special consideration given to participating in projects involving community based organizations that serve runaways, the homeless, senior citizens and provide child care services and other social services.

5) Improve the quality of the environment, promote a positive image for Hollywood and provide a safe environment through mechanisms such as:

...

*b) promoting architectural and urban design standards including: standards for height, building setback, continuity of street facade, building materials, and compatibility of new construction with existing structures and concealment of mechanical appurtenances;*

...

*g) promoting rehabilitation and restoration guidelines;*

*h) integrate public safety concerns into planning efforts.*

7) Promote the development of Hollywood Boulevard within the Hollywood commercial core as a unique place which:

...

*g) recognizes and reinforces its history and architecture.*

9) Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population.

10) Promote the development of sound residential neighborhoods through mechanisms such as land use, density and design standards, public improvements, property rehabilitation, sensitive in-fill housing, *traffic and circulation*

*programming*, development of open spaces and other support services necessary to enable residents to live and work in Hollywood.

11) Recognize, promote and support the retention, restoration and *appropriate reuse of existing buildings*, groupings of buildings and other physical features especially those having significant historic and/or architectural value and ensure that new development is sensitive to these features through land use and development criteria.

12) *Support and encourage a circulation system which will improve the quality of life in Hollywood*, including pedestrian, *automobile, parking* and mass transit systems with an emphasis on *servicing existing facilities and meeting future needs*.

13) Promote and encourage the development of health, education, child and youth care, and senior citizen facilities and programs to enable the development of a community with a variety of lifestyles.

14) Promote and encourage development of recreational and cultural facilities and open spaces necessary to support attractive residential neighborhoods and commercial centers.

15) Promote the development of the varied ethnic communities in Hollywood.

16) To the maximum extent feasible, seek to build replacement housing within the Project Area prior to the destruction or removal of dwelling units which house low and moderate income people. . . .

The Project is not consistent with the redevelopment plan that required 30% of all new housing construction be reserved for "affordable" and 14% of that for "very low income." The Project does not meet the required housing targets.

The Project also does not include enough parking and projected growth needs for automobile and parking usage as is required by the Hollywood Redevelopment Plan.

#### **F. A Reasonable Range of Alternatives Must be Analyzed.**

The alternatives section has been described as the "core" of the EIR (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564), and an adequate EIR must describe a reasonable range of alternatives. (*Laurel Heights Improvement Association v. Regents of the University of California* (1993) 47 Cal.3d 376.)

The EIR should analyze a modified version of Alternative 5, the “preservation” alternative. Rehabilitation and reuse of historic structures must be included. The DEIR says that Alternative 5 is actually more impactful than other alternatives because it does not rehabilitate the structures. This is specious and presents a false dichotomy. An alternative that includes rehabilitation of structures should be analyzed.

The Project would use CRA funds. The original intent of the CRA funding was to create walkability in the neighborhood. Preservation of existing buildings would promote walkability.

**G. City Redevelopment Successor Agency Approval Is Required; City Usurpation of CRA/LA Authority to Review the Project Violates the Municipal Code**

**1. The City Redevelopment Agency Or its Successor Has Jurisdiction Over the Parcels on Which the Project is Proposed.**

The Project Description sets forth a number of approvals that will be required. However, the description does not identify those approvals that would be in the purview of the Redevelopment Successor Agency. These include the site plan review, zone and height district changes, and redevelopment plan consistency determinations.

The jurisdiction over these key entitlements is solely under the power of the CRA/LA, the successor to the CRA so City approval of them would be illegal. In fact, City assumption of the lead agency role in preparation of environmental review violates the Municipal Code. The CRA/LA, remains vested with power to grant or deny LAMC 16.05G approvals of Site Plan Reviews. LAMC section 16.05G unambiguously states:

in the adopted redevelopment project areas, the CRA shall assume lead agency responsibilities for environmental review of all projects subject to the provisions of this section and shall prepare the required environmental studies and notices.

(LAMC § 16.05 subd. (G)(2).)

The Planning Department might erroneously argue why the City should end the CRA/LA's lead agency role (as set out in LAMC Section 16.05G) which is to *review and make the first discretionary decision* regarding Site Plan Review.

But this is wrong. The City would violate the Health and Safety Code if it attempts piecemeal to take certain land use functions from the CRA/LA, but does not assume *all* CRA/LA's land use authority and responsibility.

Health and Safety Code Section 34173(i) provides:

At the request of the city, county, or city and county, notwithstanding Section 33205, *all land use related plans and functions* of the former redevelopment agency are hereby transferred to the city, county, or city and county that authorized the creation of a redevelopment agency; provided, however, that the city, county, or city and county shall not create a new project area, add territory to, or expand or change the boundaries of a project area, or take any action that would increase the amount of obligated property tax (formerly tax increment) necessary to fulfill any existing enforceable obligation beyond what was authorized as of June 27, 2011.

(Emphasis added.)

Health and Safety Code Section 34173(i) provides the sole means by which the City may lawfully attempt to assume land use authority of the former redevelopment agency, which authority is currently exercised by the CRA/LA as the lawful successor agency. As of now, redevelopment plans are slated to remain in effect until their scheduled expiration years from now, and the CRA/LA will be responsible for exercising that significant land use authority, unless or until the City of Los Angeles assumes all of that authority under Section 34173.

There can only be one “lead agency” under CEQA. Whenever a project ‘is to be carried out or approved by more than one public agency, one public agency shall be responsible for preparing an EIR or negative declaration for the project. This agency shall be called the lead agency.’” (*City of Redding v. Shasta County Local Agency Formation Com.* (1989) 209 Cal.App.3d 1169, 1174, quoting CEQA Guidelines § 15050, subd. (a).)

