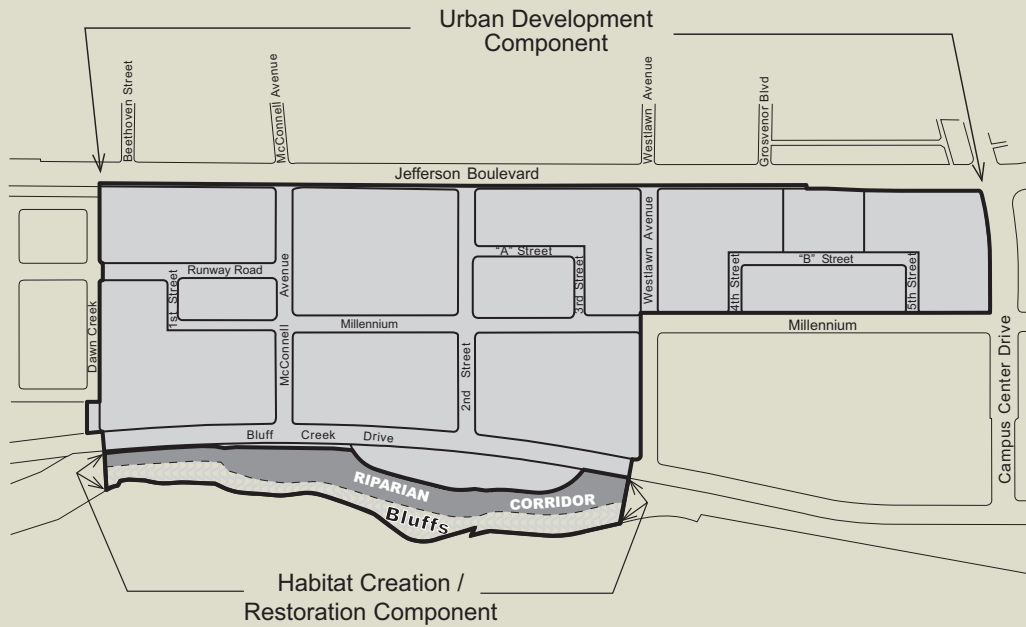


# FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) VILLAGE AT PLAYA VISTA



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2004

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## **LETTER NO. 1**

City of Los Angeles, Department of Public Works  
Bureau of Engineering  
Edmund Yew, Manager  
Land Development Group  
201 N. Figueroa Street, Suite 200  
Stop #901  
Los Angeles, CA 90025

### **Comment 1-1**

The staff of the Bureau of Engineering reviewed the above-mentioned Draft EIR and has the following comments:

Page 20, Section I.G. Summary of Project Impacts, 1. Earth, b. Recommended Mitigation Measures, Mitigation Measures for the Proposed Project and the Equivalency program. Slope Stability; the following corrections should be made:

1. In the first paragraph insert “Revised January 31, 2002” after “December 3, 2001.”
2. After the heading “Type 2: Partial Slope height Fill: Remove “2-foot.”

Section IV.A. Earth, Section 2.2.2.3. Slope Stability; the following correction should be made:

1. Pages 234 and 235: Revise the reference of the Group Delta Report to “December 2001, Revised January 2002.”
2. Page 237, Within the bullet beginning “Type 2: Partial Slope Height Fill” remove “2-foot.”

Section IV: Earth, Section 4.0 Mitigation Measures, Mitigation Measures for the Proposed Project and the Equivalency Program, Slope Stability, the following corrections should be made:

1. Page 266: Revise the reference of the Group Delta Report to “December 3, 2001, Revised January 31, 2002.”
2. Page 267, Within the paragraph beginning “Type 2: Partial Slope Height Fill” remove “2-foot.”

Appendix D, Volume III, Table of Contents, Appendix Number D-2: Add “Revised January 31, 2002” at the end of the reference of the Group Delta Consultants report.

Appendix D, Volume III, Section D-2: Replace the Group Delta Consultants report with the Group Delta report revised January 31, 2002.



Should you have any questions in regard to the aforementioned comments, please call Ray Saidi of the Land Development Group of the Bureau of Engineering.

**Response 1-1**

Please Refer to Section I, Executive Summary, of the Final EIR for revisions to the Draft EIR regarding the above comments.

Please Refer to Section II.3, Corrections and Additions of the Final EIR for revisions to the Draft EIR regarding the above comments.

The document entitled “Final Assessment, Slopes Below Cabora Road Riparian Corridor, Playa Vista Development, Los Angeles, CA GDC Project No. L-194B,” by Group Delta Consultants has been added to the Final EIR as a new Appendix with the requested revisions.

The comment is noted and corrections will be incorporated in the Final EIR for review and consideration of the decision-makers.

**LETTER NO. 2**

City of Los Angeles, Department of Public Works  
Bureau of Sanitation  
Watershed Protection Division  
2714 Media Center Drive  
Los Angeles, CA 90065  
Shaharam Kharaghini, Program Manager

**Comment 2-1**

The Watershed Protection Division has reviewed the Water Quality Section of the Draft Environmental Impact Report for the Village at Playa Vista and has no comments.

Should you have any questions, please contact Wing Tam at (323) 342-1574.

**Response 2-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 3**

City of Los Angeles, Department of Recreation and Parks  
Bill Lukehart  
Superintendent Planning and Construction  
200 North Main Street  
12th Floor, Room 1250CHE  
Los Angeles, CA 90012

December 22, 2003

**Comment 3-1**

The following information has been prepared in Response to your request for comments relative to the Draft Environmental Impact Report (DEIR), Proposed Village at Playa Vista Project.

IV. Environmental Impact Analysis  
L. Public Services  
(4) Parks and Recreation  
3.3 Project Design Features

The Proposed Project includes open space and park areas which are categorized as active open space and passive open space. The open space provided by the Proposed Project is illustrated on Figure 93 on page 1032, and shown in Table 151 on page 1033.

The Project's Urban Development Component includes 12.4 acres of land set aside for active recreational opportunities for the Proposed Project's population. Further, the Applicant proposes to fund, construct and maintain the amenities and facilities on the parks within the site. The Habitat Creation/Restoration Component adds an additional 11.7 acres of passive open space. As the passive open space does not allow for recreational activities, it is not credited in the analysis of the Project's impacts on parks. Nonetheless, the passive open space would contribute to the Project's open space character and is described below. In addition, the Proposed Project proposes to provide 5.76 acres of park space within the adjacent Playa Vista First Phase Project or on land controlled or improved by the applicant and its affiliates (i.e., nearby off-site locations).

**Response 3-1**

These comments paraphrase the Project Design Features related to parks and open space contained within the Draft EIR. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 3-2**

The illustrated parkland distribution of active open space consists of six smaller disjointed park sites (ranging from 1.3-3.5 acres). Although active uses may be developed on each site, they may not fulfill the recreational needs of the community. The Department's Community Recreation Needs Report (1999) has indicated that the community residents in this area seek facilities that include recreation centers (gymnasiums and meeting rooms), sports fields and courts (e.g., ball fields, soccer fields, basketball courts), and aquatic facilities. These facilities allow the Department to offer community-desired programs that include team sports; exercise, dance, and craft classes; aquatic; and after school and seasonal programs. These facilities require sufficient space for buildings, sports fields, and parking. The spaces allotted in the Project may not be large enough to offer the types of facilities and programs needed and desired by the community. The spaces could be grouped to form a single contiguous site and/or a site that is large enough for the types of active recreational facilities needed.

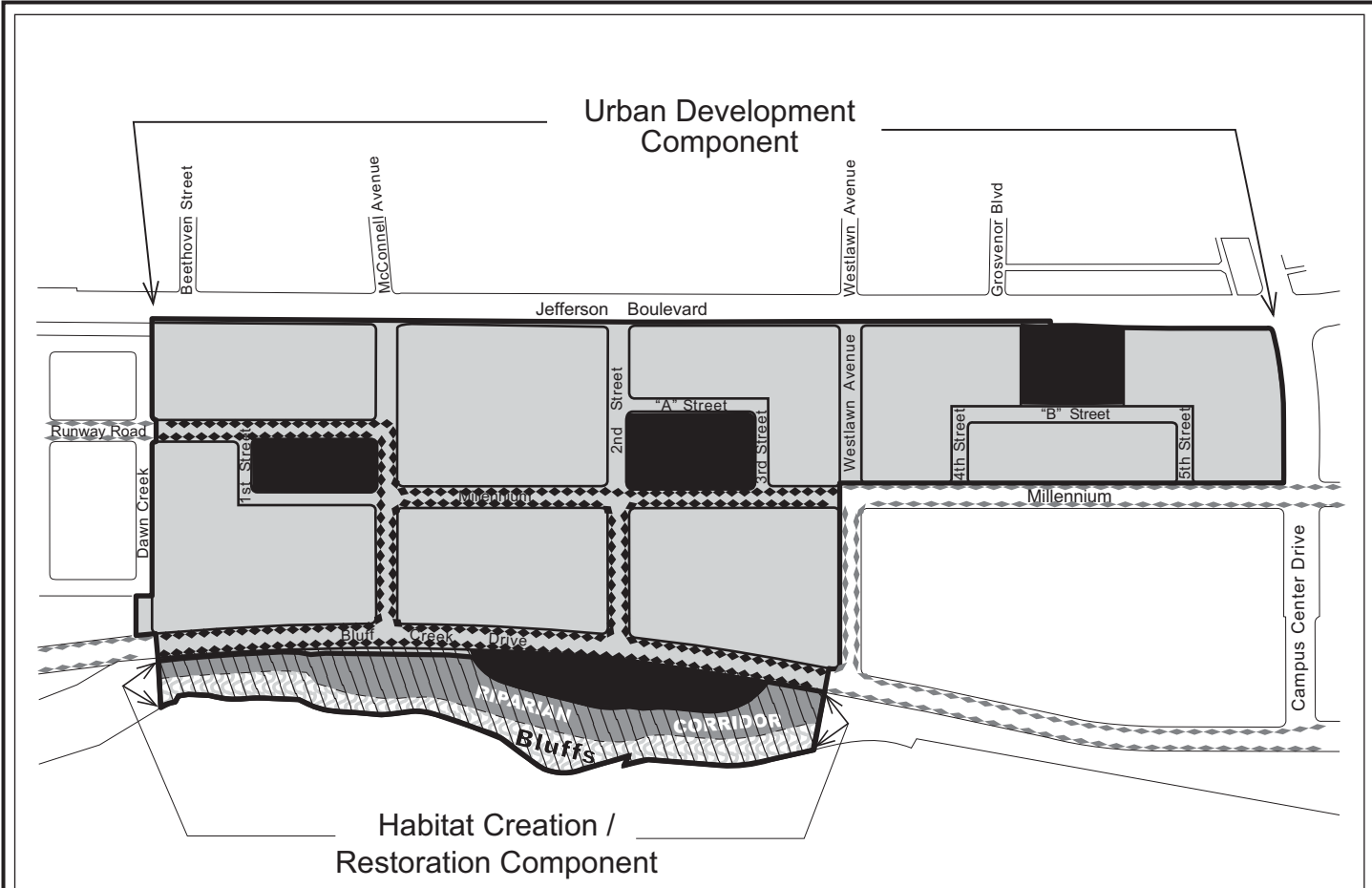
**Response 3-2**

In Response to the request to combine the six smaller parks into larger parks, the Applicant has combined the parks into four larger parks as reflected on the attached Proposed Project Open Space shown in Revised Draft EIR Revised Draft EIR Figure 93 on page 533. This aggregation will be large enough to offer more active recreation activities than previously would have been permitted by the previous plan, including those of the type referenced by the commentor.







In addition to the parks proposed within the Proposed Project, project residents will have access to the park and recreational facilities contained in the adjacent First Phase Project. All residents at the Proposed Project will be members of the Centerpointe Club, which is a 26,000 sq. ft. community center located in the adjacent First Phase Project at Playa Vista. The Centerpointe Club contains numerous meeting rooms, a business center, a screening room, a fully-equipped fitness center, 2 swimming pools and a spa, and will offer community programs such as exercise, dance and craft classes. This facility is intended to meet the demand for these recreational activities, thereby alleviating any potential impact on Department facilities such as the Westchester Recreation Center and Culver Slauson Park. When complete, the First Phase Project will also include a minimum of 28.6 acres of active open space uses, providing a wide range of recreational opportunities ranging from soccer fields, baseball fields, a concert park with an outdoor amphitheatre, an off-leash dog park, and other recreational uses.



**Comment 3-3**

In addition, the lack of facilities normally offered at a Recreation Center would not satisfy the demand of the new residents, who will need to use nearby existing facilities that offer desired



**LEGEND**

-  Parks (Active Open Space) (11.4 acres)
-  Passive Open Space (12.1 acres)
-  Proposed Project  
Class II Bikeway Bicycle Lane-(Active Open Space) (1.0 acres)
-  Playa Vista First Phase Project  
Class II Bikeway Bicycle Lane
-  Urban Development Component
-  Habitat Creation / Restoration Component



Revised Draft EIR Figure 93,  
Proposed Project Parks and Open Space

Source: PCR Services Corporation, March 2004

programs. This will greatly impact the already heavily used nearby Department facilities: Westchester Recreation Center and Culver Slauson Park. Payment of Quimby fees may alleviate some impacts to these sites of the new residents seeking recreational facilities and programs that will not be available within the Project. These fees could be used for facility improvements at these park sites.

It is our understanding that basketball/tennis courts and sports fields are provided in Phase I. Therefore potential facilities on parkland, indicated on the Proposed Project Open Space map (Figure 93, page 1032), could be developed for other needed recreation uses such as a universally accessible play area, splash pad, and indoor gymnasium.

The 5.76 acres of park space within the First Phase or off-site on nearby property may provide an alternative to the space needed for active park recreational facilities if sufficient property is contiguous to provide active recreational facilities needed by the community.

### **Response 3-3**

As stated in Response 3-2 above, residents of the Proposed Project will have access to all of the parks and recreation facilities at Playa Vista, including those under construction within the adjacent First Phase Project.

While specific programming of the activities and amenities for the parks within the Proposed Project has not occurred at the present time, Subsection 3.3.1 of Section IV. L.(4) Parks and Recreation, of the Draft EIR on page 1033 states:

“In addition to providing this parkland, the Proposed Project would include the improvement of these parks with landscaping, hardscaping, walking, jogging and bicycle trails, children’s play areas, recreational fields and other recreational facilities, (i.e. basketball courts, skating rings, etc.) with an emphasis on active activities, as appropriate.”

Preliminary concepts for the parks would include areas for soccer, softball, informal active turf sports, basketball, volleyball, bocce ball, tot lots, picnic areas, jogging trails, skate trails, and walking paths.

Subsection 3.4.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1037 concludes that the Proposed Project would meet the requirements of LAMC Section 17.12.

### **Comment 3-4**

Although the Code does not require Quimby fees to be applied to commercial development there are impacts to parks and recreational facilities. Parks that are nearby to places of employment are often used before and after work, during lunch by workers, and enhance community value. Business events are often scheduled at parks and/or recreation centers and employees participate in programs offered. This is often unrecognized officially by the Municipal Code; however, park and recreational facilities are directly impacted by the increase usage of these non-residents.

**Response 3-4**

The commentor is correct. The City's Quimby ordinance does not apply to commercial development. The Proposed Project has limited commercial development. Workers at the Proposed Project will have access to the public parks within Playa Vista. Workers will be able to use the parks for breaks and other activities.

The remaining comments are noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 3-5****3.3.1 Urban Development Component**

In addition, if the assisted living component of the Proposed Project's Equivalency Program were implemented, an additional 0.12 acre of park space would be provided for each 50 assisted living units.

**3.4.1 Proposed Project Impacts**

The provision of 11.4 acres of parks within the Proposed Project is equivalent to 2.0 acres of parks per 1,000 residents and would increase the service ratio in the District Plan area from 0.7 acre per 1,000 population to 0.8 acre per 1,000 population. The 11.4 acres would meet the PRP's short and intermediate range standards for community and neighborhood parks of 2 acres per 1,000 residents, but would be approximately 2.0 acres less per 1,000 residents than the PRP's long-term goal of 4 acres per 1,000 population. Additionally, the State's Quimby Act allows a local jurisdiction to require a subdivision to provide a maximum of 3 acres per 1,000 population in land dedication or fees, unless it is already exceeding that ratio.

Municipal Code Section 17.12, the City's parkland dedication ordinance enacted under the Quimby Act, provides a formula for satisfying park and recreational uses through land dedication and/or in-lieu fees. Based on this formula, the Proposed Project would be required to dedicate approximately 17.65 acres of park and recreation space, pay in lieu fees totaling \$8,057,400, improve park and recreational facilities serving residents of the subdivision, or provide a combination of all three. If the Proposed Project were to satisfy this requirement exclusively through 17.65 acres of parkland dedication, the City would be responsible for the cost of both improvements and ongoing maintenance. The parks and recreational space provided by the Proposed Project would exceed the requirements established in LAMC Section 17.12 by providing 11.4 acres of parks, as well as improving those parks with landscaping, hardscaping, walking, jogging and bicycle trails, children's play areas, recreational fields and other recreational facilities, (i.e. basketball courts, skating rings, etc.) with an emphasis on active activities, as appropriate. Further, maintenance of the parks within the Proposed Project would be provided in perpetuity by a property owner's association. The value of these improvements is conservatively estimated to be in excess of the \$8.1 million of in-lieu fees established in LAMC

17.12. Therefore, the Proposed Project is providing: (1) parkland at a ratio in excess of 2 acres per 1,000 population; (2) improvements valued in excess of the fees established within the City's parkland dedication ordinance (which is equivalent to 3 acres per 1,000 population); and (3) ongoing maintenance in perpetuity.

### Response 3-5

These comments paraphrase the impact analysis related to parks and open space contained within the Draft EIR. Specific comments regarding the review of the Draft EIR and responses follow.

### Comment 3-6

There are two issues outlined here: the Public Recreation Plan (PRP), an Element of the City's General Plan, and Quimby requirements, as designated by the State and City Code. While it may be that the State's Quimby Act allows a local jurisdiction to require a subdivision to provide a maximum of three acres per 1,000 population in land dedication or fees, the City's Department of Recreation and Parks has used four acres of Neighborhood/Community parkland per 1,000 population, as a standard, referencing the PRP's combined goal of two acres of parkland for Neighborhood [P]arks and two acres of parkland for Community Parks. Calculations are illustrated below:

<u>Areas</u>	<u>Population (2.2 pop. per unit)</u>	<u>Park acreage</u>	<u>Ratio (acres/1,000)</u>
Project	EIR Calculations		
	5,720	11.44	2.0
Department Calculations	5,720	22.88	4.0
Assist Living	EIR Calculations		
	240	.48	2.0
Department Calculations	240	.96	4.0

The provision of land for park sites, park and recreation capital improvements, and maintenance, relative to PRP requirements and Quimby fees, has not been formally presented to the Department.

### Response 3-6

The commentor states a disagreement with the provisions of state law. Notwithstanding this disagreement, the Proposed Project and the City are required to comply with state law.

As stated in Subsection 2.1.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1022, the California Government Code, Section 66477 (Quimby Act) provides that the required dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount



necessary to provide 3 acres of park area per 1,000 persons residing within a subdivision, unless the amount of existing neighborhood and community park area exceeds that limit. Since the amount of existing park area within the City of Los Angeles does not currently exceed 3 acres per 1,000 persons, the Quimby Act precludes the City from requiring acreage beyond that ratio.

Subsection 2.1.2.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1024 identifies the Public Recreation Plan's (PRP's) long-term goal of 4 acres per 1,000 population, based on 2 acres/1,000 population of neighborhood parks and 2 acres/1,000 population of community parks. On the same page, the Draft EIR also recognizes that the PRP itself notes that the long-range standard of 4 acres per 1,000 population may not be reached during the life of the plan, and therefore includes more attainable short- and intermediate-range standards of 2 acres per 1,000 population (1 acre/1,000 population each of neighborhood and community parks).