The agency tasked by law with performing environmental review and preparing the environmental documents for Site Plan Review in redevelopment plan areas is the CRA/LA. (LAMC § 16.05G.) Thus, the CRA/LA is the “lead agency” under CEQA. Moreover, the CRA/LA fulfills the definition of lead agency under CEQA in part by virtue of its expertise and function in approving projects in the Redevelopment Area. CRA/LA’s website at <http://www.crala.org/internet-site/index.cfm>, incorporated herein by this reference, prominently states on the home page: “Notice: ABx1-26 does not abolish the 31 existing Redevelopment Plans. The land-use authorities in the Redevelopment Plans remain in effect and continue to be administered by the CRA/LA”.

## **2. Public Records Act Request For CRA and City of Los Angeles Documents Related to the Crossroads Project**

We would like to know what CRA money was allocated or spent on the Crossroads Project or the parcels on which it is proposed, the year it was allocated or spent, the agenda or budget item numbers that reflect the expenditures, or some other data on which to track it.

A member of the public requested similar information but was told documents related to the Crossroads Project have been destroyed pursuant to a document retention policy. (Enclosure 2.) We would like a copy of that document retention policy. Furthermore, because there must be some documents related to CRA's ownership or continuing administration of the parcels on which the Crossroads Project is located, we ask for any and all documents that in any way relate to the Crossroads Project or the parcels on which it is proposed.

Furthermore, we request any writings reflecting CRA consideration or review of the current Crossroads plan. That review may include the CRA's EIR review, the CRA review under the 1993 CRA Urban Design Plan, the traffic monitoring updated to the present, and the Floor Area Ratio to date in the Regional Center.

An EIR is required to address consistency of a proposed project with regional plans, which would include the Hollywood Redevelopment Plan. (CEQA Guidelines section 15125 (d).) Therefore, we ask that you respond to this request both as a Public Records Act request for documents, and as a comment requiring response within the EIR context.

We are also sending a similar Public Records Act request to the CRA.

### **H. Excessive Floor Area Ratio.**

The proposed floor area ratio for portions of the Project far exceed what is allowable under the Municipal Code and exceed what was granted to the Millennium. Attached is a diagram comparing allowable square footage on various parcels to what is proposed. (Enclosure 3.)

Because allowable floor area ratios would be far exceeded, the City would be required to proceed under the variance procedures of Municipal Code section 12.27. However, no variance could be properly granted because there is no hardship other than one that is self-imposed by the applicant's design, and the grant of a variance would impermissibly give the applicant special privileges not enjoyed by other property owners

in the same zone. Charter section 562 and Municipal Code section 12.27 prohibit the grant of a special privilege to a property owner.

**I. Project Objectives Are Incomplete.**

The Project Objectives section (at EIR p. 2-13/Items 3,7-9) has no discussion as to Population, Households, Jobs, Affordability, & Traffic projected for existing 2040 General and Hollywood Community Plans (Future Setting without Project) and for Plans + Project. At page 2-14/1

There is no economic setting and assessment of 2040 growth of the City and for the Hollywood Community Plan.

No "economic viability" is provided with regard to revenue generation and tax revenues.

**J. Geotechnical Issues Are Inadequately Addressed.**

The EIR explains the requirement to analyze "earthquake fault zones" (EIR Page IV.E-1) but it does not address the environmental setting of historic recorded earthquakes within 1 mile. There is no analysis of alignments of earthquakes within one mile.

There are no assignments of shallow (less than 10,000 feet) earthquakes.

There are no probability estimates for earthquake recurrence for shaking and acceleration.

There is no mapping or sections of blind faults within one mile.

**CONCLUSION**

We urge you to cease the City's improper processing of the EIR for the Crossroads Project in violation of Municipal Code section 16.05 and instead let CRA/LA exercise its duties under the Municipal Code.

If the Project is to be further considered, CRA/LA must prepare an adequate EIR that addresses the deficiencies identified above, develop a proposed project that will reduce its magnitude, rehabilitate and reuse historic structures, increase the provision of affordable housing, analyze and mitigate greenhouse gas impacts adequately, and address other impacts identified in this letter and those of other comments. With such a Project, the CRA/LA should then recirculate the EIR for further review by the public.

Thank you for your consideration of our comments. Pursuant to Public Resources Code section 21092.2, we request any future notices related to this Project.

Sincerely,



Douglas P. Carstens

Enclosures:

1. Caltrans' letters in connection with the Millennium
2. Public Records Act request to the CRA and Response to Hunter Request
3. Diagram comparing allowable square footage on various parcels to what is proposed.

**ENCLOSURE 1**



**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7, REGIONAL PLANNING

IGR/CEQA BRANCH

100 MAIN STREET, MS # 16

LOS ANGELES, CA 90012-3606

PHONE: (213) 897-9140

FAX: (213) 897-1337

*Flex your power!  
Be energy efficient!*

May 7, 2013

Councilmember Eric Garcetti  
Council District 13  
City of Los Angeles  
200 N. Spring Street, Room 475  
Los Angeles, CA 90012

RE: Millennium Hollywood Project  
IGR/CEQA No. 130204AL-FEIR  
Vicinity: LA-101, PM 7.37  
SCH #2011041094

Dear Councilmember Garcetti:

We are writing this letter to reiterate Caltrans' concerns that the Environmental Impact Report (EIR), Final Environmental Impact Report (FEIR), and Traffic Study for this project did not fulfill the requirements of the California Environmental Quality Act (CEQA).

The Millennium Hollywood Project is a regionally significant project that will construct over 1 million square feet of mixed use development and is approximately one block from the US-101 freeway. With the existing condition of the freeway operating at Level of Service "F", this project will contribute significant traffic impacts to the US-101 freeway and its on/off ramps. The traffic study does not analyze nor does it disclose the traffic impacts that this project will contribute to the State Highway System.

After reviewing the Response to Comments from the City, Caltrans sent a letter, dated February 19, 2013, commenting on the FEIR (see attachment 3). We have not received a response from the City regarding our comments.

The Los Angeles Planning Commission approved the project on April 27, 2013. As a commenting agency, we would like to, once again, bring to the City's attention that the project impacts will likely result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. As mentioned in our previous letters, these concerns have not been adequately addressed in the EIR.

In summary, without the necessary traffic analysis, Caltrans cannot agree that the FEIR substantively identifies and mitigates the Project's impacts to the State highway facilities as required under CEQA.

Councilmember Eric Garcetti

May 7, 2013

Page 2 of 2

Caltrans staff will continue to be available to work in partnership with the City to identify adequate mitigation as a result of the traffic impacts from the Millennium Hollywood proposed project. If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin, the project coordinator, at (213) 897-8391, and please refer to IGR/CEQA No. 130204AL.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dianna Watson".

DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse  
City Council Members, City of Los Angeles  
Michael LoGrande, Director City of Los Angeles Planning Department

Attachments (3)

Attachment #1

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, REGIONAL PLANNING  
IGR/CEQA BRANCH  
100 MAIN STREET, MS # 16  
LOS ANGELES, CA 90012-3606  
PHONE: (213) 897-9140  
FAX: (213) 897-1337



*Flex your power!  
Be energy efficient!*

May 18, 2011

IGR/CEQA No. 110501AL-NOP  
Millennium Hollywood Project  
Vic. LA-101, PM 7.37  
SCH # 2011041094

Ms. Srimal P. Hewawitharana  
City of Los Angeles  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

Dear Ms. Hewawitharana:

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above referenced project. The proposed project would include the construction of approximately 1,052,667 square feet of new developed floor area. The project would develop a mix of land uses including residential dwelling units, luxury hotel rooms, office and associated uses, restaurant space, health and fitness club uses, and retail establishments.

Because of the size and land uses of the project, this project may have a regional traffic impact on the State facilities. To assist in our efforts to evaluate the impacts of this project on State transportation facilities, a traffic study should be prepared prior to preparing the Draft Environmental Impact Report (DEIR). Please refer the project's traffic consultant to the Department's traffic study guide Website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Listed below are some elements of what is generally expected in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to I-110, and all on/off ramps within 5 miles radius of the project site. The Department has concerns about queuing of vehicles using off-ramps that will back into the mainline through lanes. It is recommended that the City determine whether project-related plus cumulative traffic is expected to cause long queues on the on and off-ramps. We would like to meet with the traffic consultant to identify study locations on the State facilities before preparing the Environmental Impact Report (EIR).
2. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. The Department may use indices to verify the results and any differences or inconsistencies must be thoroughly explained.

3. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area. Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions should include build-out of all projects and any plan-horizon years. (see next item)
4. Inclusion of all appropriate traffic volumes. Analysis should include existing traffic, traffic generated by the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments.
5. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to, the following:
  - Description of Transportation Infrastructure Improvements
  - Financial Costs, Funding Sources and Financing
  - Sequence and Scheduling Considerations
  - Implementation Responsibilities, Controls, and Monitoring

Any mitigation involving transit or Transportation Demand Management (TDM) should be justified and the results conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

6. The Department may accept fair share contributions toward pre-established or future improvements on the State Highway System. Please use the following ratio when estimating project equitable share responsibility: additional traffic volume due to project implementation is divided by the total increase in the traffic volume (see Appendix "B" of the Guide).

Please note that for purposes of determining project share of costs, the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes, which include build-out of all approved and not yet approved projects and other sources of growth. Analytical methods such as select-zone travel forecast modeling might be used.

Please be reminded that as the responsible agency under CEQA, the Department has authority to determine the required freeway analysis for this project and is responsible for obtaining measures that will off-set project vehicle trip generation that worsens State Highway facilities. CEQA allows the Department to develop criteria for evaluating impacts on the facilities that it manages. In addition, the County CMP standards states that the Department should be consulted for the analysis of State facilities. State Routes mentioned in item #1 should be analyzed, preferably using methods suggested in the Department's Traffic Impact Study Guide. To help determine the appropriate scope, we request that a select zone model run is performed. We welcome the opportunity to provide consultation regarding the Department's preferred scope and methods of analysis.

We look forward to reviewing the traffic study and expect to receive a copy from the State Clearinghouse when the DEIR is completed. Should you wish to expedite the review process or receive early feedback from the Department please feel free to send a copy of the DEIR directly to our office.

Ms. Srimal P. Hewawitharana  
May 18, 2011  
Page 3 of 3

As discussed in your telephone conversation on May 17, 2011 with Mr. Alan Lin, Project Coordinator, we would like to extend an invitation to meet with the City, developer, and the traffic consultant early in the process to discuss potential traffic impacts to the State facilities and possible mitigation measures prior to the preparation of the EIR.