Subsection 3.4.1 of Section IV.L.(4), Parks and Recreation of the Draft EIR on page 1035 notes that the park acreage proposed by the Proposed Project would meet the PRP's short and intermediate range standards for community and neighborhood parks of 2 acres per 1,000 residents, but would fall short of the PRP's long-term goal of 4 acres per 1,000 population. Subsection 3.4.1 on page 1037 concludes that the 12.4 acres of active open space provided by the Proposed Project, consisting of 11.4 acres of parks and 1.0 acre of bike lanes, in combination with the value of the improvements of the parkland and the ongoing maintenance, would meet the short-term and intermediate-range standards of the PRP, as well as the requirements of LAMC Section 17.12.

Mitigation measures listed in Subsection 4.0 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on pages 1039-1040 require the implementation of the Project Design Features (i.e., the parks described above) to eliminate potential significant impacts.

A mitigation measure is included requiring the parks to be offered to the Department of Recreation and Parks for dedication prior to recordation of tract maps.

### **Comment 3-7**

#### 3.2 Significance Thresholds

According to the City of Los Angeles Draft CEQA Thresholds Guide (1998, p. J.4-3), a finding of significance involving recreation and park services shall be made on a case-by-case basis, considering the following factors:

- (1) The net population from the Proposed Project;
- (2) The demand for recreation and park services at the time of Project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to recreation and park services (renovation, expansion, or addition) and the Project's proportional contribution to demand; and

(3) Whether the Project includes features that would reduce the demand for recreation and park services (e.g. on-site recreation facilities, land dedication or direct financial support to the Department of Recreation and Parks).

Based on these factors, the Proposed Project would have a significant impact on parks and recreation, if

– The Project generates a demand for park or recreational facilities that cannot be adequately accommodated by existing or planned facilities and service.

The lack of facilities normally offered at a Recreation Center would not satisfy the demand of the new residents, who may need to use nearby existing facilities that offer desired programs and facilities. This will impact already heavily used nearby Department facilities (Westchester and Culver Slauson).

### **Response 3-7**

The Significance Thresholds as provided by the City of Los Angeles Draft CEQA Guidelines are discussed in Subsection 3.2 of Section IV.L.(4), Parks and Recreation, of the Draft EIR, page 1021, and are further analyzed in Subsection 3.4.1, of Section IV.L.(4), Parks and Recreation, of the Draft EIR on pages 1024 to 1037. These sections fully describe the standards set out in the Draft CEQA Guidelines and applies those standards to the Proposed Project. As noted previously (see Response 3-2), residents of the Proposed Project will have access to all of the parks and recreation facilities at Playa Vista, including those under construction within the adjacent First Phase Project. As indicated in Section IV.L.(4), Parks and Recreation, in Table 152 on page 1036 of the Draft EIR, the 11.4 acres of park space, independent of other provisions, would improve the existing baseline park provisions in the Westchester-Playa del Rey Plan area. The ratio would increase from 0.7 acre per 1,000 population, to 0.8 acre per 1,000 population.

Also please refer to Responses to 3-2 and 3-6, above.

### **Comment 3-8**

#### **4.0 MITIGATION MEASURES**

##### **Mitigation Measures for the Proposed Project and the Equivalency Program**

-- Prior to the recordation of any phase of the tract map for the Proposed Project, the required on-site and off-site parks shall be identified, including improvement and maintenance responsibilities, satisfactory to the local Council Office.

Modification to this measure should include, "...the required on-site and off site parks shall be identified, including improvement and maintenance responsibilities [satisfactory to Department of Recreation and Parks as well as the local Council Office]".

**Response 3-8**

No modification is necessary. Mitigation measures provided within Subsection 4.0 of Section IV.L.(4), Parks and Recreation, of the Draft EIR, on page 1039, require the consultation with the Department in the preparation of improvement plans for the parks. In the event the Department accepts the parks offered for dedication as required in the proposed mitigation measures in Subsection 4.0 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1040, the Department would improve the parks subject to its own internal review. In the event the Department does not accept the offer of dedication, the parks will be owned and maintained by a property owner's association, and the Department will be consulted.

**Comment 3-9**

-- In addition to the provision of park space identified above, the Proposed Project shall be responsible for providing improvements for the parks within the Project with landscaping, hardscaping, walking, jogging and bicycle trails, children's play areas, recreational fields and other recreational facilities (i.e. basketball courts, skating rings, etc), with an emphasis on active activities as appropriate. The cost of the park improvements shall not be less than and is not limited by the amount of fees that the Project would be required to pay under LAMC Section 17.12D as though the Proposed Project was not dedicating any land for parks.

Modification to this measure should include, [...the Department of Recreation and Parks will approve any improvements for the parks, as listed above].

**Response 3-9**

No modification is necessary. Please Refer to Response 3-8, above.

**Comment 3-10**

-- Prior to recordation of any phase of the tract map for the Proposed Project, the applicant shall submit to the Advisory Agency for approval, in consultation with the Department of Recreation and Parks and the local Council [O]ffice, a plan for the improvement of the parks to be provided by the Proposed Project.

Modification to this measure should include, "...the Proposed Project, the applicant shall submit to the Advisory Agency [and the Department of Recreation and Parks] for approval, in consultation with the... local Council office, a plan for the improvement of the parks to be provided by the Proposed Project."

**Response 3-10**

No modification is necessary. Approval of the parks improvement plan is required by the Advisory Agency; consultation with the Department and the local Council office is required prior to such approval. Any input from the Department and Council office will be considered by the Advisory Agency in their approval.

**Comment 3-11**

-- Prior to recordation of tract maps, lots designated for parks in tentative maps shall be offered for dedication to the Department of Recreation and Parks. If the Department of Recreation and Parks does not accept dedication of the park areas, a property owners' association shall be formed to maintain the park and recreational facilities in a manner satisfactory to the City of Los Angeles, together with the appropriate trails and easements guaranteed to the City. The property owners' maintenance responsibility for the park/recreational facilities shall be recorded in a Conditions, Covenants and deed Restrictions (CC & R) and a Covenant and Agreement. Any Covenant and Agreement to maintain park, open space and recreational fields/facilities shall be reviewed by the City Attorney prior to its acceptance by the Advisory Agency. Said covenant and agreement shall be recorded at tract map recordation. The property owner's association shall enter into a usage agreement with the Department of Recreation and Parks if requested.

While the Department of Recreation and Parks may choose not to accept dedication of the park areas indicated in this document, the appropriate Quimby fees, land dedication, and recreation credits will be applied in accordance with LAMC Section 17.12.

Thank you for the opportunity to provide information relative to recreation and park opportunities in this area. If you have any questions or comments regarding this information, please contact Nora Dresser, of my staff, at 213-485-8857.

The Department of Recreation and Parks staff welcomes the opportunity to meet and collaborate with Village of Playa Vista developers and design staff to discuss and review these issues further.

**Response 3-11**

These comments are noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**LETTER NO. 4**

City of Los Angeles, Department of Water and Power  
Charles C. Holloway  
Supervisor of Environmental Assessment  
Post Office Box 51111, Room 1044  
Los Angeles, CA 90051-0100

**Comment 4-1**

The Los Angeles Department of Water and Power (LADWP) has reviewed your request for comments on the Draft Environmental Impact Report (EIR) for the proposed project. LADWP does not have specific comments on the proposed project. However, based on the magnitude of the proposed project, it would be beneficial to make efficient use of resources by considering and implementing LADWP water and energy conservation measures and programs (See below for details).

**Response 4-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. See also Response 4-4.

**Comment 4-2**

For reference, the proposed project is located at the southwest intersection of Jefferson Boulevard and Centinela Avenue within the westside area of the City of Los Angeles, about two miles inland from Santa Monica Bay (See Thomas Bros. Maps, page 632, F7 and E7).

The proposed project is comprised of 111.0 acres and consists of an Urban Development Component and a Habitat Creation/Restoration Component. The former development component includes 2,600 dwelling units, 175,000 sq. ft. of office space, 150,000 sq. ft. of retail space, and 40,000 sq. ft. of community-serving uses. The latter development component includes a total of 11.7 acres, of which the Riparian Corridor consists of about 6.7 acres, and restoration of the adjoining portion of the Westchester Bluffs occurring over the remaining 5 acres.

**Response 4-2**

The comments paraphrase portions of the Project Description. Specific comments regarding the review of the Draft EIR and responses follow. For clarification, the intersection of Jefferson Boulevard and Centinela Avenue, the Project's northeast corner, is located on Thomas Bros. Maps, page 672, F7 and E7.

**Comment 4-3**

We are providing information for consideration and incorporation into the planning, design, and development efforts for the proposed project. Regarding water needs for the proposed project, this letter does not constitute a response to a water supply assessment due to recent state legislative activity (i.e., SB 901, SB 610, and SB 221) for development projects to determine the availability of long-term water supply. Our understanding is that a water supply assessment by the water supply agency needs to be requested and completed prior to issuing a draft Negative Declaration or draft EIR.

Before investing resources in preparation of a water supply assessment, we recommend that you contact LADWP (Mr. Alvin Bautista, [213] 367-0800) or by e-mail at Alvin.Bautista@water.ladwp.com) and provide specific project details as requested to help staff make a determination on whether or not the proposed project meets the criteria for compliance with this legislation.

If proposed project parameters (e.g., development details such as type, square footage, anticipated water demand by 2020, population increase, etc.) are such that they are subject to state law requiring a water availability assessment, a separate request must be made in writing to:

Mr. Gerald A. Gewe  
Chief Operating Officer—Water System  
Los Angeles Department of Water and Power  
111 North Hope Street, Room 1455  
Los Angeles, CA 90012

**Response 4-3**

As required by SB 610 (now codified in the Water Code), LADWP prepared and certified a Water Supply Assessment (WSA) for the Proposed Project. The Draft WSA is included in Appendix N-1b of the Draft EIR. The Final WSA is included in the new appendices to the Final EIR. The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 4-4**

Below is information regarding meeting the projected water and power infrastructure needs for the proposed project.

**Water Needs**

Once a determination of the proposed project fire demands has been made, LADWP will assess the need for additional facilities, if any.

As the project proceeds further in the design phase, we recommend the project applicant or designated Project Management Engineer confer with a single point-of-contact at LADWP (Mr. Hugo Torres, [213]367-1178 or by e-mail at [Hugo.Torres@water.ladwp.com](mailto:Hugo.Torres@water.ladwp.com)) to arrange for water supply service needs.

#### Power Needs

LADWP, under the Los Angeles City Charter, has an obligation to serve its customers within the City of Los Angeles.

As the project proceeds further in the planning and design phase, we recommend the project applicant or designated Project Management Engineer confer with a single point of contact at LADWP (Mr. James M. Laschober, [213] 367-3469 or by e-mail at [James.Laschober@ladwp.com](mailto:James.Laschober@ladwp.com)) for dealing with power services and infrastructure needs.

#### LADWP Programs to Assist Customer Water and Power Needs

LADWP has a number of programs that are intended to serve existing and prospective customer water and power needs. Since the proposed project is in the planning and design phase, it may be a good idea to review these programs to consider the feasibility of incorporating measures in the design, project development, and operations of the proposed facilities. The benefit of these programs is cost savings to the customer while at the same time being environmentally friendly. Existing and prospective customers of LADWP are encouraged to join us in this effort by taking part in our "Green Power for a Green LA" program. Call 800 GREEN LA ([800]1473-3652), or visit [www.GreenLA.com](http://www.GreenLA.com) as well as [www.LADWP.com](http://www.LADWP.com) to learn more about the various programs available.

**Green Power for a Green LA Program.** LADWP is committed to replacing electricity generated from fossil fuel-burning power plants with energy generated from renewable resources such as the sun, wind, water, biomass, and geothermal. Mr. John Giese is the Green Power Program Manager and can be reached at (213) 367-0434 or by e-mail at [John.Giese@ladwp.com](mailto:John.Giese@ladwp.com).

**Trees for a Green LA.** As part of its ongoing commitment to environmental initiatives that reduce energy use, improve air quality, and beautify local communities, LADWP is sponsoring the Trees for a Green LA program. One of the main goals of the program is to add an estimated 200,000 shade trees to the Los Angeles urban environment starting in March 2002. The program is intended to provide shade trees to LADWP residential customers to provide natural cooling and thus reduce air conditioning electricity use. Ms. Leilani Johnson is the Program Manager and can be reached at (213) 367-3023 or by e-mail at [Leilani.Johnson@ladwp.com](mailto:Leilani.Johnson@ladwp.com).

**Energy Efficiency.** LADWP suggests consideration and incorporation of energy-efficient design measures for building new commercial and/or remodeling existing facilities. Implementation of applicable measures would exceed Title 24 energy efficiency requirements. LADWP continues to offer a number of energy efficiency programs to reduce peak electrical demand and energy costs. Mr. Donald Cunningham is the Director of Energy Efficiency Solutions and can be reached at (213) 367-1375 or by e-mail at [Don.Cunningham@ladwp.com](mailto:Don.Cunningham@ladwp.com).

Solar Energy. Solar power is a renewable, nonpolluting energy source that can help reduce our dependence on fossil fuels. Ms. Josephine Gonzalez is the Solar Energy Program Manager and can be reached at (213) 367-0414 or by e-mail at Josephine.Gonzalez@ladwp.com.

Electric Transportation. LADWP is promoting this program by providing our customers with information and assistance that greatly simplifies the process of buying electric vehicles and installing a charger(s). Mr. Scott Briasco is the Electric Transportation Program Manager and can be reached at (213) 367-0239 or by e-mail at Scott.Briasco@ladwp.com.

Water Conservation. LADWP is always looking for means to assist its customers to use water resources more efficiently and welcomes the opportunity to work with new developments to identify water conservation opportunities. Mr. Thomas Gackstetter is the Water Conservation Program Manager and can be reached at (213) 367-0936 or by e-mail at Thomas.Gackstetter@water.ladwp.com.

#### Water and Energy Conservation

Based on the proposed project, some of the enclosed energy and water conservation measures may apply and should be considered for inclusion in the proposed project. If there are any questions concerning the recommended conservation measures, please contact our Customer Outreach, or for more details on various water conservation methods available, contact the Water Conservation Office at (800) 544-4498.

Consideration of these conservation measures, including possible use of recycled materials and recycling area requirements for new developments (See Ordinance No. 171687), early on in the design of the proposed project would facilitate incorporation into project implementation based on economic, technical, environmental and marketing objectives.

Please include LADWP in your mailing list and address it to:

Mr. Charles C. Holloway  
Environmental Assessment  
Los Angeles Department of Water and Power  
P.O. Box 51111, Room 1044  
Los Angeles, CA 90051-0100.

If there are any additional questions, please contact Mr. Val Amezquita of my staff at (213) 367-0429.

#### **Response 4-4**

The comment provides for general guidance to users of LADWP services, including contact information for various individuals within the LADWP. Fire flow requirements of the Project are discussed in Subsection 3.4 of Section IV.L.(1), Fire Protection, of the Draft EIR on page 973. The need for additional LADWP water infrastructure and/or facilities is discussed in



Subsection 3.6 and Subsection 4.0 of Section IV.N.(1), Water Consumption, of the Draft EIR on pages 1095 and 1096, respectively.

The Project's commitment to energy efficiency and conservation, including solar energy, is discussed in Subsection 3.3 of Section IV.M, Energy, of the Draft EIR on page 1058.

The Project's commitment to water conservation, including use of reclaimed water were feasible, is discussed in Subsection 3.3 of Section IV.N.(1), Water Consumption, of the Draft EIR on page 1086.

The remaining comment about LADWP's obligation to serve the City of Los Angeles' power needs, LADWP's Green LA Program, and electric transportation is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

#### **Comment 4-5**

#### **IMPACT ON THE WATER SYSTEM**

If the estimated water requirements for the proposed project can be served by existing water mains in the adjacent street(s), water service will be provided routinely in accordance with the Los Angeles Department of Water and Power's (LADWP) Rules and Regulations. If the estimated water requirements are greater than the available capacity of the existing distribution facilities, special arrangements must be made with the LADWP to enlarge the supply line(s). Supply main enlargement will cause short-term impacts on the environment due to construction activities.

#### **Response 4-5**

This comment and the remainder of the comments in this letter are attachments regarding LADWP Water and Energy conservation measures and Commercial Energy Efficiency measures. The attachments support comments in the preceding sections of this letter. As such, this comment is addressed in Responses 4-1 to 4-4.

The comment is noted and will be incorporated in the Final EIR for review and consideration of the decision-makers.

#### **Comment 4-6**

In terms of the City's overall water supply condition, the water requirement for any project that is consistent with the City's General Plan has been taken into account in the planned growth in water demand. Together with local groundwater sources, the City operates the Los Angeles-Owens River Aqueduct and purchases water from the Metropolitan Water District of Southern California. These three sources, along with recycled water, will supply the City's water needs for many years to come.

Statewide drought conditions in the mid-1970s and late 1980s dramatically illustrated the need for water conservation in periods of water shortage. However, water should be conserved in Southern California even in years of normal climate because efficient use of water allows increased water storage for use in dry years as well as making water available for beneficial environmental uses. In addition, electrical energy is required to treat and deliver all water supplies to the City and the rest of Southern California. Conserving water contributes to statewide energy conservation efforts. Practicing water conservation also results in decreased customer operating costs.

#### **Response 4-6**

The attachments support comments in the preceding sections of this letter. As such, this comment is addressed in Responses 4-1 to 4-4.

The comment is noted and will be incorporated in the Final EIR for review and consideration of the decision-makers.

#### **Comment 4-7**

### **WATER CONSERVATION**

LADWP assists residential, commercial, and industrial customers in their efforts to conserve water. Recommendations listed below are examples of measures that conserve water in both new and existing construction:

1. The landscape irrigation system should be designed, installed, and tested to provide uniform irrigation coverage for each zone. Sprinkler head patterns should be adjusted to minimize over spray onto walkways and streets. Each zone (sprinkler valve) should water plants having similar watering needs (do not mix shrubs, flowers and turf in the same watering zone).
2. Automatic irrigation timers should be set to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Adjust irrigation run times for all zones seasonally, reducing watering times and frequency in the cooler months (fall, winter, spring). Adjust sprinkler timer run times to avoid water runoff, especially when irrigating sloped property.
3. Selection of drought-tolerant, low water consuming plant varieties should be used to reduce irrigation water consumption. For a list of these plant varieties, Refer to Sunset Magazine, October 1988, "The Unthirsty 100," pp. 74-83, or consult a landscape architect.
4. The availability of recycled water should be investigated as a source to irrigate large landscaped areas.

5. Ultra-low-flush water closets, ultra-low-flush urinals, and water-saving showerheads must be installed in both new construction and when remodeling. Low flow faucet aerators should be installed on all sink faucets.
6. Significant opportunities for water savings exist in air conditioning systems that utilize evaporative cooling (i.e. employ cooling towers). LADWP should be contacted for specific information on appropriate measures.
7. Recirculating or point-of-use hot water systems can reduce water waste in long piping systems where water must be run for considerable periods before heated water reaches the outlet.
8. Water conserving clothes washers and dishwashers are now available from many manufacturers. Water savings also represent energy savings, in that the water saved by these appliances is typically heated.

More detailed information regarding these and other water conservation measures can be obtained from LADWP's Water Conservation Office by calling (800) 544-4498.

#### **Response 4-7**

The attachments support comments in the preceding sections of this letter. As such, this comment is addressed in Responses 4-1 to 4-4.

The comment is noted and will be incorporated in the Final EIR for review and consideration of the decision-makers.

#### **Comment 4-8**

### COMMERCIAL ENERGY EFFICIENCY MEASURES

During the design process, the applicant should consult with the Los Angeles Department of Water and Power, Efficiency Solutions Business Group, regarding possible energy efficiency measures. The Efficiency Solutions Business Group encourages customers to consider design alternatives and information to maximize the efficiency of the building envelope, heating, ventilation, and air conditioning, building lighting, water heating, and building mechanical systems. The applicant shall incorporate measures to meet or, if possible, exceed minimum efficiency standards for Title XXIV of the California Code of Regulations. In addition to energy efficiency technical assistance, the Department may offer financial incentives for energy designs that exceed requirements of Title XXIV for energy efficiency.

1. Built-in appliances, refrigerators, and space-conditioning equipment should exceed the minimum efficiency levels mandated in the California Code of Regulations.
2. Install high-efficiency air conditioning controlled by a computerized energy-management system in the office and retail spaces which provides the following:

- 
- A variable air-volume system which results in minimum energy consumption
- and avoids hot water energy consumption for terminal reheat;
- A 100-percent outdoor air-economizer cycle to obtain free cooling in appropriate climate zones during dry climatic periods;
  - Sequentially staged operation of air-conditioning equipment in accordance with building demands; and
  - The isolation of air conditioning to any selected floor or floors.
  - Consider the applicability of the use of thermal energy storage to handle cooling loads.
3. Cascade ventilation air from high-priority areas before being exhausted, thereby, decreasing the volume of ventilation air required. For example, air could be cascaded from occupied space to corridors and then to mechanical spaces before being exhausted.
  4. Recycle lighting system heat for space heating during cool weather. Exhaust lighting-system heat from the buildings, via ceiling plenums, to reduce cooling loads in warm weather.
  5. Install low and medium static-pressure terminal units and ductwork to reduce energy consumption by air-distribution systems.
  6. Ensure that buildings are well-sealed to prevent outside air from infiltrating and increasing interior space-conditioning loads. Where applicable, design building entrances with vestibules to restrict infiltration of unconditioned air and exhausting of conditioned air.
  7. A performance check of the installed space-conditioning system should be completed by the developer/installer prior to issuance of the certificate of occupancy to ensure that energy-efficiency measures incorporated into the project operate as designed.
  8. Finish exterior walls with light-colored materials and high-emissivity characteristics to reduce cooling loads. Finish interior walls with light-colored materials to reflect more light and, thus, increase lighting efficiency.
  9. Use a white reflective material for roofing meeting California standards for reflectivity and emissivity to reject heat.
  10. Install thermal insulation in walls and ceilings which exceeds requirements established by the California Code of Regulations.
  11. Design window systems to reduce thermal gain and loss, thus, reducing cooling loads during warm weather and heating loads during cool weather.
  12. Install heat-rejecting window treatments, such as films, blinds, draperies, or others on appropriate exposures.

13. Install fluorescent and high-intensity-discharge (HID) lamps, which give the highest light output per watt of electricity consumed, wherever possible including all street and parking lot lighting to reduce electricity consumption. Use reflectors to direct maximum levels of light to work surfaces.
14. Install photosensitive controls and dimmable electronic ballasts to maximize the use of natural daylight available and reduce artificial lighting load.
15. Install occupant-controlled light switches and thermostats to permit individual adjustment of lighting, heating, and cooling to avoid unnecessary energy consumption.
16. Install time-controlled interior and exterior public area lighting limited to that necessary for safety and security.
17. Control mechanical systems (HVAC and lighting) in the building with timing systems to prevent accidental or inappropriate conditioning or lighting of unoccupied space.
18. Incorporate windowless walls or passive solar inset of windows into the project for appropriate exposures.
19. Design project to focus pedestrian activity within sheltered outdoor areas. For additional information concerning these conservation measures, please contact Mr. Adan Reinoso, Outreach Customer Manager, Business Planning, at (213) 361-1742.

#### **Response 4-8**

The attachments support comments in the preceding sections of this letter. As such, this comment is addressed in Responses 4-1 to 4-4.

The comment is noted and will be incorporated in the Final EIR for review and consideration of the decision-makers.

**LETTER NO. 5**

Del Rey Homeowners & Neighbors Association and Del Rey Neighborhood Council  
Celia Knight, Recording Secretary DRH&NA  
P.O. Box 661450  
Los Angeles, CA 90066

**Comment 5-1**

Questions and Concerns of Residents aired at Joint DRH&NA and DRNC Meeting re: Village at Playa Vista December 16, 2003

The following questions and concerns were voiced by members of the Del Rey Homeowners and Neighbors Association and Del Rey Neighborhood Council following a presentation by Doug Martin, Playa Vista representative, highlighting some of the 16 sections of the draft EIR on The Village at Playa Vista:

1. Traffic—does PV dictate to city or vice versa?  
A negotiation process—City pretty much has the final word.

**Response 5-1**

As discussed in Section V of Appendix K-2 of the Draft EIR, the traffic study and mitigation measures included in the Draft EIR are prepared by the traffic consultants for the City of Los Angeles Department of Transportation (LADOT), using the applicable guidelines, methods and assumptions mandated by LADOT. Appendix K-1 of the Draft EIR contains LADOT's Initial Traffic Impact Assessment for the Proposed Project, which finds that the transportation analysis adequately addresses the traffic impacts of the Proposed Project. These findings are reiterated in the LADOT amendment to the Initial Traffic Impact Assessment letter, which is included in the Appendices of the Final EIR.

**Comment 5-2**

2. Restricted parking of considerable concern.

**Response 5-2**

As discussed in Section IV.K.(2), Parking, of the Draft EIR beginning on page 943, the transportation improvement plan for the Proposed Project will not result in any loss of parking along Jefferson Boulevard, Inglewood Boulevard, or Centinela Avenue. Approximately 27 parking spaces along the east side of Centinela Avenue between the Ballona Channel and Culver Boulevard would be subject to peak hour parking restrictions, in order to increase

capacity during peak hours along this roadway segment. Because other parking is available off of Centinela Avenue (i.e., on Milton Street, Havelock Street, Allin Street, Braddock Drive, Verdi Street, Wagner Street, and Culver Boulevard), the Draft EIR concludes that impacts on parking at this location are adverse but less than significant.

### **Comment 5-3**

3. Will the former lakesite be utilized? Can it be a pads? Most likely not a lake, but open space or a park.

### **Response 5- 3**

The comment appears to reference the former site of a water feature within the adjacent First Phase Project. This water feature is no longer planned as part of the First Phase Project; instead, it is planned to be an active park.

### **Comment 5-4**

4. Can general public use the shuttle service? Yes, there will be regular service and “on call” service for residents (of Playa Vista) for return trips.

### **Response 5-4**

As stated in Subsection 3.3.3, Section IV.K.(1), Traffic and Circulation, on page 839 of the Draft EIR, the internal shuttle will be fare-free during peak hours to the general public. As stated in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, on page 893, the Expanded Shuttle System would provide enhanced transit service for Project residents, visitors, employees, and the surrounding community. As with the internal shuttle, the expanded shuttle will be fare-free for the general public during peak hours.

### **Comment 5-5**

5. The improvement that was planned of connecting the Marina Freeway via Alla Road is not feasible because PV cannot eminent domain property and some property owners necessary to that improvement would not sell. Caltrans approved the project, but with no eminent domain, couldn't be done. DRH&NA and DRNC could try to get the city, who does have eminent domain powers, to proceed with that improvement.

### **Response 5- 5**

A connection between Alla Road and the SR 90 Freeway (to and from the south on Alla) was explored as a potential roadway improvement, but private land necessary to create the right-of-way that would have allowed the improvement to be constructed was not available for

acquisition. As a result, alternate mitigation measures were formulated and evaluated in the Draft EIR. This improvement would not be required to mitigate any significant impacts.

### **Comment 5-6**

Comment by one individual upset that DRH&NA “sponsored” the meeting Acting DRNC President Steve Knight acknowledged “sponsor” was inartful, DRH&NA does not sponsor any commercial enterprises. Said individual complimented Doug on pretty pictures and words.

### **Response 5- 6**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 5-7**

6. Light rail question—can the Green Line be extended to connect with PV? PV is talking to engineers about that—the problem now is with LAX—to and through. The Lincoln Corridor Task Force is looking at light rail also. Land is being reserved along Lincoln Blvd. just in case.

### **Response 5- 7**

No regional plan for rail transit suggested by the commentor currently exists. The Lincoln Corridor Task Force recently completed its First Phase of a long term improvement study of Lincoln Boulevard corridor between LAX and Santa Monica. A Light Rail Transit alternative has been evaluated among several other alternatives in this study, and will be explored further in the Task Force’s next phase of study. As discussed on page 7 of Appendix K-1 of the Draft EIR, in the event the Lincoln Corridor Task Force adopts a set of regionally superior traffic improvements that are equivalent or superior in mitigating the project-related traffic impacts of the Proposed Project, prior to implementation of the Proposed Project or its mitigation measures the City may require the Proposed Project to contribute towards the implementation of the Task Force’s improvements in an amount not greater than the Project improvements being superceded.

### **Comment 5-8**

7. How about bicycle access? Bicycle lane along Lincoln Blvd. was shot down by the Coastal Commission. A pedestrian/bicycle bridge over Ballona Creek was proposed—Coastal Commission not at all in favor of any bridges over the creek

### **Response 5- 8**

The analysis of impacts on bikeways in Section IV.K.(3), Bicycle Plan, of the Draft EIR analyzes the impacts of the Proposed Project and, where necessary, proposes mitigation



measures to address the Proposed Project's impacts. As indicated in Subsection 3.4.1 on page 961, the Project's Class II lanes would link with other bikeways, would be compatible with adjacent Playa Vista First Phase Project bikeways and provide enhanced service for the Proposed Project's population, Playa Vista First Phase Project's population and regional travelers passing through the site on their longer journeys. The new bikeways would improve the quality of bikeway service. Thus, the Proposed Project would not interfere with the implementation of any planned bikeways and would expand upon and complement existing Bike Plans.

**Comment 5-9**

8. A question about the school—Was money given to LAUSD with no strings? In negotiation with LAUSD regarding where the money will be allocated. Toxicity of the potential site has been checked and it's clean.

**Response 5- 9**

The decision of where and how to spend the school fees mandated by law for the Project is entirely within the control of the LAUSD. Efforts are on-going with the LAUSD regarding the dedication of a school site within the adjacent First Phase Playa Vista Project.

**Comment 5-10**

9. Traffic again—widening of Centinela from Culver to Washington Blvd. in pipeline unless funding evaporates. Dependent upon a state bond measure to be put before voters in March.

**Response 5- 10**

As stated in Subsection 3.4.2 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 845, the widening of Centinela Avenue between Short Avenue (just north of Culver) to Washington Boulevard to provide 2 lanes plus parking in both directions, plus a central left turn lane, is planned to occur independent of the Proposed Project.

**Comment 5-11**

10. What about upkeep for the Playa Vista area? Master Homeowners Association will be responsible for maintenance. In perpetuity. (Some skepticism murmurs)  
Playa Vista donation to St Augustine's food bank program acknowledged, with thanks.

**Response 5- 11**

The Master Homeowner's Association for the Proposed Project will be the Playa Vista Parks and Landscape Corporation (PVPAL), which has been established and currently governs the adjacent First Phase Project at Playa Vista. PVPAL has the power and duty to maintain the Playa Vista

common areas in accordance with the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Playa Vista as well as the Covenants and Agreements associated with the vesting of the tract map (these items are located in the Reference Library for the Final EIR). Both of these documents have been recorded, and “run with the land” and are binding against all successors. PVPAL is funded by homeowner assessments and builder assessments. Upon project buildout, the PVPAL annual budget is expected to be approximately \$12 million per year.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 5-12**

11. Question re: transportation for high school students—most likely will be a grammar school on site, only 1 high school serves whole area. With even current traffic levels, will any kids survive crossing the streets to get to Venice High School?

### **Response 5-12**

The intersection of Venice Avenue and Walgrove Avenue, which is adjacent to the Venice High School, was studied as part of the traffic analysis included in the Draft EIR. The Proposed Project would add 27 and 19 trips in the AM and PM peak hours, respectively, at this location. As indicated in Table 119 (page 852 of the Draft EIR), the Proposed Project is not anticipated to have a significant impact at this location, and should not affect students’ ability to cross the street.

### **Comment 5-13**

Rumor that liability for methane was transferred to city—methane venting systems built into Playa Vista, methane a naturally occurring gas, found all over Los Angeles (remember the Ross Dress building explosion?)

### **Response 5- 13**

This comment will be noted and incorporated into the Final EIR for review and consideration of decision-makers.

A detailed discussion regarding methane is provided in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR starting on page 700. This issue is also addressed in Topical Response TR-12, Soil Gas, on page 477, above.

As discussed in Subsection 2.2.4.1.2.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 710-713, between June 2000 and March 2001, the CLA conducted an independent and public review of issues of potential concern at Playa Vista. As part of the Chief Legislative

Analyst (CLA) review process, the City's Department of Building and Safety retained an independent peer reviewer, Dr. Victor T. Jones III of Exploration Technology, Inc. ("ETI"). In addition, the CLA retained Kleinfelder, Inc. as the CLA's consultant, and consulted with the City's Bureau of Engineering, the City's Department of Building and Safety, the City Attorney's office, the State's Division of Gas and Geothermal Resources ("DOGGR"), the California Department of Conservation Division of Geology and Mines, and the Regional Water Quality Control Board, all of whom independently reviewed technical issues regarding the Playa Vista site. As part of that review process, the Applicant also retained its own consultants, including Dr. Kul Bhusan, Mr. Nabih Youssef, Dr. Isaac Kaplan, Dr. Kerry Sieh, Dr. Thomas Davis, Dr. James Embree, and Mr. John Sepich, regarding the myriad of issues addressed during the CLA's review process.

#### **Comment 5-14**

12. Parking for the library? Library has its own parking lot

#### **Response 5- 14**

The comment appears to Refer to the City of Los Angeles Public Library in the adjacent First Phase Project, which was addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December, 1995. However, parking for the library is provided in its own parking lot.

#### **Comment 5-15**

13. Prices for homes question: condos are in the low \$200,000's.

#### **Response 5- 15**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The comment appears to refer to the current pricing in the adjacent First Phase Project.

#### **Comment 5-16**

14. Question re: heights of buildings and view of bluffs—buildings will get taller towards the bluffs, no more than 8 stories (gasps all around). Comment -re: monolithic appearance of buildings at SE corner of Lincoln and Jefferson.

**Response 5- 16**

The proposed height limits of the proposed project are shown in Figure 103, page 1166 of the Draft EIR. As indicated, taller buildings (up to 112' AMSL) will be located closer to the bluffs. Buildings adjacent to Jefferson Boulevard would be limited to 95' AMSL. This is roughly similar to the height of the existing Spruce Goose building in the adjacent First Phase Project area, which has a building height of approximately 92 feet AMSL.

**Comment 5-17**

15. Question regarding timeline—how can neighborhood organizations track the proposals through completion of the project? DOT in charge of monitoring traffic/street improvements. Doug will be the liaison for Playa Capital as well as for The Village, will keep a dialogue going with these organizations.

**Response 5- 17**

By providing comments on the Draft EIR, the commentor will be notified of the availability of the Final EIR and subsequent public hearings regarding the Proposed Project. The Draft EIR includes a Mitigation Monitoring and Reporting Program in Appendix C, which assigns enforcement responsibilities for the Proposed Project's mitigation measures. Following project approval, various City departments, including City Planning, LADOT, and Building and Safety, will monitor the implementation of the Proposed Project and implementation of its mitigation measures and conditions of approval. Interested organizations can track the implementation of the Proposed Project through those departments.

**LETTER NO. 6**

Grassroots Venice Neighborhood Council  
Post Office Box 2224  
Venice, CA 90291

**Comment 6-1**

The Grassroots Venice Neighborhood Council hereby transmits the following comments to the City Planning Department. The purpose of these comments is to communicate stakeholder concerns and facilitate community input on the proposed Phase Two Playa Vista Project as it relates to Venice. These comments were prepared by a three-member ad hoc [*sic*] subcommittee of the NC Land Use and Planning Committee (“LUPC”) and consist of three sections:

- The first section is a summary of the content of letters received by LUPC from NC stakeholders regarding the DEIR. The actual stakeholder letters are included in Appendix A.
- The second section is a report prepared by an ad hoc subcommittee of the LUPC which was responsible for providing specific comments on the DEIR to the NC Board of Directors. This report raises issues and questions related to impacts on the Venice community from the proposed project. Appendix B is a working list of sensitive receptors in the Venice area.
- The third section is a report from the NC Conservation Committee regarding findings of DEIR deficiencies.

We respectfully request that the City Planning Department address each of the comments of our committees and stakeholders thoroughly, so that our Neighborhood Council may be better informed about the impacts of the proposed project on our stakeholders. Once we are better informed, subsequent to the release and review of the Final EIR or an amended draft EIR, GRVNC will be prepared to take a position on the proposed development.

Thank you for your time and attention to this matter.

**Response 6-1**

The comment provides background information on the letter submittal. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 6-2**

Comments on the Playa Vista Phase Two (“Proposed Project”) Draft Environmental Impact Report (“DEIR”)

These comments, prepared by a 3-member ad hoc subcommittee of the NC Land Use and Planning Committee (“LUPC”), consist of three sections:

- The first section is a summary of the content of letters received by LUPC from NC stakeholders regarding the DEIR. The actual stakeholder letters are included in Appendix A.
- The second section is a report prepared by the ad hoc subcommittee of the LUPC which was responsible for providing specific comments on the DEIR to the NC Board of Directors. This report raises issues and questions related to impacts on the Venice community from the proposed project. Appendix B is a working list of sensitive receptors in the Venice area.
- The third section is a report from the NC Conservation Committee regarding findings of DEIR deficiencies.

### **Response 6-2**

The comment provides background information on the letter submittal. More specific comments with responses follow.

### **Comment 6-3**

Section 1: Summary of content of letters from NC Stakeholders

The main issues raised by the individual stakeholders are: lack of affordable housing at the proposed project, destruction of natural and archeological resources, impacts to the quality of life for Venetians due to increased traffic and loss of aesthetics, concerns about public health and safety due to increased air pollution and methane/toxic gases, lack of real data to support the DEIR’s conclusions regarding significance of impacts or lack thereof; and failure to identify cumulative impacts.

### **Response 6-3**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. These comments are described further below with responses that address specific Draft EIR and CEQA issues.

### **Comment 6-4**

On affordability, one commenter mentioned that the level and percentage of affordability requirements at Playa Vista should be in proportion to income levels in the metropolitan area.

**Response 6-4**

The Proposed Project does not result in the removal of any affordable housing units, or the relocation of any households residing in affordable housing units. As such, development of the Proposed Project would have a less than significant impact on affordable housing.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-5**

On destruction of natural resources, stakeholders are concerned about impact to the bluffs, the wetlands, and trees on the site. Stakeholders feel that the DEIR glosses over the amount of water pollution that the project will produce, and that will detrimentally affect Santa Monica Bay, the Bellflower Aquitard, Ballona Aquifer, and the Silverado Aquifer which lie beneath the proposed project.

**Response 6-5**

Impacts to the bluffs, wetlands and trees are discussed in Section IV.D, Biotic Resources, of the Draft EIR. The total remaining wetlands in the Proposed Project site are less than 0.7 acre. As summarized on page 548, no on-site wetlands beyond those previously permitted for fill would be impacted by the Proposed Project. In addition, potential impacts to off-site wetlands from pollutants in stormwater runoff and irrigation runoff would have a less than significant impact due to treatment measures built into the Project design, the Riparian Corridor and the Freshwater Marsh. As discussed on page 547, the Bluff Restoration element also has potential to benefit wildlife movement by providing a linkage between two existing fragments of revegetated coastal sage shrub along the Westchester Bluffs east of Lincoln Boulevard. Furthermore, as discussed on pages 530-531, the only trees on the Proposed Project site are some non-native palm trees and a few other non-native trees (as identified in the Environmental Assessment Form contained in Volume II, Appendix A-1, there are approximately 55 non-native palm and eucalyptus trees within the Project site). As envisioned by the design and landscaping concepts presented in Subsection 3.3.1.2.5 of Section IV.O, Visual Qualities (Aesthetics and Views), of the Draft EIR on pages 1167-1168, approximately 800 trees would be planted in the parkways and parks within the Project site.

As stated in Subsection 3.4.1.2.4 of Section IV.C.(2), Water Quality, of the Draft EIR on page 478, water quality impacts to Santa Monica Bay from the Proposed Project would not be significant. The summary of surface water quality in Subsection 3.4.1.2.9 of Section IV.C(2), Water Quality, of the Draft EIR starting on page 506, states that considering all of the inputs to Santa Monica Bay, the quantity of stormwater runoff from the Proposed Project site would be less than significant in comparison. In fact, the adjacent First Phase Project together with the Proposed Project results in net benefits to receiving waters listed in the Basin Plan, including the Ballona Wetlands, Ballona Estuary, and Santa Monica Bay. Moreover, any potential increases in

pollutant loading would be addressed through the implementation of mitigation measures discussed in Subsection 4.0 of Section IV.C.(1), Hydrology, of the Draft EIR on page 394, and Section IV.C.(2), Water Quality, of the Draft EIR on page 517. These mitigation measures include the completion, or otherwise guaranteed completion, of the Freshwater Marsh, Riparian Corridor and other structural/treatment control BMPs, which would improve existing flood control infrastructure with water quality enhancements that will result in no increase in pollutant concentrations to the Santa Monica Bay, as stated in Subsection 3.4.1.2.4 of Section IV.C.(2), Water Quality, of Draft EIR on page 476.