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 110501AL.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Attachment # 2

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, REGIONAL PLANNING  
IGR/CEQA BRANCH  
100 MAIN STREET, MS # 16  
LOS ANGELES, CA 90012-3606  
PHONE: (213) 897-9140  
FAX: (213) 897-1337



*'Flex your power'  
Be energy efficient'*

December 10, 2012

Ms. Srimal Hewawitharana  
Department of City Planning  
City of Los Angeles  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

IGR/CEQA No. 121036AL-DEIR  
Referenced to IGR/CEQA No. 110501AL-NOP  
Millennium Hollywood Project  
Vic. LA-101, PM 7.37  
SCH #: 2011041094

Dear Ms. Hewawitharana:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project would include the construction of approximately 1 million square feet of developed floor area. The historic Capitol Records Building and the Gogerty Building would remain within the project site. The Project would demolish and/or remove the existing rental car facility. The project would develop a mix of land uses including 461 residential dwelling units, 254 luxury hotel rooms, 264,303 square feet of office space, 25,000 square feet of restaurant space, 80,000 square feet of health and fitness club space, and 100,000 square feet of retail space.

Below are Caltrans' major concerns with the Draft Environmental Impact Report (DEIR) for the Millennium Hollywood Project:

1. Caltrans submitted a comment letter dated May 18, 2011, on the Notice of Preparation (NOP) and met with the developer's consultant on September 15, 2011, to discuss Caltrans' concerns about the project's impact on the US-101 freeway and on/off ramps within the 5 miles radius of the project site. The traffic consultant acknowledged Caltrans' concerns and it was understood by both parties that the traffic procedures for analyzing impacts to the state highway system would follow standard statewide procedures outlined in Caltrans Traffic Study Guide. However, the June 2012 Traffic Impact Study (TIS), which is the basis for the traffic impact discussion in the DEIR, did not follow those procedures and does not analyze the impacts to the state highway system.

2. There was no analysis performed for any of the freeway elements. The TIS only used the Los Angeles County Congestion Management Program (CMP) criteria. However, the CMP fails to provide adequate information as to direct and cumulative impacts to the freeway mainline and ramps, per CEQA.
3. Currently, the Level of Service (LOS) for US-101 is operating at LOS F. Any additional trips will worsen the existing freeway condition. The TIS did not include a cumulative traffic analysis for US-101, which would consider the trips generated from the 58 related projects that are referred to in the DEIR, the proposed NBC Universal Project, and growth from the Hollywood Community Plan (Plan). Because the TIS prepared for the Plan in 2005 determined that build-out of the Plan would result in significant transportation impacts to the US-101, the Plan created a Transportation Improvement and Mitigation Plan (TIMP) to identify future improvements to the US-101. Since the proposed project site is located within the Plan area, the identified improvements should have been taken into consideration, as well as improvements listed in Metro's Long Range Transportation Plan.
4. Page IV.K.1-60 of the DEIR states: "The Project would result in a less than significant impact with respect to trip generation upon CMP locations and on freeway segments. No mitigation is required." This conclusion is not based on any credible analysis that could be found anywhere in the DEIR. It is Caltrans' opinion, based on the work that we have done in this area, that this project will result in significant impacts to the state highway system.
5. The submitted traffic analysis did not include the following ramp intersections that are closest to the project site, which may be significantly impacted by this development:
  - SB Route 101 on-ramp from Argyle Avenue
  - SB Route 101 off-ramp to Gower Avenue
  - NB Route 101 off-ramp to Gower Avenue
  - SB Route 101 off-ramp to Cahuenga Blvd.
  - SB Route 101 on-ramp from Cahuenga Blvd.
  - SB Route 101 off-ramp to Vine Street

The traffic analysis at these off-ramps needs to show projected queue build-up upstream of the off-ramp. Although most of the on-ramps are meter controlled, the analysis needs to show how the added/over-flow volume to the on-ramp may affect other nearby intersections, including off-ramps. Caltrans is concerned that the freeway ramps will back up, creating a potentially unsafe condition. To ensure the ramps do not back up, the intersections adjacent to the ramps must be able to absorb the off-ramp volumes at the same time as they serve local circulation and land uses.

6. As shown in the DEIR, Table 5 Project Trip Generation, the project will generate a 19,486 average daily vehicle trips with 1,064/1,888 vehicle trips during the AM/PM peak hours. These volumes appear to be low and Caltrans requests that the lead agency verify

them. Also, the trip reduction credits taken are not in compliance with the Caltrans Traffic Impact Study Guide and any deviation should be properly justified and substantiated. For example, the 30% reduction of the retail pass-by trips is significantly high without justification. Utilizing such high reduction rates will result in inadequate identification of traffic impacts and mitigation, thus violating CEQA.

To address these concerns, an analysis for the project's impacts to the freeway system should be performed based on the proposed scope of the project as described in the DEIR and would need to include all of the following to determine the actual impact of this project on the State facilities in the project vicinity:

- a. If the project will be developed in phases, the project added demand and trip assignment to US-101 should be based on each phase of the project, otherwise it should be based on 100% occupancy.
- b. The Trip Generation figures and its distribution need to be forecasted based on a Select Zone Analysis. Based on the magnitude of the project and its close proximity to US-101, the trip assignment appears to be unreasonably low. Please elaborate on the trip assignment methodology utilized.
- c. Trip Generation figures from other sources should be cross-referenced by the source, page number, year, and table numbers.
- d. The off ramps on NB and SB US-101, between Vermont Avenue and Highland Avenue, which would represent the most impacted area by the proposed Development, should be analyzed utilizing the Highway Capacity Manual (HCM) 85<sup>th</sup> Percentile Queuing Analysis methodology with the actual signal timings at the ramps' termini.
- e. Similarly, the on ramps on NB and SB US-101, within the same area, should be analyzed utilizing the same methodology and with the actual metering rates. These rates can be obtained by contacting Ms. Afsaneh Razavi, Senior Transportation Engineer, Caltrans Ramp Metering Department at (323) 259-1841.
- f. An HCM weaving analysis needs to be performed for both the NB and the SB mainline segments, between the on and off ramps within the same area, utilizing balanced traffic demands entering and exiting the weaving segments.