Subsection 2.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR starting on page 682, addresses the sampling, characterization and delineation of the contamination in the aquitard/aquifer system under and adjacent to the Proposed Project site that is being conducted under the Regional Water Quality Control Board's Cleanup and Abatement Order No. 98-125. As discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 681, groundwater (along with soil) contamination has occurred as a result of past activities on the Proposed Project site, including aircraft-related and other industrial activities. The Proposed Project would not cause further contamination of groundwater (or soil). As discussed in Subsection 3.4.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR starting on page 723, construction and operation of the Project is not expected to significantly impact the rate or change in direction of the groundwater. Subsection 3.4.2 of Section IV.C(2), Water Quality, also addresses how the Proposed Project would not impact the drinking water system as the groundwater in the area of the Project is not currently used for drinking water. Finally, development of the Proposed Project is not expected to cause further contamination of groundwater (or soil).

#### **Comment 6-6**

Also, stakeholders are concerned about destruction of native people's burial grounds which are environmental treasures in their own right.

#### **Response 6-6**

Potential impacts to archaeological resources, including impacts on Native American burials, associated with the Proposed Project are addressed in Section IV.P.(2), Archaeological Resources, of the Draft EIR, beginning on page 1199. The Draft EIR identifies and discusses the potential impacts on CA-LAN-62, CA-LAN-211/H, CA-LAN-1932H, and CA-LAN-2769 and concludes, on page 1224, that implementation of the Programmatic Agreement (Appendix O-I) of the Draft EIR and mitigation measures listed in the Draft EIR would reduce impacts on archaeological resources to a less-than-significant level. The details regarding the cultural resources encountered within the Proposed Project site and treatment plans to address those resources are presented in Appendix O-3 of the Draft EIR, as well as the 1991 Research Design and Data Recovery Plan for CA-Lan-62 and CA-Lan-211, which have been included in the Appendices of the Final EIR.

As reported in the 1991 Playa Vista Archaeological and Historical Project Research Design, archaeological excavations of the western portion of Area D in the 1940s and 1950s, uncovered



Native American burials. The current archaeological activities in the western portion of Area D, which have uncovered Native American burials, are part of the Playa Vista First Phase Project. These activities were approved by the City as part of the First Phase Project in a separate EIR (EIR No. 90-0200-SUB(C) (CUZ) (CUB), State Clearinghouse No. 90010510, certified by the City in September 1993. These activities are in compliance with the Programmatic Agreement and the requirements of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.

The exact location of burials and other archaeological resources is not easily predicted, and there are instances where human remains and artifacts are found during construction. As identified in the mitigation measures included in Subsection 4.0 of Section IV.P.(2), Archaeological Resources, of the Draft EIR on pages 1222-1223, efforts will be made to avoid human remains and other archaeological resources. In cases where human remains are encountered, the Applicant shall comply with the Programmatic Agreement and the requirements of the California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.

The Most Likely Descendant designated by the Native American Heritage Commission for Playa Vista has provided guidelines for the handling of human remains. These guidelines are being implemented to the extent feasible by the Applicant.

#### **Comment 6-7**

On aesthetics, many stakeholders are displeased with the look of the Playa Vista Phase One development. Many people feel that they were deceived by Playa Vista's models of the development when Phase One was proposed back in the early 1990's. Some mention that the Phase One development looks like "a ghetto."

#### **Response 6-7**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The comment addresses issues that relate to the First Phase Project and not the Proposed Project.

#### **Comment 6-8**

Traffic congestion is the number one issue for the commenters. Some suggest the need for rail, mass transit, bike and pedestrian zones. Some suggest that the City should wait to approve the proposed project until the full impact of the Phase One project is known. Stakeholders also raise concern [*sic*] about the DEIR's statement that mitigations cannot be insured if the measures are "infeasible" or "permits cannot be obtained."

**Response 6-8**

Traffic congestion is addressed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 798. The traffic analysis includes consideration of and mitigation measures relating to transit. Bikeway plans and linkages are discussed in Section IV.K.(3), Bicycle Plan, of the Draft EIR, beginning on page 953.

With respect to the comment that the City should wait to approve the proposed project until a full impact of the Playa Vista First Phase Project is known, this comment is addressed in Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, on page 470. With respect to mitigation, please See Topical Response TR-8, Significant Impacts May Remain, on page 468.

**Comment 6-9**

Finally, one commenter mentions that compliance with mitigations cannot be guaranteed, and thus the DEIR should include some sort of requirement for the developer to enter into a covenant and agreement, so that if the developer fails to fulfill its mitigation requirements, legal remedies are available to those impacted by that failure.

**Response 6-9**

As with any project in the City of Los Angeles, the Lead Agency will monitor compliance with all mitigation measures required for the Proposed Project. Mitigation measures proposed for the Proposed Project are included in the Draft Mitigation Monitoring and Reporting Program (MMRP) in Appendix C. The MMRP provides an enforcement agency for each mitigation measure. Compliance with mitigation measures also would be monitored throughout the Project's permitting process; e.g., tract recordations, grading, building permits, etc. Those permits would not be issued until appropriate mitigation measures are assured.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-10**

With regard to the DEIR's lack of real data, stakeholders state that real data must supersede models, and that the City should obtain real data, on the Phase One project to assist the City's impact analysis for the Phase Two development proposal.

**Response 6-10**

The transportation model is developed and calibrated using actual traffic counts, street system operating conditions and related projects. The model was validated on an overall basis to within

1 to 2% variance between model generated traffic and actual counts. Please See Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of the data and methodology used for the traffic study. Further, the Draft EIR has used “real data” extensively (See e.g., Section IV.B., Air Quality, Section IV.D., Biotic, Section IV.C.(2), Water Quality and Section IV.K.(1), Traffic and Circulation).

### **Comment 6-11**

With regard to the DEIR’s cumulative impact analysis, one commenter points out that the DEIR improperly excludes major projects in the Venice area. These projects include Lincoln Place, Lincoln Center Redevelopment, Trammell Crowe [*sic*] project, and the Walgreen’s project, among others.

### **Response 6-11**

The Draft EIR considered and incorporated conservative assumptions regarding identifying the list of related projects and analyzing cumulative impacts. The list of related projects was developed via consultation with the adjoining cities and the County of Los Angeles with regard to relevant areas of unincorporated Los Angeles County. A comprehensive discussion of related projects is provided in Topical Response TR-3, Related Projects, on page 453. See Response to Comment 6-12, below, for a discussion of the specific projects raised in this comment.

Furthermore, the analysis is conservative in two ways. The related projects list includes over 31 million square feet of commercial and industrial development as well as over 9,300 residential units. To account for additional cumulative development, the EIR assumed an additional growth factor of 10% of commercial and industrial development and 25% of residential development. These additional increments account for over 3.1 million square feet of commercial and industrial development as well as over 2,300 residential units. Therefore, the Project’s related projects represent a total of over 34 million square feet of commercial and industrial development as well as over 11,600 residential units. In addition, the traffic analysis was conducted using a transportation model based on the Southern California Association of Governments (SCAG) regional model, which included the socioeconomic and land use growth anticipated by SCAG for the entire region. Interpolation between 2000 and 2015 socioeconomic datasets produced land use and traffic growth patterns for the Year 2010 to be used as the Future Cumulative Base projections. To check the validity of the SCAG projections, each of the cities within the study area was asked to supply a list of their related background projects, including projects in development or anticipated to be developed and open by 2010. This list was compared against the land use assumptions for each traffic analysis zone (“TAZ”) to determine whether each TAZ included sufficient land use growth to accommodate the related projects. Additional land use development was added to those TAZs that did not have sufficient growth based on SCAG’s forecast. While additional development was added where required, corresponding reductions in land use was not taken in those instances where the cumulative development was less than that forecasted by SCAG. Thus, the amount of cumulative land use development assumed in the traffic model exceeded that assumed in the related projects list.

**Comment 6-12**Section 2: LUPC ad hoc Subcommittee Report on DEIR

This report focuses on the major impacts to Venice resulting from the proposed project, and lists major deficiencies in the DEIR as they relate to Venice.

A. THE LIST OF RELATED PROJECTS IS WOEFULLY INACCURATE, THUS CUMULATIVE EFFECTS, IN PARTICULAR FOR TRAFFIC, AIR QUALITY AND SAFETY, ARE INACCURATELY ASSESSED.

COMMENT: The list of related projects includes but one project in Venice, the Harley Davidson project. This is wholly inadequate and cannot stand up under CEQA scrutiny.

Venice is currently experiencing intense growth, including some very large projects. For example, the Lincoln Center Redevelopment project on Lincoln Blvd will double retail space and add over 300 new dwelling units. The Trammel Crow Oxford Triangle Project will add 298 dwelling units. St. Joseph Center will double current space. Other related projects include several large condominium/retail projects on Ocean Front Walk, large loft complexes on Hampton, and the Lincoln Place Redevelopment Project, which, according to new owner AIMCO, has the potential 1300 newly built apartments.

1. REQUEST FOR RESPONSE: In order to adequately address impacts to traffic and air quality, it is imperative that all major projects in the Venice area, such as the ones listed above, are considered in the cumulative impacts analysis. In the area of traffic, for example, any one of these projects, when properly included, may mean the difference between a LOS D>E, E>F or the .02 increase in V/C. Thus, by excluding all but one project in Venice, the DEIR thoroughly misrepresents projected traffic and pollution on Lincoln Blvd, Venice Blvd, Walgrove, Rose, Washington Blvd, Glencoe, Palms, Lake, Abbot Kinney Boulevard, Electric, Hampton, Pacific, and Main Street. Special attention must be paid to the traffic impacts at Lincoln Blvd & California, Lake, Rose, Palms, Superba and Venice Blvd. (corners heavily impacted by Lincoln Center and Lincoln Place) and the intersections of Lincoln Blvd. & Washington; Maxella & Mindanao; Washington & Glencoe; and Abbot Kinney & Washington; (heavily impacted by Trammel Crow and Walgreen's). With current development on Abbot Kinney the EIR needs to look at its intersections with California and Main Street. Likewise Rose and Main and Rose Hampton should be considered. Have related projects in other areas, e.g. Mar Vista, Westchester, Culver City, Santa Monica, Marina del Rey and Playa del Rey similarly been ignored? Many of the projects in Marina del Rey, such as Channelgate are not yet fully populated.

**Response 6-12**

The Draft EIR provides a conservative analysis of cumulative traffic impacts. This analysis includes conservative assumptions for growth in the Venice area and includes a conservative analysis of traffic and air quality impacts from traffic raised in the comment.

The traffic impact analysis in the Draft EIR uses a transportation model based on the Southern California Association of Governments (SCAG) regional model. This model includes all of the socioeconomic and land use growth anticipated by SCAG in the entire region. Each of the cities within the hundred square mile traffic study area was asked to provide a list of their related background projects. All related projects for which an application had been filed prior to the issuance of the NOP for the Village at Playa Vista were included in the related projects list. This generated a list of 96 related projects, illustrated on page 194 of the Draft EIR.

Traffic projections were prepared for all of these related projects for each traffic analysis zone in the study area. The traffic growth in the model from SCAG projections was then compared to the location of the related projects to make sure that sufficient traffic growth was assumed in each traffic analysis zone in order to ensure that cumulative traffic in each traffic analysis zone conservatively reflected each of the related projects. For those few zones where sufficient traffic growth did not appear in the SCAG model, traffic from the known related project was added to the model's trip table.

A detailed investigation of the projected growth in each traffic analysis zone (TAZ) showed that the traffic model used in the Draft EIR assumed sufficient growth to account for all of the projects discussed in this comment.

The Trammel Crow project referenced in the comment is a residential community consisting of 298 apartment units, and a parking structure with 670 stalls. According to environmental documents for that project, the project would generate about 1,912 trips per day, with 136 trips during the morning peak hour, and 187 trips during the evening peak hour. As noted above, the traffic model in the Draft EIR assumes sufficient growth in the applicable traffic analysis zones to account for these trips and cumulative air quality impacts resulting from traffic.

With respect to the Lincoln Place project, Lincoln Place is a 32 acre, 700-unit housing complex built in 1951, and is owned by AIMCO. There is no formal proposed project regarding Lincoln Place at this time. Development proposals previously contemplated for this site, as well as potential proposals involve the replacement of the existing apartments with new condominiums. As a result, the potential net increase in units would result in an incremental increase in peak hour net trip generation. In the absence of a formal proposal, however, any assumption regarding a proposed Lincoln Plan project would be speculative. Regardless the cumulative impacts analysis in the Draft EIR provides a conservative set of assumptions to capture future growth. Even in the event 1,300 new apartments were proposed for the Lincoln Place project, the traffic model in the Draft EIR assumes sufficient growth in the applicable traffic analysis zones to account for these trips and cumulative air quality impacts resulting from traffic.

The Walgreens under construction at the southwest corner of Lincoln/Washington involves the replacement of a retail building that existed and was in operation at the time of the traffic counts for the Village at Playa Vista project. Thus the trip generation for this project was included in the background traffic conditions.

The Lincoln Center project, as well as another project located along Lincoln Boulevard within the Venice Community, the Harley Davidson project, were included in the List of Related Projects as project numbers 88 and 7, respectively, in Table 5, presented Section III.B., Identification of Related Projects, beginning on page 193 of the Draft EIR.

Other projects mentioned in the comment include a four unit apartment complex with retail on the ground floor at 619 Ocean Front Walk (existing use is a pay parking lot), a 49 unit apartment complex at 615 Hampton Ave. and 35 unit apartment complex at 602 Main Street (i.e., “large loft complexes”), and the replacement of the existing 11,000 sq. ft. facility at St. Joseph’s Center with a new 30,000 sq. ft. facility (i.e., the “doubling of current space”). According to the Grassroots Venice Neighborhood Council Land Use and Planning Committee’s Project Initiation Form submitted on this project, the St. Joseph’s Center project is intended to accommodate existing programs, and no significant increase in peak traffic generation is anticipated. As noted above, with respect to these projects, a detailed investigation of the projected growth in each traffic analysis zone (TAZ) showed that the traffic model used in the Draft EIR assumed sufficient growth to account for all of these projects.

With respect to the specific intersections raised in the comment, a total of 12 key signalized intersections along Lincoln Boulevard between Jefferson Boulevard and the I-10 freeway ramps were included in the study. The study determined that no significant impacts would occur north of Venice Boulevard with the construction and occupancy of the Proposed Project. As shown in Figure 74, Section IV.K.(1), Traffic and Circulation, of the Draft EIR, the proposed project would have significant impacts at six and eight intersection locations along Lincoln Boulevard between Jefferson Boulevard and Venice Boulevard during the A.M. and P.M. peak hours, respectively, prior to mitigation. With implementation of the mitigation measures, no significant impacts would remain at any location on Lincoln Boulevard. Please see Topical Response TR-7, Study Intersections, on page 463, for a detailed discussion of the process used in the selection of locations for analysis, including the Lincoln Boulevard intersections.

The study analyzed all signalized intersections along Lincoln Boulevard between Jefferson Boulevard and Venice Boulevard and all arterial intersections north of Venice Boulevard to the I-10 freeway. The other intersections along Lincoln Boulevard between the I-10 and Venice Boulevard, suggested by the commentor, are with local and collector streets. The project traffic and consequently, its impacts decrease as one travels farther from the Project site. Given the decrease in project trips north of Venice Boulevard, the small incremental level of Project impact at Lincoln Boulevard and Rose Avenue and other arterial intersections along the corridor north of Venice Boulevard, and the lower level of cross street traffic on collectors and locals than on arterials, the Proposed Project would not be expected to have significant impact at intersections with collector and local streets along the corridor north of Venice Boulevard. Similarly, the study determined that no significant impacts would occur along Abbott Kinney Boulevard since

both the intersection locations of Abbott Kinney Boulevard at Venice Boulevard and Abbott Kinney Boulevard at Main Street on either side of the suggested locations were not significantly impacted by the Proposed Project, as shown in Table 119 in Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 847 and 848. The intersection of Rose Avenue and Main Street was analyzed in the Draft EIR (Intersection No. 55), and no significant impact would occur at this location. Given that this location was not significantly impacted, and the fact no substantial amount of project traffic is anticipated to use Hampton Avenue, no significant impact would occur at Rose Avenue and Hampton Avenue.

As discussed in Sections 3.1 and 5.1.5 of the Draft EIR, the Traffic Study included an analysis of the Proposed Project's traffic impacts under two baseline scenarios (i.e., with and without Playa Vista Drive Bridge and Road). The conclusions above are the same under either baseline scenario. Please see Section II.15, Corrections and Additions of the Final EIR and Topical Response TR-10, Alternative 2010 Baseline Scenario, Additional Mitigation Measure, on page 472. Also see Topical Response TR-3, Related Projects, on page 453 for a discussion on the issue of Related Projects and their cumulative effects. See also Response 6-11.

### **Comment 6-13**

COMMENT: The number of signaled intersections is incomplete. Many of these intersections which are not included in the DEIR are listed as LOS D, E or F in mitigated negative declarations prepared for Venice projects.

2. REQUEST FOR RESPONSE: All signaled intersections on Lincoln Blvd between Jefferson and the 1-10 should be analyzed for traffic impacts.

### **Response 6-13**

The Traffic Study included in Appendix K-2 of the Draft EIR used a systematic process in selecting intersections for evaluation. This process is described in detail in Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 828, as well as in the Appendix referenced above. The selection process resulted in the evaluation of 218 intersection locations including 17 Congestion Management Program (CMP) intersections and 11 CMP freeway segments within a 100-square mile area on the west side of Los Angeles in the study. A total of 12 key signalized intersections along Lincoln Boulevard between Jefferson Boulevard and the I-10 freeway ramps were included in the study. The study determined that no significant impacts would occur along Lincoln Boulevard north of Venice Boulevard with the construction and occupancy of the Proposed Project. As shown on Figure 74 in Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 867, the Proposed Project would have significant impacts at six and eight intersection locations along Lincoln Boulevard between Jefferson Boulevard and Venice Boulevard during the A.M. and P.M. peak hours, respectively, prior to mitigation. With implementation of the mitigation measures, no significant impacts would remain at any location on Lincoln Boulevard. Please see Topical Response TR-7, Study Intersections, for a detailed

discussion of the process used in the selection of locations for analysis, including the Lincoln Boulevard intersections.

As part of the 218 intersections analyzed, the study analyzed all signalized intersections along Lincoln Boulevard between Jefferson Boulevard and Venice Boulevard and all arterial intersections north of Venice to the I-10 freeway. The other intersections along Lincoln Boulevard between the I-10 and Venice Boulevard, suggested by the commentor, are with local and collector streets. The project traffic and consequently, its impacts decrease as one travels farther from the Project site. Given the decrease in project trips north of Venice Boulevard, the small incremental level of Project impact at Lincoln Boulevard and Rose Avenue and other arterial intersections along the corridor north of Venice Boulevard, and the lower level of cross street traffic on collectors and locals than on arterials, the Proposed Project would not be expected to have significant impact at intersections with collector and local streets along the corridor north of Venice Boulevard. Therefore, all the key locations along Lincoln Boulevard that could potentially be impacted by the Proposed Project were included in the environmental analysis presented in the Draft EIR.

#### **Comment 6-14**

COMMENT: As neighborhood council meetings in Venice indicate, our neighborhoods are already experiencing high levels of cut-through traffic on residential streets, including Palms, Centinela, Walgrove, McLaughlin, Grandview, Rose, Palms, Inglewood, Glencoe, and Sawtelle. Many of these streets are now effectively functioning as arterials. The DEIR is wholly inadequate in addressing current traffic levels on these streets and projected additional cut-through traffic on these streets resulting from the proposed project, and in conjunction with the cumulative effects of related projects listed above.