Caltrans is concerned that the project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. These concerns need to be adequately addressed in the EIR. In summary, without the necessary traffic analysis, Caltrans cannot recognize the TIS and DEIR as adequately identifying and mitigating the project's impacts to the State highway facilities.

Ms. Srimal Hewawitharana  
December 10, 2012  
Page 4 of 4

If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 121036AL.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, REGIONAL PLANNING  
IGR/CEQA BRANCH  
100 MAIN STREET, MS # 16  
LOS ANGELES, CA 90012-3606  
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*Flex your power!  
Be energy efficient!*

February 19, 2013

Ms. Srimal Hewawitharana  
Department of City Planning  
City of Los Angeles  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

IGR/CEQA No. 130204AL-FEIR  
Referenced to  
IGR/CEQA No. 110501AL-NOP  
IGR/CEQA No. 121036AL-DEIR  
Millennium Hollywood Project  
Vic. LA-101, PM 7.37  
SCH #: 2011041094

Dear Ms. Hewawitharana:

Thank you for the opportunity to review the Final Environmental Impact Report (FEIR) for the Millennium Hollywood Project (Project). This letter serves to reiterate our concerns that the FEIR does not fulfill the requirements of the California Environmental Quality Act (CEQA).

We have the following comments after reviewing the FEIR:

1. CEQA requires the preparation of an EIR to identify a project's significant effects on the environment, identify alternatives to the project, and devise measures to mitigate or avoid those effects. (Pub. Resources Code §§ 21002.1, subd. (a) & 21061.) This Project is a project of statewide, regional, or areawide significance. (CEQA Guidelines § 15206, subd. (b).) When a project is of statewide, regional, or areawide significance, CEQA requires that the lead agency consult with responsible agencies, state agencies with jurisdiction over resources affected by the project, and public agencies with jurisdiction over a transportation facility. (Pub. Resources Code §21092.4, § 21153; CEQA Guidelines § 15086.) Caltrans notified the City of Los Angeles (City) that to properly assess the potential impacts to the State Highway System (SHS) from the Project, a proper traffic impact study (TIS) must be completed.
2. A valid TIS represents the linchpin in Caltrans' efforts to assess a project's potential impacts to the State transportation infrastructure. To assist the City in its preparation of a valid TIS, Caltrans informed the City that the TIS needs to comply with the "*Caltrans Guide for the Preparation of the Traffic Impact Studies*". Unfortunately, the City did not work with Caltrans and instead relied on its own Congestion Management Program (CMP), which **DOES NOT** adequately study the impacts to the SHS. Because the TIS did not adequately analyze the traffic impacts, the City therefore did not identify adequate mitigation. Caltrans is concerned that the Project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. The City's analysis incorrectly focuses its attention on impacts *to the CMP from the project*. CEQA does not call for an

evaluation of the impacts of a proposed project on an existing plan; it is concerned with the impacts from the project upon the environment, which is defined as the existing physical conditions in the affected area. The City did not study impacts to or identify adequate mitigation for the SHS.

3. Caltrans operates a multi-modal transportation system across the State, and is responsible for the planning, building and maintenance of that system. (Sts. & Hwy. Code § 90 et seq.) While the lead agency for a project has the authority to determine the initial significance of the project's impacts under CEQA, Caltrans has the ultimate authority under the Streets and Highways Code, as the owner and operator of the facilities, to make that determination on the SHS.
4. The intent of the CMP is to assist federal, state and local agencies in developing and implementing comprehensive planning strategies to handle traffic congestion. (Gov. Code, § 60588) Unfortunately, the CMP process does not adequately evaluate the impacts to the SHS, nor does it make the City the final authority over highway safety issues. As the owner and operator of the SHS facilities, Caltrans provides comments on environmental documents and the analysis of impacts to the SHS.
5. The purpose of allowing the public and other governmental agencies the opportunity to review EIRs includes: sharing expertise, disclosing agency analyses, checking for accuracy, detecting omissions, discovering public concerns, and soliciting counter proposals. (CEQA Guidelines, Section 15200.) The TIS did not provide Caltrans, or any other reader, with sufficient traffic analysis to properly review and assess the traffic assumptions, lead agency analysis, and conclusions regarding the Project and its impacts.
6. The CMP does not capture the same data for analysis that the Highway Capacity Manual (HCM) uses. For example, the CMP (1) fails to analyze off-ramps, (2) fails to analyze freeway impacts, including where existing LOS is F, if the Project trip assignments is less than 150 cars, (3) uses a flawed percentage ratio to determine the significance of impacts, and (4) incorrectly analyzes cumulative traffic impacts.
7. The CMP, Section D4 Study Area, indicates that "The geographic area examined in the TIA must include the following, *at a minimum*" and "Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify *other specific locations* to be analyzed on the state highway system." Caltrans identified potential study locations for the Project, but the City does not include an analysis of these locations in the FEIR.
8. CEQA requires mitigation for site-specific issues. However, the CMP does not include site-specific safety considerations, nor is it based on an appropriate measure of effectiveness for site-specific considerations. Therefore, analysis under the CMP alone does not comply with CEQA.
9. The FEIR fails to provide queuing analysis on the off-ramp where the freeway ramps will back up, creating a potential unsafe condition. As Caltrans has already informed the City, the off-ramps which would represent the most impacted area from the Project should be analyzed utilizing the HCM 85<sup>th</sup> percentile queuing analysis methodology with the actual signal timings at the ramps termini. The City did not do this analysis in the FEIR, nor does the CMP address this issue.