3. REQUEST FOR RESPONSE: The Draft EIR must include current levels on all these streets, projected levels with Playa Vista ANDALL RELATED PROJECTS, as well as project which additional streets will fall victim to cut-through traffic.

#### **Response 6-14**

The Playa Vista Transportation Model is discussed in Topical Response TR-1, Playa Vista Transportation Model, on page 445. The transportation policy planning criteria seeks to focus traffic on arterials and collector streets and away from residential streets. Thus, the transportation planning criteria seeks to provide capacity on arterials and collector streets thereby providing travelers with the most efficient traffic routes. Consistent with this process, the traffic model includes freeways, major arterials, secondary arterials, collector streets, and key local streets. The model was validated on an overall basis to within a 1 to 2 percent variance between model-generated traffic and actual counts. The model does not assign trips along local residential streets because the transportation planning criteria seeks to keep traffic off of local residential streets. In this manner, capacity is designed into the freeways, arterials and collectors, in order to minimize the need for use of local streets.



In order to estimate potential neighborhood traffic impacts, a second analysis was done to address neighborhood and cut-through traffic. Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872, presents an analysis of potential neighborhood impacts that could be caused by project traffic. This analysis includes the Venice community. As discussed in Subsection 3.4.7, the Proposed Project will not result in any significant impacts on neighborhood traffic in the Venice area. Additional details of this analysis can be found in Appendix K-2, Traffic Study Appendix Volume 1D, and Topical Response TR-5, Neighborhood Traffic Impacts, on page 458. It should be noted that all of the streets mentioned above are classified as collector streets or arterials, not local residential streets. The City of Los Angeles considers the issue of cut-through traffic as it relates to local residential streets, not collector streets or arterials such as those mentioned in this comment.

### **Comment 6-15**

COMMENT: The threshold of 12.5% beyond today's levels in gauging a significant impact is too high; current levels are already too high and create a great danger to children and bicyclists and generate too much noise and air pollution in these R-1 zones.

4. REQUEST FOR RESPONSE: Please revise the threshold value to reflect actual on-the-ground realities, so as to obtain a more realistic assessment of significant impacts.

### **Response 6-15**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

This comment refers to significance criteria for neighborhood traffic impacts. These thresholds are set forth in the City of Los Angeles Draft CEQA Thresholds Guide, as stated on page 833 of the Draft EIR. Please See Topical Response TR-5, Neighborhood Traffic Impacts, on page 458, for details on the issue of significant neighborhood traffic impacts.

### **Comment 6-16**

COMMENT: What is the basis for choosing 10% of drivers on a clogged arterial will exit and use alternative parallel routes? (The DEIR states that with an increase in 1200 vehicles, 120 will use residential streets as an alternative). The figure appears quite speculative. The DEIR also fails to take into account the number of drivers who, having experienced a clogged artery several times, will no longer attempt to use this route and will automatically select the alternative route to the main artery. For instance, it is well known that many local residents never use the I-405 between 3:30 and 7:30 because they assume traffic will not be flowing.

5. REQUEST FOR RESPONSE: Please provide the data that supports the conclusion that only 10% of drivers on a clogged arterial will exit and use alternative parallel routes. Please provide

the data that takes into account the number of drivers that are projected to avoid the main arterials, and use alternative routes instead, especially during peak times. If there is no such data, please include this factor in your equations and recalculate the percentage of drivers that will use alternative parallel routes, so as to accurately reflect the traffic impacts of the proposed project.

### **Response 6-16**

As stated in Subsection 3.4.7, Section IV.K.(1), Traffic and Circulation, on page 873 of the Draft EIR,

- First, the analysis identified the corridors where the Proposed Project's additional traffic to the corridor could be such that the volume shifting to an alternative route could exceed the minimum significance threshold of 120 or more daily trips. The majority of vehicles on an arterial corridor tend to remain on that corridor even under congested conditions, with only a small portion of motorists inclined to seek alternative routes. Therefore, corridors were examined to which the Proposed Project may add 1,200 or more daily trips, assuming that at most 10 percent of these trips may shift to alternative routes.

Traffic is only anticipated to divert from arterials to local streets during periods of heavy congestion, which correspond to the morning and afternoon peak hours. Approximately 10 percent of the project's average daily traffic occurs in each of the peak hours. Based on the City's threshold of significance for neighborhood traffic intrusion impacts to an individual local street, a minimum of 1,200 project-related trips per day along a particular corridor would cause at least 120 trips to be diverted from the corridor to surrounding local streets when the corridor is congested, if alternative "cut-through" routes are available. This would occur mainly during peak hours where either 100% of the project trips would divert to a local street in the morning or afternoon peak hour, 50% would divert in both the A.M. and P.M. peak hours, or some combination thereof. Because diversion to local streets is a function of congestion on corridors, cars would not be expected to divert during periods of better traffic flow. Therefore, the methodology does not assume "that only 10% of drivers on a clogged arterial will exit and use the alternative parallel routes."

Please see Topical Response TR-5, Neighborhood Traffic Impacts, on page 458, for details on the issue of significant neighborhood traffic impacts. Please also See Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of the traffic study model.

### **Comment 6-17**

COMMENT: The I-405 freeway is already beyond capacity between Wilshire in Santa Monica and the I-105 at peak hours and cannot accommodate any more traffic. The DEIR is wholly misleading because it assumes that the 405 can accommodate more vehicle trips at peak hour.

**Response 6-17**

Please See Topical Response TR-1, Playa Vista Transportation Model (PVTM), on page 445, for a detailed discussion on traffic assignment and path choice. The San Diego (I-405) freeway will be available to all users, including the Proposed Project. However, the Model correctly assigns a very limited number of project trips (approximately 50 to 70 trips) during the peak hours to the I-405 freeway due to existing and continuing congestion. It is worth noting also that the I-405 freeway High Occupancy Vehicle (HOV) lanes are scheduled to be built between the I-105 where it currently ends and north of the I-10 freeway by the year 2010. The Draft EIR concludes on page 872, there is no significant impact on the San Diego (I-405) freeway.

**Comment 6-18**

COMMENT: The only mitigation for traffic impacts on Lincoln Blvd., is priority signalization for busses [*sic*]. Since many intersections on Lincoln Boulevard either presently function at LOS E or F, or will due to implementation of the proposed project, this “signalization for buses” is virtually no mitigation at all. What purpose is served if a bus crosses the intersecction, [*sic*] then cannot drive further? Priority signalization slows down traffic. What is needed are computerized coordinated signals, to create what is called “gruene Welle” in German or “green wave,” which are signals that are programmed such that, traveling at a constant speed, one should hit all green lights. This is common in Europe, such as Germany, and should be analyzed as a possible mitigation measure for Lincoln Boulevard.

**Response 6-18**

As noted by the commentor, many intersections are already operating at LOS E or F along Lincoln Boulevard. The proposed traffic mitigation measures are intended to mitigate the Proposed Project's significant impacts. These mitigation measures are discussed in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 887. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measures, the Proposed Project would not result in any significant traffic impacts, including all locations along the Lincoln Boulevard corridor.

The proposed mitigation includes enhancing the existing coordinated computerized signal system along Lincoln Boulevard to include real-time control of schedule adherence and improvement of flow of buses (that are spatially located by the system) through intersections without sacrificing overall vehicular system delays. This is achieved through the implementation of a “Transit Priority System” module in the currently existing advanced computerized signal system, designed and operated by the City Department of Transportation.

Further, Automatic Traffic Surveyance and Control System (“ATSAC”) improvements are being implemented along Lincoln Boulevard as part of the previously approved Playa Vista First Phase Project. These improvements are designed to achieve what the commentor suggests by maximizing signal efficiency along the corridor.

The Transit Priority System will improve the performance of buses along the Lincoln Boulevard corridor, including the five buses purchased for the Santa Monica Big Blue Bus Line along this corridor by the Playa Vista First Phase Project.

### **Comment 6-19**

6. REQUEST FOR RESPONSE: In order to gauge the accuracy of the model to determine the number of car trips generated by the proposed project, the NC requests the City conduct the following study: measure the car trips presently generated from Playa Vista Phase One project, compare these to the projected numbers contained in the Phase One EIR, and then factor in the percentage of units *presently and actually* occupied compared to the number of units provided by the entire Phase One project. An actual count of all exits and entrances over a two-week period at all hours of the day is suggested. In addition, it is advisable to request of all residents and workers at Playa Vista Phase One to complete a survey including, number and times of trips per day, departure point, route and final destination. As Playa Vista represents new development, the variables are very limited and so one should be able to obtain a very accurate picture of trip counts and routes.

### **Response 6-19**

The trip generation for the Proposed Project was developed using the rates and equations from the nationally-accepted Informational Report *Trip Generation, VI Edition, 1997*, published by the Institute of Transportation Engineers (“ITE”). The ITE document uses a statistically valid number of data points (i.e., residential driveway counts) in developing residential trip information. ITE uses a similar methodology for office and commercial uses. The Proposed Project size, consisting of residential, office, and other commercial uses, would all fall within the size range of survey data used in the development of ITE Trip Generation Rates and Equations for the respective land uses.

The ITE document is a reliable source of information that provides statistically valid data (regression equations and weighted average rates) on trip-making for the project uses based on actual surveys performed around the Country. This is the state-of-the-art industry standard document for Trip Generation utilized around the Country and in the City and County of Los Angeles.

This report is used by transportation agencies throughout the nation, including the City and County of Los Angeles and numerous other cities throughout Southern California to estimate trip generation for projects.

Please See Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation.

### **Comment 6-20**

COMMENT: At the recent “Envisioning Workshop” a number of community members expressed their sense the the [sic] highest volume traffic on Lincoln Blvd is on Saturday and Sunday afternoons between 2:00 and 7:00. This is due to both shopping excursions and beach recreation. The DEIR fails to justify its assumption that peak hour periods occur Monday-Friday in this beach coastal town, nor to assess impacts on weekends with the high influx of regional and tourist beach visitors. The same may be said to apply to Pacific Blvd, Main Street and Abbot Kinney, which include Sunday mornings as well.

7. REQUEST FOR RESPONSE: The Draft EIR must include current levels on all these streets on weekends and include summer data, projected levels with Playa Vista AND ALL RELATED PROJECTS, as well as project which additional streets will fall victim to cut-through traffic.

8. REQUEST FOR RESPONSE: The Draft EIR must justify its assumption of when peak hour periods occur in light of the fact that coastal town traffic does not necessarily follow the patterns of inland traffic used in the Draft EIR models.

### **Response 6-20**

The weekday A.M. and P.M. peak hour was used in evaluating the Proposed Project’s impacts based on the Proposed Project’s trip generation and the traffic volume on the street system. The Proposed Project’s trip generation is highest during the weekday morning and afternoon commute period than during any other hours of the week.

Traffic counts in the Los Angeles area are generally higher during the typical weekday peak periods, due to the high number of work-related trips. It is recognized that weekday counts on a day-to-day basis will vary, as will counts during weekday-to-weekend periods. These variations generally are not material. A sample of previous trip counts demonstrates that for both coastal and inland streets in the traffic study area, the weekday peak hour is the appropriate measure for analyzing the Proposed Project’s traffic impacts. Summer traffic counts were obtained for nine locations in the coastal corridor within the study area. Only one of the counts was slightly higher in the weekend period. At seven of the nine locations, the highest traffic volume occurred during the non-summer weekday commute peak period. In one instance, the summer weekend peak hour was virtually identical to the non-summer weekday count. At one location, the weekend count was slightly higher in the weekend period. This is not a material difference and does not affect the level of significance of any impacts at that location. On an overall basis, non-summer weekday commute peak hour traffic counts at these locations were 10-15% higher than the summer weekend peak traffic counts, indicating that on a system-wide basis, the non-summer weekday commute peak hour analysis in the Draft EIR represents conservative worst-case traffic conditions.

Table 155 on page 812 of the Draft EIR provides 2003 data for streets within the study. As discussed above, this data is the 2003 non-summer weekday A.M. and P.M. peak-hour data. Further, the Draft EIR provides intersection data for the 2010 projected levels with the Proposed Project and all related projects. With respect to cut-through traffic issues, the traffic model includes freeways, major arterials, secondary arterials, collector streets, and key local streets, and the 2010 traffic volume data reflects any cut-through traffic on these streets and highways. In addition, cut-through traffic through neighborhoods is discussed in Response 6-14 above and in Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872. As discussed in Subsection 3.4.7, the Proposed Project will not result in any significant impacts on neighborhood traffic in the Venice area.

### **Comment 6-21**

#### **B. THE DEIR FAILS TO COMPLY WITH CEQA BECAUSE THE DEIR ADMITS THAT FEASIBILITY OF MITIGATION MEASURES IS NOT GUARANTEED**

COMMENT: Section V.I. (1) page 887 contains the proposed project mitigation measures, referred to as the “Village at Playa Vista Transportation Improvement Measures.” The DEIR states that if any of the proposed mitigation measures are “determined not to be feasible or if it is not possible to obtain the necessary permits, then a significant impact(s) will remain.” Such disclaimers enable the decision-making body to avoid making a determination of “overriding considerations” at the time of EIR approval. In addition, such a disclaimer enables the decision-making body and project applicant to avoid a serious and detailed analysis of feasible mitigation measures that will certainly reduce the significance of an impact.

1. REQUEST FOR RESPONSE: If a mitigation measure is potentially infeasible, then the project should either be scaled back until no “significant impact(s) will remain,” or the DEIR should assume that the significant impact cannot be reduced to a level of insignificance by the mitigation measure.
2. REQUEST FOR RESPONSE: The DEIR should address feasibility of mitigation measures and the specific permitting challenges for each individual mitigation measure so that the responsible decision-making bodies can accurately assess impacts.

### **Response 6-21**

While none of the proposed mitigation measures are anticipated to be infeasible, past experience demonstrates that there are occasions where mitigation measures later become infeasible or, if they are located outside of the lead agency's jurisdiction, are not approved by these other jurisdictions. The statement that “if any of the proposed mitigation measures are determined to be not feasible or if it is not possible to obtain the necessary permits, then a significant impact will remain” is not a disclaimer, but a statement to inform the reader and decision-makers of this possibility. The commentator requests that the Proposed Project either be scaled back until there is no significant impact or that the Draft EIR assume that the significant impact cannot be reduced

to a level of insignificance by the mitigation measure. The latter is precisely what the Draft EIR does by informing the reader and the decision-makers that a significant impact may remain in the event a mitigation measure is infeasible or the necessary permits may not be obtained.

The commentor states that the Draft EIR should address the feasibility of the mitigation measures and the specific challenges for each individual mitigation measure. The technical feasibility of all physical mitigation measures has been established through a detailed and rigorous process including field visits and conceptual engineering evaluation. The established technical feasibility can be observed by examining the improvement exhibits provided in Appendix K-1, Attachment G, and in Appendix K-6 of the Draft EIR. These exhibits have been reviewed and conceptually approved by the City Department of Transportation. The challenges to their approval are discussed in the first paragraph above and are based on the fact that some of mitigation measures are located outside the lead agency's jurisdiction and past experience demonstrates that there are occasions where a mitigation measure may later become infeasible.

This issue is discussed in greater detail in Topical Response TR-8, Significant Impact May Remain, on page 468.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-22**

#### **C. THE DEIR IGNORES THE FACT THAT THE PROPOSED PROJECT VIOLATES GENERAL PLAN POLICIES**

COMMENT: The Los Angeles General Plan, subsection Venice Community Plan, contains several very important Goals in the Transportation Section. The General Plan and the individual Community Plans, are required by § 65300 to be “the fundamental policy document of the City of Los Angeles.” Relevant Goals are as follows:

- Goal 14—Discourage non-residential traffic flow on residential streets and encourage community involvement in determining neighborhood traffic controls.
- Goal 16—Provide a circulation system which supports existing and planned land uses, while maintaining a desired level of service at all intersections on our highways, freeways and streets.
- Goal 16-2.1—No increase in density shall be effected by zone change, Plan amendment, subdivision or other discretionary action unless it is determined that the transportation infrastructure serving the property can accommodate the traffic that would be generated.

o Program: Decision-makers shall adopt a finding with regards to infrastructure adequacy as part of their action on discretionary approvals that result in increased density or intensity.

**COMMENT:** An analysis of Attachment C of LADOT’s “Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project,” EIR Volume XX, indicates that 31 Intersection-Peak Hour periods currently operating at LOS “D” or better will not be maintained at LOS “D” after the proposed project. This violates the Venice Community Plan, Policy 16-1.1 [a], which states that the City is to “Maintain a satisfactory LOS [Level of Service] for streets and highways that should not exceed LOS “D” for Major Highways, Secondary Highways and Collector Streets.”

1. **REQUEST FOR RESPONSE:** Does the City agree that a violation exists? If not, please explain why. If so, please explain how the DEIR addresses this violation in accordance with CEQA and other applicable laws.

**COMMENT:** An analysis of Attachment C of LADOT’s “Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project,” EIR Volume XX, indicates there are 15 Intersection-Peak Hour periods currently operating at LOS “E” or worse that will not be maintained at LOS “E” after the proposed project. This violates the Venice Community Plan, Policy 16-1.1 [b], which states that, “If existing levels of service are LOS “E” or LOS “F” on a portion of a highway or collector street, then the level of service for future growth should be maintained a [*sic*] LOS “E” if possible.”

2. **REQUEST FOR RESPONSE:** Does the City agree that a violation exists? If not, please explain why. If so, please explain how the DEIR addresses this violation in accordance with CEQA and other applicable laws.

3. **REQUEST FOR RESPONSE:** If the City believes that it is impossible to improve these intersections to LOS “E,” please explain why. How does the City justify approving developments, which generate significant volumes of traffic, further degrading intersections that are already at unacceptable Levels of Service under the General Plan?

**COMMENT:** Analysis of Attachment C of LADOT’s “Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project,” EIR Volume XX, indicates that 10 Intersections-Peak Hour [*sic*] periods impacted by the proposed project are already at LOS “F” while 31 will be at LOS “F” after the proposed project and mitigation. Therefore, the infrastructure “cannot accommodate the traffic generated.” This violates the Venice Community Plan, Policy 16-2.1, which states that, “No increase in density shall be effected by zone change or subdivision unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated.”

4. **REQUEST FOR RESPONSE:** Does the City agree that a violation exists? If not, please explain why and how the City will be able to honestly make a finding of infrastructure adequacy? If the City agrees that a violation exists, please explain how the DEIR addresses this violation in accordance with CEQA and other applicable laws.



**Response 6-22**

The Draft EIR provides an analysis of the Proposed Project's impacts in relationship to the City of Los Angeles General Plan in Subsection 3.4.1.14 of Section IV.G, Land Use. The analysis addresses impacts in relation to the policies of the General Plan Framework, the Westchester-Playa del Rey Community Plan in which the Proposed Project is located, and the Area D Specific Plan which implements the General Plan policies at the Proposed Project site. For the reasons presented within that section, the analysis concludes that impacts regarding the Plan Policies would be less than significant.

While the Proposed Project is not in the Venice Community Plan, the Proposed Project is not inconsistent with, nor does it violate the goals referenced in the comment.

The Proposed Project would not cause 31 intersections currently operating at LOS D to operate at worse levels. The Proposed Project mitigates all of the Proposed Project's traffic impacts to a level of insignificance. Projected increases in levels of service are primarily caused by the increase in ambient conditions, rather than by the Proposed Project.

The purpose of the Draft EIR is to provide decision-makers with relevant information concerning the Proposed Project's impacts. This information includes traffic impact and volumes created by area-wide growth as well as traffic impacts caused by the Proposed Project.

Please See Topical Response TR-6, Relationship with Community Policies, on page 460. Also, please see Response 6-18, above. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-23**

**D. THE DEIR FAILS TO ASSESS IMPACTS TO COASTAL PARKING AND OTHER COASTAL RESOURCES.**

COMMENT: The DEIR does not assess impacts to the beach parking impact zone at Venice Beach or Playa del Rey. As clearly one of the attractions of this proposed project site is its proximity to the beaches, beach parking and shuttle bus service will be impacted. The California Coastal Act requires that "All public agencies carrying out or supporting activities outside the coastal zone shall consider the effect of such actions on Coastal Zone resources."

1. REQUEST FOR RESPONSE: As many of mitigations proposed will be carried out or supported by public agencies, the DEIR examine [*sic*] the impact on beach parking or any other potential impacts to Coastal Zone resources. Please analyze the impacts to beach parking in Playa del Rey and Venice and the impacts to the beach shuttle bus service and provide feasible mitigation measures as appropriate.

**Response 6-23**

The Playa Vista First Phase Project will provide a weekend beach shuttle to Venice Beach. The Proposed Project will provide a separate demand-responsive shuttle to the Marina del Rey area. Both of these services will provide another option to Playa Vista residents and guests. Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 893 provides a summary description of this service. There would be no significant impacts to the existing Venice beach shuttle service since that shuttle currently does not provide service to the Proposed Project site, and is not planned to provide service to the site in the future.

The weekend beach shuttle to Venice Beach provided by the Playa Vista First Phase Project will reduce parking demand associated with beach-goers from the First Phase Project, as well as the Proposed Project. The demand-responsive shuttle to the Marina del Rey area provided by the Proposed Project will further reduce such parking demand.

By bringing patrons from the Proposed Project to the Marina and area beaches via shuttle rather than automobiles, the mitigation program for the project will mitigate the project's impact on the beach and coastal resources.

**Comment 6-24****E. LINCOLN CORRIDOR TASK FORCE REPORT PROPOSALS MAY NOT BE COMPATIBLE WITH DEIR MITIGATION MEASURES.**

COMMENT: The suggestions listed in the Report by the Lincoln Corridor Task Force are not adequately addressed in the DEIR.

1. REQUEST FOR RESPONSE: The DEIR must consider each of the alternatives suggested by the Task Force and examine the impact Playa Vista's generated trips will have under the various scenarios.

**Response 6-24**

The Lincoln Corridor Task Force (LCTF) is an ongoing multi-jurisdictional entity that is seeking to develop a mutually agreeable transportation improvement plan for Lincoln Boulevard between Manchester Avenue and the I-10 freeway. This plan may include an array of capacity-enhancing measures, transit enhancement strategies and improved corridor aesthetics. With implementation of the mitigation program discussed in the Draft EIR and in Section II.15, Corrections and Additions, of the Final EIR on page 216, the Proposed Project would not have any significant traffic impacts. Nevertheless, as discussed on page 7 of Appendix K-1 of the Draft EIR, in the event the Lincoln Corridor Task Force adopts a set of regionally superior traffic improvements that are equivalent or superior in mitigating the project-related traffic impacts of the Proposed Project, prior to implementation of the Proposed Project or its mitigation measures the City may

require the Proposed Project to contribute toward the implementation of the Task Force's improvements in an amount not greater than the Project improvements being superceded.

### **Comment 6-25**

F. THE DEIR FAILS TO ADDRESS WHETHER CONDITIONS IMPOSED ON THE PHASE ONE PROJECT HAVE BEEN COMPLIED WITH.

COMMENT: In order to determine whether the impact analysis is accurate, the DEIR must provide information about the level of compliance with Phase One mitigation measures and conditions of approval. If some conditions have not been complied with, the various calculations contained in the DEIR must reflect this reality.

1. REQUEST FOR RESPONSE: Please list which Phase One project conditions have been complied with and which conditions have not been complied with.

### **Response 6-25**

Mitigation measures associated with the adjacent First Phase Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December, 1995. Completion of mitigation measures adopted in the certification of these documents is proceeding according to the Mitigation Monitoring and Reporting Programs adopted in conjunction with them. As provided for in the First Phase EIR, traffic-related mitigation measures are implemented in accordance with a subphasing plan approved by LADOT.

### **Comment 6-26**

COMMENT: Building and Safety is unable to enforce conditions except during business hours Monday through Friday. What will be the mechanism after hours M-F and on weekends to enforce conditions? For example, during such times, if wind reaches 15 mph or higher and construction and grading are not halted, who can one call and how long will it take force compliance?

### **Response 6-26**

The monitoring and enforcement of mitigation measures related to development of the Proposed Project would be no different than for any other project in the City. The proposed Mitigation Monitoring and Reporting Program for the Proposed Project is located in Appendix Section III of the Final EIR. The MMRP provides an enforcement agency for each mitigation measure. In addition, the public may lodge an inquiry or a complaint with the Council Office, and/or appropriate responsible agencies. The City of Los Angeles has the authority to issue a Notice of

Violation for rule violations or stop work order for facilities or developments within its jurisdiction, and any alleged violations would be investigated for an appropriate action.

As an example, SCAQMD Rule 403 regulates anthropogenic (i.e., man-made) fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions. The Proposed Project would be required to comply with the provisions of Rule 403, and would be subject to periodic inspection and oversight by SCAQMD personnel. In addition, under Los Angeles Municipal Code Section 91.104.2.4, whenever any construction work is being done contrary to the provisions of any law or ordinance enforced by the building department, the building department has the authority to issue a written notice to the responsible party to stop work on that portion of the work on which the violation has occurred. If a stop work order is issued, then no work shall be done on that portion of the property, as set forth in the notice, until the violation has been rectified and approval obtained from the department.

### **Comment 6-27**

#### **G. THE DEIR FAILS TO ANALYZE HEALTH-RELATED IMPACTS RESULTING FROM INCREASED TRAFFIC AT IMPACTED INTERSECTIONS AND ROADS WHERE SENSITIVE RECEPTORS ARE LOCATED**

1. REQUEST FOR RESPONSE: How will the air children breathe at Broadway Elementary, at the schools on Walgrove and at Venice High School and other area schools be affected by the increased traffic? Will pollution and emission levels rise? How many increased incidences of asthma and other respiratory ailments might occur? Please address cumulative impacts, including ALL related projects.

A list of sensitive receptors located in Venice that must be analyzed are attached as Appendix B.

### **Response 6-27**

The Proposed Project is not anticipated to have a localized significant impact at any of the sensitive receptors identified in Venice (i.e., identified in Appendix B of this comment) based on the analysis provided in Subsection 3.4.2.3 of Section IV.B, Air Quality, of the Draft EIR. This subsection provides an in depth analysis of potential localized operational impacts related to the Project buildout traffic as well as cumulative traffic. For example, intersections near the receptors with high Project traffic volumes and poor levels of service (i.e., greatest change in an intersection's volume-to-capacity due to Project generated traffic) were evaluated in the Draft EIR to assess the potential for local carbon monoxide concentrations to exceed national or state thresholds. Since significant impacts would not occur at the intersections with the highest traffic volumes that are located adjacent to sensitive receptors, it was concluded in the Draft EIR that no significant impacts would be anticipated to occur at any other locations in the study area as the conditions yielding CO hotspots would not be worse than those occurring at the analyzed intersections. Consequently, the sensitive receptors that were included in this analysis would not be significantly affected by CO emissions generated by the net increase in traffic which would occur under the proposed Project and cumulative condition. Therefore, as the receptors with the

highest potential for pollutant concentrations would not result in a significant impact, it was concluded in the Draft EIR that no significant impacts are anticipated to occur at any other locations in the study area, such as the community of Venice.

The potential impacts to air quality from the Proposed Project were analyzed in conformance with the SCAQMD's recommended approach for assessing air toxics. In addition, the SCAQMD's comment letter to the Draft EIR commends the lead agency for voluntarily including a localized air quality analysis consistent with the localized significance threshold methodology adopted by the SCAQMD's Governing Board at its October 3, 2003 public hearing. Under the SCAQMD methodology, the impacts of the Proposed Project on both regional and local air quality are considered. Moreover, if a project would not result in a localized air toxics impacts, then regional air toxics impacts similarly would be less than significant.

Please Refer to Subsection 3.4.2 of Section IV.B. Air Quality, of the Draft EIR for a detailed discussion of the Project's operational impacts.

### **Comment 6-28**

#### **H. THE DEIR FAILS TO CONSIDER IMPACTS ON VENICE AREA SCHOOLS AS A RESULT OF THE PROJECT'S ADDITIONAL SCHOOL-AGED CHILDREN**

COMMENT: The DEIR does not discuss the impacts to Venice elementary and secondary schools resulting from the increase of Playa Vista's school aged children.

1. REQUEST FOR RESPONSE: Since LAUSD has rejected the school site offered by Playa Vista due to toxic contamination throughout the Playa Vista site, the DEIR should analyze how many school children are likely to use Venice area schools for their education, and whether this would constitute a significant impact.

### **Response 6-28**

Section IV.L. (3), Schools, of the Draft EIR on page 997 analyzes the Project's potential impacts on public schools. The Los Angeles Unified School District (LAUSD) has established attendance boundaries for each of its schools. Based on information provided by the LAUSD, the Project site is currently located within the attendance boundaries of Playa del Rey Elementary School, Marina del Rey Middle School and Venice High School. These are the schools that would accommodate the Proposed Project's school age children, notwithstanding inter-District transfers. While inter-District transfers are possible, they account for a very small percentage of the students attending any particular school. As such, schools other than the three noted above are not anticipated to be needed to accommodate the public school students generated by the Proposed Project.

The Draft EIR schools analysis considers Proposed Project impacts both with and without the availability of a school located within the Playa Vista site. For the purposes of the Draft EIR, it

was assumed that the Playa Vista school would be an elementary school (i.e., K-5 facility) and that only that portion of the school's capacity that would not be used by the Playa Vista First Phase Project would be available to the Proposed Project.

Based on the analysis presented in Table 144 on page 1013 of the Draft EIR, Proposed Project development would result in a significant impact with regard to capacity at Playa del Rey Elementary School, with or without the Playa Vista school, and a less than significant impact on school capacity at Marina del Rey Middle School and Venice High School (i.e., forecasted capacity exists to accommodate the students generated by the Proposed Project). With the addition of portable classrooms at Playa del Rey Elementary School, sufficient capacity would be available to accommodate the elementary school children generated by the Proposed Project. However, when viewed on a cumulative basis (See Subsection 6.0 of Section IV.L.(3), Schools, of the Draft EIR on page 1016), insufficient capacity is available at all three schools to accommodate the school children generated on a cumulative basis. Notwithstanding, pursuant to the provisions of Senate Bill 50 (SB 50), Project cumulative impacts on school facilities are reduced to a less than significant level with the payment of new school construction fees pursuant to California Government Code Section 65995.

Furthermore, as of this date, the LAUSD has not declined a school site at Playa Vista. As stated in their letter dated March 20, 2002, (included in the Final EIR Appendices) the Los Angeles Unified School District "has taken no action regarding the school site" at Playa Vista, discussions between the school district and Playa Vista "are on-going," and the district expects "a successful solution to meeting the school needs for the Playa Vista development will be reached in a timely and cooperative manner."

### **Comment 6-29**

Section 3: Standing Conservation Committee Report

#### ALTERNATIVES

- Alternative No. 1 "No Project" is preferred by the Conservation Committee because there will be no adverse impacts from the proposed project on the Community of Venice. The proposed benefits of short-term construction jobs and housing are not a sufficient trade off for adverse impacts that would be felt on the health and well being of Venice community members.

### **Response 6-29**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-30**

#### CUMULITIVITY [*sic*]

• The DEIR fails to consider significant cumulative impacts from extant major, minor, and other approved un-built projects in the sub region in combination with the project on:

1. Existing Transit Capacity
2. Emergency Fire and Police Services
3. Schools and Libraries
4. Water Resource Impacts

**COMMENT:** THE DEIR MUST CONSIDER THE CUMULATIVE [*sic*] ADVERSE IMPACTS FROM ALL EXTANT MAJOR, MINOR, AND APPROVED UNBUILT PROJECTS IN THE SUB REGION IN COMBINATION WITH PROPOSED PROJECT.

### **Response 6-30**

The Draft EIR provides cumulative analyses for all of the environmental topics addressed in Sections IV.A through IV.P.(3) of the Draft EIR. Cumulative analyses for the topics mentioned are included as Subsection 6.0 in Sections IV.K.(1), Traffic and Circulation, IV.L.(1), Fire Protection, IV.(L).2, Police Protection, IV.L.(3), Schools, IV.L.(5), Libraries, and IV.C, Water Resources, respectively. All of these analyses are based on the related projects list that is provided in Table 5 on page 195, and illustrated on Figure 11 on page 194. These analyses are based on methodologies described in each section, per the CEQA Guidelines.

Please See Topical Response TR-3, Related Projects, on page 453, for a discussion on the issue of Related Projects and their cumulative effects.

### **Comment 6-31**

#### AIR QUALITY

• Unavoidable Adverse Impacts will result from certain construction activities that will exceed SCAQMD regional significance thresholds. These unavoidable adverse impacts will affect the health of stakeholders in Venice.

**COMMENT**—THE DEIR SHOULD NOT UTILIZE OVERRIDING CONSIDERATIONS TO FACILITATE A PROJECT THAT WILL INCREASE AIR POLLUTION AFFECTING THE HEALTH AND WELL BEING OF PEOPLE IN THE COMMUNITY OF VENICE.

### **Response 6-31**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Construction related daily regional emissions from both direct and indirect sources exceed the significance thresholds for CO, NO<sub>x</sub>, and ROC. Thus, emissions of these pollutants would result in a significant regional air quality impact during the Proposed Project's construction phase. In addition, an in depth analysis of potential localized construction impacts related to the project was provided in Subsection 3.4.1.2 of Section IV.B., Air Quality, of the Draft EIR. As discussed in the subsection, sensitive land use receptors in the vicinity of the Proposed Project site and the Proposed Project's proposed off-site roadway improvements were included in the air dispersion modeling analysis to determine localized pollutant concentrations. Specifically, the local construction impacts from construction operations focused on NO<sub>2</sub>, CO, and PM<sub>10</sub> emissions and their impact on 19 nearby sensitive receptors, including schools, hospitals, rest homes, day-care centers, and at sampling of locations throughout the residential areas adjacent to the Proposed Project site. These receptors were selected based on their location and proximity to the Proposed Project site and the six off-site roadway improvements. Results of the dispersion modeling indicated that none of the receptors would be significantly impacted based on the SCAQMD's *Localized Significance Threshold Methodology*. Therefore, as the receptors with the highest potential for pollutant concentrations would not result in a significant impact, it was concluded in the Draft EIR that no significant impacts are anticipated to occur at any other locations in the study area, such as the community of Venice. In addition, the SCAQMD's comment letter to the Draft EIR commends the lead agency for voluntarily including a localized air quality analysis consistent with the localized significance threshold methodology adopted by the SCAQMD's Governing Board at its October 3, 2003 public hearing.

### **Comment 6-32**

#### TRANSIT INFRASTRUCTURE

- The DEIR fails to state exactly all and what transit improvements will be made to accommodate the project needs. The project only hopes that fees paid to transit funds will somehow assure adequate transit mitigations in the future. This leap of faith does not identify or protect Venice from the unknown adverse significant effects the proposed project will have on Venice community members. The adverse effects of traffic on neighborhood streets in Venice has been omitted from the DEIR.

COMMENT—ALL NECESSARY IMPROVEMENTS FOR TRANSIT INFRASTRUCTURE REQUIRED BY THE PROJECT MUST BE IDENTIFIED AND CONSTRUCTED PRIOR TO FINAL APPROVAL OF THE PROPOSED PROJECT AND INCLUDED IN THE DEIR. THE DEIR MUST CONSIDER THE ADVERSE EFFECTS OF PROJECT-GENERATED TRAFFIC ON NEIGHBORHOOD STREETS IN VENICE.

### **Response 6-32**

The Proposed Project will purchase buses and pay operating fees to Culver City Bus. Additional details regarding the Transit Improvement Program are provided in the Draft EIR. Please See Subsection 4.0 of Section IV.K.(1) Traffic and Circulation, beginning on page 887 for a



discussion of the proposed mitigation measures. Specific details of individual components are provided in the Appendix K-3 of the Draft EIR, on page V-1.

In addition, the Draft EIR considers traffic impacts on neighborhood streets and this analysis includes the Venice community. Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872, presents an analysis of potential neighborhood impacts that could be caused by project traffic. This analysis includes the Venice community. As discussed in Subsection 3.4.7, the Proposed Project will not result in any significant impacts on neighborhood traffic in the Venice area. Additional details of this analysis can be found in Appendix K-2, Traffic Study Appendix Volume 1D, and Topical Response TR-5, Neighborhood Traffic Impacts, on page 458.

Finally, the improvements for transit infrastructure would be implemented in accordance with the subphasing plan described in Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 891. (A revised Subphasing Plan is included in Section II.15, Corrections and Additions, of the Final EIR, and is also included as Attachment E to the Project's MMRP.) These improvements are intended to mitigate the Proposed Project's impacts, and thus would only be required if the Proposed Project were approved. Thus, they would not be required to be implemented prior to approval of the Proposed Project. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-33**

#### GREENHOUSE GAS EMISSIONS AND SEA LEVEL

- Venice is a low-lying coastal community that may be affected by global warming and the associated rise of sea level. The project fails to address the effects of large new volumes of greenhouse gasses the project will emit into the atmosphere and the subsequent adverse impacts on sea level as they relate to the community of Venice.

COMMENT—THE DEIR MUST CONSIDER THE ADVERSE EFFECTS ON THE RISE OF SEA LEVEL CAUSED BY THE PROPOSED INTRODUCTION OF NEW VOLUMES OF GREENHOUSE GASSES THAT WILL BE EMITTED INTO THE ATMOSPHERE BY THE PROJECT.

### **Response 6-33**

The impacts of the Proposed Project on air quality were assessed using the methodology set forth in the SCAQMD CEQA Air Quality Handbook, which is the accepted methodology for development projects in the City (See Section IV.B., Air Quality, of the Draft EIR).

### **Comment 6-34**

#### WATER POLLUTION

- Runoff from the project will cause further pollution of the Ballona Wetlands and the Pacific Ocean.

**COMMENT—THE DEIR MUST CONSIDER ALL EFFECTS OF THE PROPOSED PROJECT ON THE HEALTH OF THOSE PEOPLE UTILIZING THE PACIFIC OCEAN TO SWIM AND FISH IN THE LOCAL AREA.**

#### **Response 6-34**

As stated in Subsection 4.0 of Section IV.C.(1), Hydrology, and Section IV.C.(2), Water Quality, of the Draft EIR on pages 394 and 517, respectively, potential pollutant increases from the Proposed Project area would be addressed through the implementation of mitigation measures. The mitigation measures, including completion, or otherwise guaranteed completion, of the Freshwater Marsh, Riparian Corridor and other structural/treatment control BMPs, would improve existing flood control infrastructure with water quality enhancements that would result in no increase in pollutant loads or concentrations to the Ballona Wetlands, the Ballona Channel, or Santa Monica Bay compared with pre-First Phase conditions as stated in Section IV.C.(2), Water Quality, Subsections 3.4.1.2.6 on page 485, Subsection 3.4.1.2.5 on page 478, and Subsection 3.4.1.2.4 on page 476, of the Draft EIR. Moreover, as discussed in Subsection 3.4.1 of Section IV.C.(2), Water Quality, of the Draft EIR, flows from the Proposed Project would not cause pollution, contamination or nuisance in the receiving waters and would not violate any applicable regulatory standards in the Ballona Wetlands, the Ballona Channel or Santa Monica Bay. Thus, it is not anticipated that the Proposed Project would have an impact on water quality that would adversely affect swimming and fishing in the Pacific Ocean.

Impacts on human health are further discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR and impacts on biotic resources are further discussed in Section IV.D, Biotic Resources, of the Draft EIR.

#### **Comment 6-35**

##### SEISMIC ACTIVITY

- The DEIR fails to acknowledge that the site has been subject to ongoing seismic activity that is higher than normal for Southern California. Evidence of this activity is shown on the Continental Margin Earthquake Epicenter Maps compiled by the U.S. Geological Survey and the California Department of Conservation. Further evidence of this heightened level of risk is also documented at the Southern California Earthquake Data Center website. [www.data.scec.org](http://www.data.scec.org)

**COMMENT—THE DEIR MUST CONSIDER HISTORIC EARTHQUAKE INFORMATION SHOWN ON THE CALIFORNIA DEPARTMENT OF CONSERVATION CONTINENTAL [sic] MARGIN EARTHQUAKE EPICENTER MAPS AND THE SOUTHERN CALIFORNIA EARTHQUAKE DATA CENTER WEBSITE AT [www.data.scec.org](http://www.data.scec.org). TO DETERMINE IF THE PROJECT WOULD CAUSE AND OR ACCELERATE HAZARDS WHICH WOULD**

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**RESULT IN SUBSTANTIAL DAMAGE TO STRUCTURES AND INFRASTRUCTURE,  
AND EXPOSE PEOPLE TO SUBSTANTIAL RISK OF INJURY.****Response 6-35**

In Subsection 2.2 of Section IV.A, Earth, of the Draft EIR on page 207, historic earthquake information relevant to the Proposed Project site is provided. Inasmuch as historic earthquake and fault data presented in the Draft EIR are used to identify and designate seismic hazard zones (e.g., Alquist-Priolo Special Study Zones, Fault Rupture Study Areas), the seismic risks associated with the Proposed Project site have been considered in the Draft EIR analysis. Such data are the basis for assessing hazards to people and structures from seismic activity, and based on this data, the State Geologist has not included any portion of the Proposed Project site or immediate vicinity in an Alquist-Priolo Special Study Zone or Fault Rupture Study Area.