10. The CMP improperly uses a percentage criterion for determining the significance of traffic impacts. The use of a "ratio theory" or "comparative approach," such as the CMP's "2% increase in trips" criterion, improperly measures a proposed project's incremental impact relative to the existing cumulative effect rather than measuring the combined effects of both the project and other relevant past, present, and future projects.
11. A lead agency that intends to approve developments with unmitigated significant traffic impacts must make Findings that no measures are feasible to mitigate those impacts, and must issue a Statement of Overriding Considerations, which indicates that allowing this project to proceed would be in the best interest of the general public.
12. Caltrans' Concerns with the City's Response to Comments in the FEIR:

a) **Concerns regarding Response to Comment Nos. 03-2 and 03-5**

The Traffic Impact Study Guide (TISG) states that "Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on the State highway facilities. However, Caltrans acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS." The City failed to consult with Caltrans to determine the appropriate target LOS for this project.

What's more, the State Highway facility can absorb additional traffic without degradation, if it is operating at a higher level of service where there are uncongested operations, higher travel speeds and freedom of movement. However, the greater the congestion, the lower the threshold of traffic needed to create an impact. The TISG describes the trip generation changes that would trigger the need to consult with Caltrans or that are likely to indicate a probable significant effect. At certain locations, even less than 50 peak hour trips may have a significant impact on operations and the LOS. Impacts are most often considered significant by Caltrans if they might create an unsafe condition by increasing or relocating traffic demand, thereby increasing the risk of turn movement conflicts on the SHS. The other major concern is when the integrity of the SHS would be at risk from physically undermining or destroying the structures. Traffic that exceeds an operational or capacity threshold will have a different level of significance depending on whether the analysis looks at mainline or access locations.

b) **Concerns regarding Response to Comment Nos. 03-3, 03-4 and 03-5**

The Transportation Modeling Procedures and Results (Appendix B of FEIR) demonstrates that the Project adds traffic to the freeway. Cumulatively, the 58 related projects that are referred to in the DEIR, the proposed NBC Universal Project and the Hollywood Community Plan, also add traffic to the freeway and should have been included in the model. Route 101 already operates at LOS F in the vicinity of the Project. Regardless of programs that include upgrades to the transit system or TDM to improve traffic conditions, the net effect of any additional trips likely will worsen the existing freeway condition. Adopting an arbitrary value of 150 or more trips to constitute a significant impact is not a realistic approach and does not capture the impacts to the SHS. Any additional traffic to the mainline, particularly where the LOS is operating at "F" or worst, needs to be mitigated in compliance with CEQA.

Page 1 of the Transportation Modeling Procedures and Results states, "the Hollywood Community Plan Update was also determined not to have a significant impact on the freeway system." This statement is false; according to the DEIR (SCH No. 20020410009) for the Hollywood Community Plan Update (Page 4.5-30), the proposed plan compared to the 2005 conditions would result in an unavoidable significant adverse transportation impact and the Plan offers transportation improvements to mitigate the traffic impacts. The Hollywood Community Plan TIMP includes LRTP Highway/Freeway Improvements (page 48), LRTP Arterial Street Improvements (page 49), and Capital Improvements (page 66). All of those improvements include freeway mainline and on/off ramp improvements in the project vicinity.

Caltrans will consider any and all improvements that would benefit the SHS, including the ATISAC/Adaptive Traffic Control System Highway and Street Traffic Signal Management System. Instead, Caltrans was and still is unable to assess the benefits of such a program because there is no traffic study in the EIR that includes the necessary analysis.

**c) Concerns regarding Response to Comment Nos. 03-6, 03-11, and 03-14**

The listed ramp intersections *are* "those at which the Project traffic impacts have the potential to be significant and substantial." The study locations should include all freeway elements, including freeway mainline, weaving sections, meters, ramps, and ramp junctions, in the study area. The traffic impact analysis methodologies are spelled out in the Caltrans guidelines and are used throughout the State when State Highway facilities are involved. For off-ramps and ramp junctions, Caltrans uses the HCM for analysis. The FEIR is flawed because the City relies upon the Critical Movement Analysis (CMA), which does not address off-ramp queuing that can lead to operational and safety issues.

Without a queuing analysis at the intersections of US-101 off-ramp (see Caltrans letter dated December 10, 2012, Item #5 and #6d), neither Caltrans nor the City can determine whether the traffic from the off-ramps will back up to the mainline, thus creating an unsafe condition to the public. Therefore, the FEIR fails to provide and analyze the impacts upon the SHS from queuing. Again, please provide the traffic analysis at the specified locations, per our Comment Nos. 03-6 and 03-11, as there may be significant impacts from the Project.

**d) Concerns regarding Response to Comment No. 03-7**

Caltrans concurs with Comment No. 59-27 (Jordon, David). The internal capture rates in Table IV.K.1-4 lack support. LADOT relies on ITE studies from Florida from the early 1990s and these studies are outdated. Instead, the Texas A & M University, Texas Transportation Institute for the Federal Highway Administration collected updated data at Legacy Town Center in February 2010. Please submit this data and the corresponding analysis for this Project to Caltrans for our review.