The earthquake data provided at the Southern California Earthquake Center (SCEC) website (<http://www.data.scec.org>) summarizes, and graphically illustrates, the historic seismic events in the Southern California region, including recent fault activity. Such data and graphic depictions do not illustrate a notably higher level of seismic activity in the vicinity of the Proposed Project site. To the contrary, the vast majority of earthquake activity in Southern California is indicated to have occurred (more recently) along the San Andreas Fault zone and in coastal San Luis Obispo county, and historic larger seismic events have occurred at distances greater than 10 kilometers from the Proposed Project site. As such, as discussed in the Draft EIR, the Proposed Project site is at no greater risk from seismic groundshaking impacts than other areas in the region. In fact, as supported by the data on the SCEC website, the propensity for sizeable earthquake activity in proximity to the Proposed Project site appears to be substantially less than that for other areas in the Los Angeles metropolitan area (e.g., San Fernando and San Gabriel Valleys and high desert communities).

Additionally, design and construction of the Proposed Project would be carried out in accordance with the applicable standards of the Uniform Building Code and requirements of the City Department of Building and Safety, thereby minimizing the potential for adverse effects to people or structures at the Proposed Project site as a result of seismic events. Therefore, as indicated in the Draft EIR, the Proposed Project would not cause or accelerate hazards which would result in substantial damage to structures and infrastructure, and expose people to substantial risk of injury.

**Comment 6-36**

- The DEIR fails to consider all known active faults that could cause earthquake damage, tsunami, or seiche. The DEIR must consider all nearby active offshore faults that could cause earthquake damage, tsunami, or seiche. These active faults are shown on the California Department of Conservation Mines and Geology Continental Margin Fault Maps. Further evidence of potential damage to the project by tsunami or seiche can be found at a website maintained by the National Oceanic and Atmospheric Administration titled Tsunami Research [sic] Program at <http://www.pmel.noaa.gov/tsunami/> and the USC Tsunami research group

website at <http://www.usc.edu/dept/tsunamis/video/calvid/index.html> and the National Tsunami Hazard Mitigation Program website at <http://www.pmel.noaa.gov/tsunami-hazard/>

- Furthermore, the DEIR fails to consider that on or off shore earthquakes can cause submarine canyon slumping resulting in local tsunamigenic events. Some local submarine canyons subject to such events are the Santa Monica and the Redondo Canyons.

**COMMENT**—THE DEIR MUST CONSIDER THE POTENTIAL ADVERSE EFFECTS FROM ACTIVE LOCAL SUBMARINE FAULTS CAUSING EARTHQUAKES, TSUNAMI, SEICHE, AND SUBMARINE CANYON SLUMPING LEADING TO LOCAL TUSNAMIGENIC [*sic*] EVENTS. THE DEIR MUST EXAMINE THE EXTANT INFORMATION PROVIDED AT A WEBSITE MAINTAINED BY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION TITLED TSUNAMI RESEARCH PROGRAM LOCATED <http://www.pmel.noaa.gov/tsunami/> and the USC TSUNAMI RESEARCH GROUP WEBSITE AT <http://www.usc.edu/dept/tsunamis/video/calvid/index.html> AND THE NATIONAL TSUNAMI HAZARD MITIGATION PROGRAM WEBSITE <http://www.pmel.noaa.gov/tsunami-hazard/> TO DETERMINE IF THE PROJECT WOULD CAUSE AND/OR ACCELEARATE [*sic*] HAZARDS WHICH WOULD RESULT IN SUBSTANTIAL DAMAGE TO STRUCTURES AND INFRASTRUCTURE, AND EXPOSE PEOPLE TO SUBSTANTIAL RISK OF INJURY.

### **Response 6-36**

As indicated in Response 6-35, earthquake and fault data, including data pertaining to off-shore faults, are considered by the State Geologist in the assessment of earthquake hazards. Tables 6 and 7 on pages 221 and 222, respectively, and Figure 17 on page 223, of Section IV.A, Earth, of the Draft EIR include data for and address impacts from offshore seismic faults.

The information and data provided at the websites indicated by the commentator, while supportive of the existence of seismic hazards in the region, do not present any substantive new information relative to the impacts of the Proposed Project. These websites outline current ongoing efforts to characterize and study tsunami events and associated hazards, but do not disclose any conclusions suggesting that the analysis of tsunami hazards, as presented in the Draft EIR, is in any way inadequate. Although there exists the potential that submarine faults could cause tsunami events, both from seafloor motion and from submarine canyon slumping (undersea landslides), the impacts to coastal areas have been addressed in the Los Angeles County Interim Emergency Response Plan for Tsunami Operations. Irrespective of the cause, this plan sets forth procedures to minimize potential adverse impacts to life and property in the event of a tsunami. As discussed in Subsection 2.1.2 of Section IV.A, Earth, of the Draft EIR on page 206, implementation of the provisions and procedures in the County's tsunami emergency operations plan would address the potential of significant adverse impacts to people or structures in the event of a tsunami. Accordingly, as indicated in the Draft EIR, the Proposed Project would not cause or accelerate hazards which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury.

**Comment 6-37**

- The DEIR fails to consider whether local active faults can trigger one another leading to cascading events. Information regarding this topic not considered in the DEIR is reflected on the United States Geological Survey website in the form of a press release dated December 8, 2003, at the following address:

[http://www.usgs.gov/public/press/public\\_affairs/press\\_releases/pr1823m.html](http://www.usgs.gov/public/press/public_affairs/press_releases/pr1823m.html)

**COMMENT**—THE DEIR MUST CONSIDER NEW EVIDENCE THAT EARTHQUAKES ON LOCAL ACTIVE FAULTS MAY TRIGGER EARTHQUAKES ON OTHER FAULTS LEADING TO CASCADING EVENTS TO DETERMINE IF THE PROJECT WOULD CAUSE AND OR ACCELEARATE [*sic*] HAZARDS WHICH WOULD RESULT IN SUBSTANTIAL DAMAGE TO STRUCTURES AND INFRASTRUCTURE, AND EXPOSE PEOPLE TO SUBSTANTIAL RISK OF INJURY. THE FOLLOWING UNITED STATES GEOLOGICAL SURVEY WEBSITE SHOWS A PRESSS [*sic*] RELEASE DATED DECEMBER 8, 2003 THAT MUST BE CONSIDERED THE DEIR:

[http://www.usgs.gov/public/press/public\\_affairs/press\\_releases/pr1823m.html](http://www.usgs.gov/public/press/public_affairs/press_releases/pr1823m.html)

**Response 6-37**

The relationship between local active faults and the potential for triggering “cascading” earthquake events has been accounted for in the analysis of seismic hazards in the Draft EIR. The extent to which historical earthquake and fault data illustrate triggering of cascading events is not fully understood. Seismic risks developed by the State Geologist and/or the United States Geological Survey (USGS) focus on the maximum credible earthquakes potentially generated by faults, as well as the surface fault rupture potential along these faults. Regardless of whether the earthquake event is defined as a cascading event or an independent event, the potential for groundshaking and/or fault rupture remains the same for the maximum credible earthquake. The assessment of seismic risks by the State Geologist is adequate to predict the potential for adverse physical impacts to structures and infrastructure, since the cause of seismic events does not predict the associated damage, but rather the events themselves. As discussed in Response No. 6-35, all buildings would be constructed to meet all the requirements of the Uniform Building Code, the LABDS, as appropriate, and mitigation measures. As such, the Proposed Project would not cause or accelerate hazards which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury.

**Comment 6-38**

APPENDIX A  
GRVNC Stakeholder Letters

**Response 6-38**

These attachments are presented in Comments 6-39 through 6-62.

**Comment 6-39**

Subject: Opposition to phase II of Playa Vista.  
Date: Tue, 16 Dec 2003 04:05:58 +0000  
From: Onda Sly <smallaxe02@hotmail.com>  
To: lupc@grvnc.org

Please register my disapproval of the plans for Phase II of Playa Vista.

I don't believe that adequate consideration has been made for the impacts [from] increased traffic to the area caused by the proposed project.

The current situation in the area is already a problem, thanks in part to the approval and construction of phase I.

I also object to the failure of the developer to address the needs of the community, as regards low-income and so-called "affordable" housing.

Please recognize the overwhelming desires of the community and stake-holders, by recommending that the project be denied permits to proceed. Thank-you.

Ian Johnston (stakeholder)

**Response 6-39**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. It should be noted that the Proposed Project does not result in the removal of any affordable housing units, or the relocation of any households residing in affordable housing units. As such, development of the Proposed Project would have a less than significant impact on affordable housing.

**Comment 6-40**

I am concerned about the impact of [*sic*] the Playa Vista Phase II will have on the traffic on Lincoln Blvd from Jefferson to Santa Monica and especially through Venice. This project will bring a huge added burden to an already grid-locked Lincoln Blvd. The added pollution from cars will also impact the quality of air in our area, especially for those of us who live near Lincoln Blvd. Without infrastructure improvements to public transportation and other improvements first, I can not support such and [*sic*] expansion.

Laura Silagi

**Response 6-40**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The proposed traffic mitigation measures are identified to mitigate the Proposed Project's significant impacts. These mitigation measures, including the measures along Lincoln Boulevard, are discussed in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 887. After mitigation, the Proposed Project will not have any significant impacts on the Lincoln Boulevard corridor. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

Regarding air quality, as detailed in Subsection 3.4.2.3 of Section IV.B, Air Quality, of the Draft EIR on page 307 and in Section II.4, Corrections and Additions, of the Final EIR, the local effects of Project-related mobile emissions were analyzed at several of the most congested intersections, including those intersections along Lincoln Boulevard, within the Project vicinity. Impacts to local air quality would be less than significant, including locations along Lincoln Boulevard, based on assessment methodology and evaluation criteria adopted by the SCAQMD. Please Refer to Subsection 3.4.2 of Section IV.B, Air Quality, of the Draft EIR for a detailed discussion of regional operational impacts. See also Response 6-31.

**Comment 6-41**

It is with great trepidation I drive Lincoln and Jefferson Boulevards these days. The amount and density of the construction and the amount of traffic it will generate over time is of great concern to me. I am also greatly concerned about the underground and leaking gas storage tanks that are on site. It is my opinion that continuing the gigantic development in this area is a mistake from the standpoint of resident safety and traffic congestion.

Linda Newton, 825 Dickson St. Marina del Rey, CA 90292

**Response 6-41**

Traffic impacts are discussed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR and Section II.15, Corrections and Additions, of the Final EIR. As discussed therein, the Draft EIR concludes that all potentially significant traffic impacts associated with the Proposed Project would be mitigated.

No underground gas storage occurs beneath the Project site, and, with the exception of a small number of septic tanks and seepage pits, there are no known underground storage tanks within the Project site. The storage of natural gas near the Proposed Project site is discussed in Section IV.I., Safety/Risk of Upset, of the Draft EIR. As shown in Appendix J-1 of the Draft EIR, and summarized in Subsection 2.2.2.1 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 677, 14 Leaking Underground Storage Tank (LUST) Incident Reports were reported on or within 0.25 miles of the Project site. Within the Proposed Project site, records suggest that underground fuel tanks may have existed at or in the vicinity of the former Salvage Yard, the former Remote Test Site and near the existing Building 45. As discussed in Subsection 2.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR starting on page 682, as part of the soil and groundwater assessment and remediation program under the voluntary soil and groundwater remediation program and under Cleanup and Abatement Order (CAO) No. 98-125, investigations were performed for the adjacent Playa Vista First Phase Project and Proposed Project sites. No underground storage tanks were encountered during these investigations. As discussed in Subsection 2.2.3.2.1 of Section IV.I, Safety/Risk of Upset, beginning on page 683 of the Draft EIR, four septic tanks and two seepage pits remain in some areas of the Proposed Project site. These will be removed as necessary during remediation work under CAO No. 98-125 or during construction. As stated throughout Section IV.I, Safety/Risk of Upset, of the Draft EIR, if any contamination is unexpectedly encountered during site development activities, it will be assessed and remediated in accordance with the requirements of CAO No. 98-125.

The remaining comments are noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

#### **Comment 6-42**

I am writing in regard to the Playa Vista “Village at Playa Vista” environmental impact report. The Village at Playa Vista’s Urban Development Component would occur on an approximately 99.3-acre site and include 2,600 dwelling units, 175,000 square feet (sq.ft.) of office space, 150,000 sq.ft. of retail space, and 40,000 sq.ft. of community-serving uses on a land mass that cannot support it. We have liquefaction soil, natural gas emissions underground and a very fragile ecological wetland in this area. We have overcrowding and too much traffic on Lincoln Boulevard now, I cannot imagine [*sic*] an additional 3,000-6,000 people living in this area.

I don’t believe the proper environmental investigations have taken place prior to this development. I am very much against the “Village at Playa Vista” continuing development.

Mindy Taylor Ross, 214 E. Melnitz Hall, Box 951622, Los Angeles, CA 90095

#### **Response 6-42**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.



The topics raised in the comment are analyzed in the Draft EIR. Liquefaction is analyzed in Section IV.A, Earth, of the Draft EIR, beginning on page 205. The storage of natural gas near the Proposed Project site and soil gas issues are analyzed in Section IV.I, Safety/Risk of Upset, beginning on page 660. The impact of the Proposed Project on wetlands is analyzed in Section IV.D, Biotic Resources, beginning on page 523, and Section IV.C.(2), Water Quality, beginning on page 400. Finally, the impact of the Proposed Project on traffic is analyzed in Section IV.K.(1), Traffic and Circulation, beginning on page 798.

### **Comment 6-43**

I'm afraid I won't be able to write a real response to the Playa Vista EIR but I will write briefly about the impact of Playa Vista to date.

I think one of the main things that has been disturbing is the deception about how the project would look. It is really ugly with no attempt whatever [*sic*] to mitigate the incredibly dense and blocky buildings with any meaningful, not to mention nice, landscaping. The development is built right out to the street and any elements of the development that might be remotely appealing (lakes and other things I remember them promising) are apparently being hidden away deep in the middle of it all. The buildings are truly ugly and all jammed together along narrow roads—certainly that's all you can see from the main streets driving by. It's like a ghetto plunked down along the wetlands. It's a real slap in the face of the community. When they had their fence up they had painted words like "school" and "wetland garden" and other appealing phrases but all we got was this dump!

### **Response 6-43**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

An analysis of impacts regarding aesthetics is provided in Subsection 3.4.1.2 of Section IV.O, Visual Qualities, of the Draft EIR, beginning on page 1171. The analysis addresses building heights, building placement and open space, and landscaping, and concludes that impacts on the visual character of the area would be less than significant, because the Proposed Project would not contrast with the visual character of the surrounding development, so as to cause a degradation of the environment.

### **Comment 6-44**

The traffic congestion is already clearly a problem and they haven't even really begun their project in earnest or filled up the units from what I've heard. Widening the street for 1/4 mile along their project doesn't mitigated [*sic*] anything.

This is clearly a major development—and they are making no attempt to hide or mitigate that at all. The auto and other pollution generated by this project will have a huge impact on the whole

city and beyond since sea breezes will blow it all inland. I wonder how many of you have noticed the city's air blowing about it [*sic*] the San Gabriel Valley or Palm Springs and the rest of the Inland Empire... It really is a regional problem and we should start looking at development that way. Conversely the wetlands are [a] regional asset and environmental necessity, not just a benefit for people living near the beach.

#### **Response 6-44**

The commentor's statements about "not having begun their project in earnest or filled up the units and widening the street for ¼ mile along their project doesn't mitigate anything" seem to be in reference to the Playa Vista First Phase Project. The Playa Vista First Phase Project is not the subject of this EIR. All of the traffic expected to be generated by the First Phase Project is included in the 2010 baseline conditions in the traffic analysis in Section IV.K(1), Traffic and Circulation, of the Draft EIR. This section provides details of the transportation analysis and mitigation measures. An array of transit improvements, signal system improvements, bicycle improvements and highway/roadway improvements are being proposed as mitigation measures for the Proposed Project. See also Section II.15, Corrections and Additions, of the Final EIR.

Air quality impacts from the Proposed Project are addressed in Section IV.B, Air Quality, of the Draft EIR and in Section II.4, Corrections and Additions, of the Final EIR. Impacts on Biotic Resources are addressed in Section IV.D, Biotic Resources, of the Draft EIR and in Section II.7, Corrections and Additions, of the Final EIR.

#### **Comment 6-45**

I'm curious about what kind of traffic mitigation they are promising now. I'm curious about the natural gas issue. I'm curious about the impact on the diverse wildlife which has lived in and used the wetlands for 100s of years—and the meaning for maintaining some semblance of a native coastal ecology. I'm also curious about the promises they made years ago to hire and train local youth for jobs. In general I'm curious about how this mess could come to be—and how people could possibly allow it to grow any further. It seems unbelievable.

Judy Branfman, Venice, CA

#### **Response 6-45**

The Draft EIR analyzes the Proposed Project's potential impacts. Proposed traffic mitigation measures are discussed in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 887, and in Section II.15, Corrections and Additions, of the Final EIR. Also see Response 6-42. The storage of natural gas near the Proposed Project site and soil gas issues are discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR and in Section II.13, Corrections and Additions, of the Final EIR. Impacts on biotic resources are addressed in Section IV.D, Biotic Resources, of the Draft EIR, and in Section II.7, Corrections and Additions, of the Final EIR.

Regarding the comment about “the promises they made years ago to hire and train local youth for jobs”, the Applicant created Playa Vista Job Opportunities and Business Services (PVJOBS), a non-profit organization providing job placement opportunities for at-risk youth and adults. Through PVJOBS, 10 percent of all construction jobs at Playa Vista are set aside for at-risk youth and adults in Los Angeles. PVJOBS works with local job-skills training programs and other community-based organizations to bring qualified individuals into the workplace. As of September 16, 2003, 1,119 positions have been filled at PVJOBS, and an additional 150-200 positions are expected to be filled this year. The Proposed Project would continue the commitment to PVJOBS.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-46**

Playa Vista Phase II should not be approved. The damage it will cause to the environment cannot be mitigated.

### **THE WORST LOCATION**

Perhaps no location could be worse suited for the Playa Vista Phase II development than the Ballona Gap, “an ancient floodplain.” Lurking directly beneath the surface, scientists conjecture, may be the Compton-Los Alamitos Fault. In addition, according to the Report, “The City of Los Angeles General Plan Safety Element Indicates that the Playa Vista area is subject to potential liquefaction and the Proposed Project site is within an official Liquefaction Zone” (Page 183, Village at Playa Vista: Draft EIR, August 2003).

### **Response 6-46**

As discussed in Subsection 2.2.2.2.1 of Section IV.A, Earth, of the Draft EIR on page 224, the postulated Compton-Los Alamitos Fault may pass beneath the Proposed Project site at a depth of 3 to 6 miles below the ground surface. As discussed in Subsection 2.2.2.2.1, recent geotechnical studies (2000 and 2001) performed by Earth Consultants International and Davis and Namson Consulting Geologists concluded that there is no evidence of surface or shallow subsurface faulting at the Proposed Project site, and, therefore, the potential for surface rupture is considered extremely low (See Appendices D-4 and D-5 of the Draft EIR). Given the depth of this postulated fault, the potential for surface fault rupture hazards to structures or people at the Proposed Project site is considered extremely low. The potential for groundshaking impacts to the Proposed Project in the event of an earthquake along this postulated fault would be no greater than groundshaking impacts from any other local fault. The Draft EIR analysis takes into account the numerous known faults located throughout the Los Angeles region, and not simply those immediate to the Proposed Project site.