**e) Concerns regarding Response to Comment No.03-9**

Limitations exist regardless of the type of analysis used, but Caltrans prefers the Select Zone Analysis. If the City instead utilizes a manual approach, the analysis should include

an appropriate study area that addresses impacts to State Highway facilities. Consultation with Caltrans is a critical step in the scoping process and all stakeholders should be included in the environmental review; unilateral review and approval by LADOT is not sufficient.

The traffic model analysis (FEIR Appendix B) provides alternative values for the traffic on US-101 which select locations that are too closed to the project resulting in an incomplete model analysis for the project trips distribution on the US-101 where only small amount of trip is assigned to US-101.

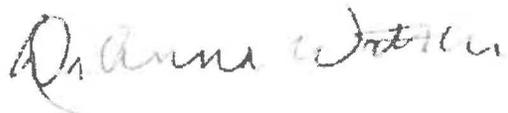
**f) Concerns regarding Response to Comment No. 03-13**

The City must conduct an HCM weaving analysis for both the northbound and southbound mainline segments, between the on- and off-ramps within the project vicinity utilizing balanced traffic demands entering and exiting the weaving segments. This would show whether the traffic flow will operate safely.

As stated above, Caltrans is concerned that the project impacts may result in unsafe conditions due to additional traffic congestion, unsafe queuing, and difficult maneuvering. These concerns need to be, and have not been, adequately addressed in the EIR. In summary, without the necessary traffic analysis, Caltrans cannot agree that the FEIR substantively identifies and mitigates the Project's impacts to the State highway facilities as required under CEQA.

We have been and will continue to be available to work in partnership with the City to identify adequate mitigation as a result of the traffic impacts from the Millennium Hollywood proposed project. If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin, the project coordinator, at (213) 897-8391, and please refer to IGR/CEQA No. 130204AL.

Sincerely,



DIANNA WATSON  
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse  
Jon Foreman, City of Los Angeles

**ENCLOSURE 2**





448 S. Hill Street / Suite 1200  
Los Angeles / California 90013

DATE / July 11, 2017

FILE CODE / HW9990

T 213 977 1600 / F 213 977 1665  
[www.crala.org](http://www.crala.org)

Ms. Susan Hunter  
Hunter Photography  
[heysuzhunter@gmail.com](mailto:heysuzhunter@gmail.com)

VIA E-MAIL

Re: Public Records Request  
Project Name: Hollywood Crossroads Project

Dear Ms. Hunter,

The CRA/LA, a Designated Local Authority ("CRA/LA-DLA") is in receipt of your Public Records Request received in our office on June 27, 2017.

The records pertaining to the Hollywood Crossroads project are no longer available subject to the CRA/LA, a Designated Local Authority Records Destruction schedule. The records have met the retention period and have been destroyed.

Should you have any questions, please feel free to contact me at (213) 977-1811 or via email at [mestrada@crala.org](mailto:mestrada@crala.org).

Regards,

Martha Estrada  
Special Projects Officer

cc: Records



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July 25, 2017

CRA/LA  
448 S. Hill Street  
Suite 1200  
Los Angeles, CA 90013

Re: Hollywood Crossroads Project -- Public Records Request

To Whom This May Concern:

On behalf of our clients Livable LA, we request inspection and full copies of the writings itemized below. We make this request pursuant to the California Public Records Act (Gov. Code, § 6250 et seq.) and article I, section 3, subdivision (b) of the California Constitution which, in pertinent part, states: “The people have the right of access to information concerning the conduct of the people’s business, and, therefore, the meetings of public bodies and *the writings of public officials* and agencies shall be open to public scrutiny.” (*Id.*, subd. (b)(1), emphasis added; see *id.*, subd. (b)(7).)

This request is for all writings prepared, sent or forwarded by CRA/LA, its staff, and its representatives, and all writings received by CRA/LA, its staff, or its representatives (directly, as a cc, a bcc, or forwarded), concerning review of the Crossroads Hollywood Project (Project). The subject matter of this request specifically includes all writings prepared, sent or forwarded by CRA/LA, its staff, and its representatives concerning the Project, including but not limited to:

- (1) Any writing related to CRA funds that were allocated or spent on the Crossroads Project or the parcels on which it is proposed, the year it was allocated or spent, the agenda or budget item numbers that reflect the expenditures, or other data on which to track it.
- (2) A member of the public requested similar information but was told documents related to the Crossroads Project have been destroyed pursuant to a document retention policy. We would like a copy of that document retention policy.
- (3) Any writings related to CRA’s ownership or continuing administration of the parcels on which the Crossroads Project is located.
- (4) Furthermore, we request any writings reflecting CRA consideration or review

of the current Crossroads plan.

- (5) All writings containing or referring to the Project, including but not limited to comments on the Notice of Preparation, scoping comment letters, and responses to those letters.
- (6) All communications (written or oral) discussing, memorializing, or otherwise referring to the Project.

The writings subject to this request include documents and notes created in hard copy format, as well as electronically stored information (ESI), such as emails, text messages, instant messages via Web or cellular phone based messaging systems, audio files, and calendar entries, regardless of whether stored on or transmitted through CRA or private servers, or CRA or other networks, and regardless of whether the computational device used for preparing or viewing any writing encompassed in this request is owned by the CRA or you.