Relating to liquefaction hazards at the Proposed Project site, as discussed in Subsection 3.4.1.3 of Section IV.A, Earth, of the Draft EIR on page 256, there exists a limited or moderate liquefaction potential, based on geotechnical investigations completed at the Proposed Project site. Nonetheless, the City Department of Building and Safety requires site-specific geotechnical investigations, including liquefaction assessments, for issuance of building permits for individual structures. As a result, where necessary, the building structures are specifically designed to account for the potential occurrence of liquefaction. Therefore, impacts to the Proposed Project from on-site liquefaction are considered less than significant.

**Comment 6-47**

The Report also acknowledges that the proposed project is in an area of poor air quality, with elevated air pollution levels, but draws no negative conclusions about adding a development that will dump additional large amounts of pollutants into our air.

**Response 6-47**

The Draft EIR provides a detailed discussion of unavoidable adverse impacts before and after the imposition of mitigation measures in Subsections 4.0 and 5.0 of Section IV.B., Air Quality, of the Draft EIR. Specifically, the Draft EIR concludes that after implementation of all feasible mitigation measures, Project construction, inclusive of the Equivalency Program and the proposed off-site improvements, would generate CO, NO<sub>x</sub>, and ROC emissions that exceed SCAQMD regional significance thresholds for construction activities. Therefore, regional emissions from both on- and off-site (e.g., delivery trucks) construction sources would have a temporary but significant and unavoidable adverse impact on regional air quality. During the Project's operational phase, the Project, inclusive of the Equivalency Program, would result in emission levels that exceed SCAQMD significance thresholds for CO, NO<sub>x</sub>, PM<sub>10</sub>, and ROC. Mitigation measures would reduce the potential air quality impacts of the Project, inclusive of the Equivalency Program, to the degree technically feasible, but emissions would remain above SCAQMD significance thresholds. Therefore, Project operations, inclusive of the Equivalency Program, would have a significant and unavoidable adverse impact on regional air quality. Accordingly, a statement of overriding considerations would be required for Project approval.

**Comment 6-48**

The Report also glosses over the amount of water pollution that the project will produce and that will detrimentally affect the Santa Monica Bay as well as the Bellflower Aquitard, Ballona Aquifer, and the Silverado Aquifer which lie beneath the project site. The state of California has already given an "impaired" rating to the Bay, Ballona Creek Estuary, and Ballona Wetlands.

**Response 6-48**

As stated in Subsection 4.0 of Section IV.C.(1), Hydrology, and Section IV.C.(2), Water Quality, of the Draft EIR on pages 394 and 517, respectively, potential pollutant increases from

the Proposed Project area would be addressed through the implementation of mitigation measures. The mitigation measures, including completion, or otherwise guaranteed completion, of the Freshwater Marsh, Riparian Corridor and other structural/treatment control BMPs, would improve existing flood control infrastructure with water quality enhancements that would result in no increase in pollutant loads or concentrations to the Ballona Wetlands, the Ballona Channel, or Santa Monica Bay compared with pre-First Phase conditions as stated in Section IV.C.(2), Water Quality, Subsections 3.4.1.2.6 on page 485, Subsection 3.4.1.2.5 on page 478, and Subsection 3.4.1.2.4 on page 476, of the Draft EIR. Moreover, as discussed in Subsection 3.4.1 of Section IV.C(2), Water Quality, of the Draft EIR, flows from the Proposed Project would not cause pollution, contamination or nuisance in the receiving waters and would not violate any applicable regulatory standards in the Ballona Wetlands, the Ballona Channel or Santa Monica Bay.

#### **Comment 6-49**

The most immediate visible impact of the project, should it go forward, will be to traffic congestion. The Report acknowledges what residents of the area already know, that many of the intersections are at present near gridlock. Lincoln Blvd. is a prime example of a street that is already over capacity for much of the day. Even streets that have better ratings, such as Abbot Kinney Blvd., are chocked [*sic*] with commuter traffic. An honest appraisal of the traffic impact of Playa Vista II will show that the project would have a devastating impact on westside streets and freeways. Such an independent study should be conducted without delay, in order to allow a realistic evaluation of this project.

#### **Response 6-49**

A comprehensive analysis of the Proposed Project's traffic impacts is provided in Section IV.K.(1), Traffic and Circulation, of the Draft EIR. Please See Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of the transportation model and analysis. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

#### **Comment 6-50**

Playa Vista lies close to California's fragile coastline. Even without this project, the coast is besieged by irresponsible developers who neglect any thought of the impact of their developments on the precious environmental resources that are our legacy to future generations. It is important that the coast be protected from such irresponsible projects such as Playa Vista, not just for those who live nearby, but for all Californians. In the past, the coast has served as a

relatively pollution-free area to which residents of the inner city could escape. Playa Vista, and similar if smaller developments, is changing that dynamic. The coast is becoming clogged with traffic, mini-malls and cookie-cutter development projects who's [*sic*] sole purpose is making profits for their developers.

**Response 6-50**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-51****SUSTAINABLE DEVELOPMENT**

It is time that the state of California and local governments approve only sustainable developments and say no to irresponsible developments that destroy our future. We should also adopt a holistic approach to development that demands that regional solutions to problems such as traffic and pollution be addressed as part of the approval—or disapproval—process, in addition to more local concerns such as zoning. This is the essence of “planning,” which the EIR attempts to downplay or ignore.

If reducing traffic and pollution along the coast are not part of the discussion about Playa Vista Phase II, there cannot be a claim that there really is a planning process. Instead, we are simply allowing random development. We should say as much.

In sum, the coastal area should be a mixture of human activity and nature. Public space should be at least as important as private development. Green space, in the form of large and small parks, wetlands, undeveloped bluffs and nature preserves should be given consideration in all development decisions. Playa Vista I, with its closely packed buildings, indicates that the developers do not understand this concept, regardless of their public relations campaign.

**Response 6-51**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Playa Vista Project has been the subject of a long and complex planning process. The scale of the Project has been reduced substantially, with over 70 percent of the former Master Plan now preserved as open space.

A comprehensive traffic impact evaluation study has been performed, including coordination with numerous jurisdictions, during the study process. The traffic impact analysis is provided in Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 798. This study is included along with all the technical analysis in Appendix K of the Draft EIR. The Draft EIR

includes a comprehensive mitigation program to address the significant impacts identified in the analysis. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

The Proposed Project has incorporated numerous sustainability concepts. For example, the Project provides a balance of residential, commercial, and retail uses that are all located within walking distance of at least one of a dozen parks. In addition, the freshwater marsh within the Playa Vista First Phase Project and riparian corridor was designed for natural storm water planning. The Proposed Project will incorporate the same features that were used in the Playa Vista First Phase Project that has been recognized as a model project for sustainable urban development. The overall Playa Vista project has also been recognized as one of five P.A.T.H. (Partnership for Advancing Technology in Housing, established by former President Clinton) communities in the United States and has also received the Ahwahnee Award from the California Local Government Commission's Center for Livable Communities.

#### **Comment 6-52**

#### HOUSING

At the same time, the coast should not be a playground just for the wealthy. Affordable housing and strong rent control should be a part of any environmental analysis. The level and percentage of affordability requirements at Playa Vista and other coastal developments should be in proportion to income levels in the metropolitan area. Anything less will continue the trend toward the coast becoming enclave for the well-to-do. In this regard, Playa Vista Phase II is part of this problem. Real affordable housing, as well as cooperative housing ownership, should be considerations that are incorporated into Playa Vista Phase II and other development projects.

#### **Response 6-52**

The Proposed Project does not result in the removal of any affordable housing units, or the relocation of any households residing in affordable housing units. As such, development of the Proposed Project would have a less than significant impact on affordable housing.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-53**

The first step to sustainable development along our coast should be a moratorium on all new construction that worsens the current traffic and pollution problems. Rail transit along major coastal corridors, such as Lincoln and Sepulveda Blvds., and to and from the coast from inland areas are the kinds of development projects we should be considering. When mass transit is in place that is capable of handling the majority of trips, increased density will be possible, particularly along these transit corridors. Meanwhile, a moratorium would ensure that mass transit rail lines are built sooner, rather than later. In addition, bike and pedestrian-only zones in some of our coastal cities, including Venice, are the kind of “zoning” possibilities we should be considering.

**Response 6-53**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-54****THE SOCIAL COSTS OF PLAYA VISTA II**

The only aspect of the Playa Vista project that is private is the massive profit that will be reaped by the developers. Meanwhile, the social costs of the project will be left to the taxpayers, beginning with millions of dollars in roadway “improvements” required to accommodate Playa Vista traffic.

Other social costs include public health expenses due to increased incidents of emphysema, other heart and lung diseases and cancer engendered by increased pollution, as well as mental health problems worsened by road rage and frustration with overcrowded streets. Pedestrian and bicyclist casualties are sure to increase because of increased auto usage. And in the long run, the public will be saddled with massive repair of ecological damage caused by constructing this project in the delicate Ballona Gap.

While the developers of Playa Vista may claim that their property rights allow them to go forward with this project, they are wrong. In crowded urban areas, individual property rights must be used in socially productive ways, and with the agreement of the community. To advocate unrestricted, or barely restricted, property rights is like advocating the free speech right to yell “fire” in a crowded theater. We all live in crowd [sic] theaters, called the Los Angeles basin and the California coast. The Playa Vista Phase II project will cause irreparable harm to our crowded theaters, and must be denied if we are to have a sustainable legacy to hand down to our children and grandchildren.

Jim Smith, 533 Rialto Ave., Venice, CA 90291



**Response 6-54**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. Air quality, traffic and biotic resources impacts from the Proposed Project are addressed in Section IV.B., Air Quality, Section IV.K.(1), Traffic and Circulation, and Section IV.D., Biotic Resources, of the Draft EIR.

**Comment 6-55**

I work at Loyola Marymount University and am a life-long resident of Venice. I am very concerned about the impacts that the Playa Vista development is having on my community.

Anyone using Lincoln Bl should tell you that it is completely insane to add anymore traffic to the existing grid-lock, but all Playa Vista housing developments are gigantic buildings which will have mostly multiple car families living in them.

Wildlife has been effectively destroyed or removed by the new existing development, like the raccoons and red-tail hawks that inhabited [sic] the area already developed:

The raccoons that moved up the bluff in to the campus of Loyola were captured and most likely destroyed.

I have recently seen raccoons moving in and out of Venice sewers and climbing the telephone poles on Washington Bl.

A large tree on Jefferson, used for many generations by breeding red-tail hawks, was simply cut down.

Peggy Lee Kennedy

**Response 6-55**

Traffic and biotic resources impacts from the Proposed Project are addressed in Section IV.K.(1), Traffic and Circulation, and Section IV.D., Biotic Resources, of the Draft EIR.

It is unclear to which tree removal the commentor refers. It is assumed the commentor refers to the removal of eucalyptus trees next to Jefferson Boulevard in February 2002. The removal of eucalyptus trees does not require the preparation of an environmental impact report. At the time of the removal, several of the eucalyptus trees were diseased and threatened the safety of travelers along Jefferson Boulevard. One of the trees had fallen and posed a traffic safety hazard to drivers along Jefferson Boulevard. Based upon numerous site visits, biologists determined there were no nesting birds at the time of the removal.

The biological baseline for the Proposed Project is addressed in Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity In The Project Area, on page 474, above.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-56**

[I] am submitting my comments regarding the project.

With the wetlands being the sacred space of ancient burial grounds, the idea to build more condos and shops not only seems unbelievable but outright dangerous.

[I] steadfastly oppose the construction. Increased traffic and pollution are the obvious reasons, however, [I] also believe that with LA being the most park poor city in the nation and maybe even the world, we should preserve the sacred land and use it as an environmental treasure. [I]f we do not, mother nature has ways of taking matters into her own hands. [I] hope she sends a [*sic*] more than a few personal messages to the developers and the government officials that have pushed this along. [Y]ou go, girl!

theresahulme@earthlink.net

### **Response 6-56**

Impacts from the Proposed Project on Biotic Resources, Archaeological Resources, Traffic, Air Quality, and Parks are discussed in Sections IV.D, Biotic Resources; IV.P.(2), Archaeological Resources; IV.K.(1), Traffic and Circulation; IV.B, Air Quality; and IV.L.(4), Parks and Recreation, of the Draft EIR.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-57**

On the subject of cumulative traffic impacts:

The cumulative impact of the Playa Vista Project is inadequately portrayed in the EIR, because the proposed project for Lincoln Place is not considered as part of the cumulative impact. Nor is the Lincoln Center project, the Trammell Crowe [*sic*] project, the Walgreen's project, or any other project proposed for Venice. Lincoln Place's role in the cumulative impact is explained here as an example.

When the Draft EIR was written in 1993 for the proposed demolition and redevelopment of Lincoln Place, the traffic impacts were miscalculated as follows:

Since the project was requesting a density bonus of 50 units over and above the 800 units to be replaced, the impacts were assumed to be only the result of the 50 added units, or about an 8% increase. The traffic analysis did not take into account the changing demographics that were built into the proposed project. That is, the seniors and low-income people who were to be displaced by the proposed project, and who own no cars, bring the average number of cars owned by Lincoln Place residents down to about one car per household. By contrast, the proposed redevelopment was designed for households with 2½ cars per household. This change, plus the density bonus, would result in an increase of about 150% in addition to the 8% projected by the EIR for the additional 50 units. This translates into as many as 1,000 to 2,000 additional car trips per day. This is an example of the way an EIR can fail to disclose the actual impact of project.

In addition to this miscalculation, in the intervening ten years since the Lincoln Place EIR was written, the owners have evicted many tenants, demolished 100 units, and refused to re-rent vacancies. Therefore, the 700 units which remain standing are only a little over half occupied. Lincoln Place will either be restored as originally designed (since Lincoln Place has been determined by the State of California Historic Resources Commission to be eligible for the National Register of Historic Places), or it will be redeveloped. In either scenario, the additional traffic impacts from Lincoln Place will be significant and must be considered in the analysis of cumulative impact. The impacts of other projects proposed for Venice, including but not limited to the Lincoln Center project, the Trammell-Crowe project, and the Walgreens project, should also be considered.

Sheila Bernard, President, Lincoln Place Tenants Association

### **Response 6-57**

Please See Topical Response TR-3, Related Projects, for a discussion on the effects of related projects and how they are incorporated in the Village at Playa Vista Traffic Analysis. See also Response 6-6-12 for a discussion of related projects including the projects identified in this Comment.

### **Comment 6-58**

It is difficult to hold back disagreements and anger after soooo [*sic*] many years of opposition to PV.

Although we were promised that the DEIR for Phase II would not be published before Phase I was completed... yet here are 1,500 pages of detailed jungle to stumble through at year's end—indeed, what's the big hurry????!

All obvious protests, like traffic congestion and air pollution, will arrive on your desk in piles, and no mitigation will change our resolve.

Here in Venice, we know that thousands of newcomers would enjoy the beach areas, if only there were shuttles provided by the ‘owners,’ for instance, and no taxes were spent on additional ‘public’ transport.

Here in Venice, we already smell the crawling traffic on Lincoln Blvd... and this is supposed to be the West Coast’s last, all inclusive, beach city with public access! Already a shifting dream... If more mega-boxes and homes were to rise in our Ballona Wetlands, plenty of ‘dreams’ would be doused, killed, and that goes for the spirit of our neighborhoods as well. Why continue to live here?

Whatever you can do, dear Councilwoman, please DO DO IT!

Our Grassroots Venice Neighborhood Council’s LUPC will join other surrounding NCs in your district in their PV opposition.

Please DO voice the deeply felt and researched concerns of your constituents!

Please DON’T allow that falsely calculated population increase over the next couple of decades for you to succumb to pressure and burning greed and a dozen LA neighborhoods’s [*sic*] seriously impaired quality of life!

Your serious and honest consideration is truly appreciated.

Ingrid Mueller, 1027 Elkgrove Avenue, Venice, CA 90291 310-392-3791

### **Response 6-58**

Impacts from the Proposed Project on traffic and air quality are analyzed in Section IV.K.(1), Traffic and Circulation, and Section IV.B, Air Quality, of the Draft EIR.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-59**

The following are my comments regarding Playa Vista:

- I do not believe any project with an [*sic*] DEIR of 15,000 pages can be made safe... nor do I believe that anyone can read and properly assess the information contained within a 1,500 page report. As we know, “the devil is in the details.”
- I do not believe that these monumental safety problems can be ‘Mitigated.’

- I do not believe that anything that needs to be “mitigated” should be approved.
- [T]his project is in a known liquifaction zone with gas seeps.
- [T]his project will destroy bluffs and archeological sites of native people’s burial areas.
- What has been built already is too big. We must stop overdevelopment right now as we are now at gridlock.

Carol V. Beck

### **Response 6-59**

The Draft EIR analyzes the Proposed Project's potential impacts. The topics raised in the comment are analyzed in the Draft EIR. Liquefaction is analyzed in Section IV.A, Earth, of the Draft EIR beginning on page 205. The storage of natural gas near the Proposed Project site and soil gas are analyzed in Section IV.I, Safety/Risk of Upset. The bluffs are analyzed in Section IV.D, Biotic Resources. Archaeological resources are analyzed in Section IV.P, Archaeological Resources, beginning on page 1199. Traffic is analyzed in Section IV.K.(1), Traffic and Circulation, beginning on page 798. Corrections and Additions for these sections are contained in Sections II.2, II.13, II.7, II.29, and II.15, respectively, of the Final EIR.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 6-60**

Please do everything in your powers to stop Phase II of Playa Vista. Yes—Los Angeles needs more housing, but it needs more AFFORDABLE housing, not expensive condos and inflated-rental apartments that A) make the new dwellers there feel guilty that they’re conspiring in deteriorating/destroying one of the city of Los Angeles’ few remaining natural habitats, and B) Playa Vista is lowering the quality of life both for nearby residents in Playa Vista and Marina Del Rey AS WELL AS other Angelenos who have to bear the visual eye sore that is Playa Vista on a regular basis.

Please stand up for the people of the city—you don’t need support/allegiance of the builders—they need to be sent a message that they’re corrupting and tarnishing our land and our community, and by voting and speaking out against further development, you will be doing your part to send that message.

Thank you very much for listening and for doing what you can to put an end to any further Playa Vista development and destruction of the Ballona Wetlands/our natural habitats and resources.

Michael Shaw, Venice, CA

**Response 6-60**

As discussed in Section IV.J, Population, Housing and Employment, of the Draft EIR, the Proposed Project is anticipated to provide a range of housing types and sizes at corresponding cost levels.

Impacts on the habitats of the Proposed Project site are analyzed in Section IV.D, Biotic Resources of the Draft EIR.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-61**

This was a late-arriving comment that belongs after page 25.

I have labeled it P. 25a.

Thanks for your good work.

**Response 6-61**

The comment provides background on the letter submittal. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 6-62**

I am against any more development at Playa Vista. I live in Venice and am concerned about increased air & noise pollution, traffic and the impact on the environment. Please consider what this is going to do to the people already living in this commu[nity]. Please reconsider expanding the development.

Wendy Winston, 1063 Indiana Ave., Venice, CA 90291 310-396-5981

**Response 6-62**

The Draft EIR analyzes the Proposed Project's potential impacts to the environment. The topics raised in the comment are analyzed in the Draft EIR. Air quality is addressed in Section IV.B, Air Quality, beginning on page 270. Noise is addressed in Section IV.E, Noise, beginning on page 553. Traffic congestion is addressed in Subsection IV.K.(1), Traffic and Circulation, beginning on page 798. The impacts of the Proposed Project on biological resources are analyzed in Section IV.D, Biotic Resources.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 6-63**

APPENDIX B  
LIST OF SENSITIVE RECEPTORS

WORKING LIST OF SENSITIVE RECEPTOR IN VENICE

CHILD CARE

Mercado Home Day Care  
2428 Walnut Avenue, Venice, CA 90291  
Phone: (310) 574-3239

Penmar Recreation Center Child Care  
Department of Recreation and Parks, City of Los Angeles  
1341 Lake Street, Venice, CA 90291  
Phone: (310) 202-4527

PRESCHOOL

Delta Sigma