If personal devices were used for communications about the Project such as email or texting, those communications are encompassed within this request.

Pursuant to Government Code section 6253.9, we request that all responsive writings created in an electronic format be provided in the native format they were created in, including embedded descriptive metadata, with “from,” “to,” “cc,” “bcc,” “subject,” “date sent” and “time sent” email metadata fields.

To avoid prejudice to proper judicial resolution of any possible legal action arising out of this request, and without waiver of our rights under Government Code section 34090, we request that all evidence preservation measures be taken immediately to protect the integrity of and preserve all responsive writings, including all writings you may personally believe or you may have been advised are exempt from disclosure under the CPRA. (See *Cedars-Sinai Medical Center v. Superior Court* (1998) 18 Cal.4th 1, 8; *Zubulake v. UBS Warburg LLC* (S.D.N.Y. 2004) 229 F.R.D. 422, 432; *Ellis v. Toshiba America Information Systems, Inc.* (2013) 218 Cal.App.4th 853, 858-862, fns. 4, 5, 6.)

The CPRA requires that public records be made available “promptly.” (Gov. Code, § 6253.) We trust CRA/LA will agree that the writings we request concern the people’s business, and we look forward to receiving them promptly.

Our clients are interested in understanding every aspect of the review of the Project, and the people impacted by the Project deserve accountability and transparency from their local officials.

CRA/LA  
July 25, 2017  
Page 3

Thank you for your consideration. Please let us know if you have any questions about this request.

Sincerely,



Douglas P. Carstens



**ENCLOSURE 3**



~~4/2/2018~~

\$118 million GFA

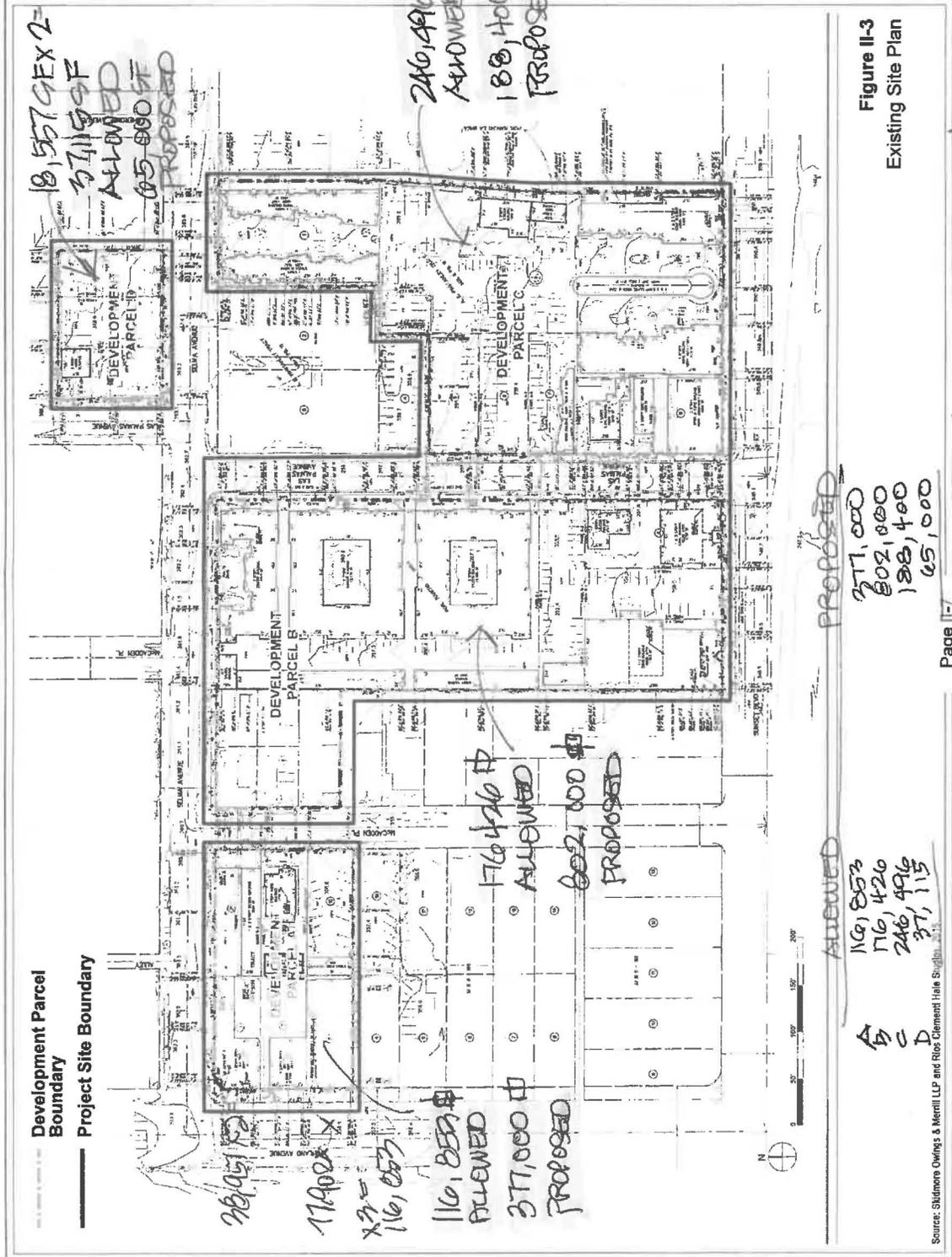


Figure II-3  
Existing Site Plan

855,510 # FREE DENSITY  
(equivalent 427,755 of land or

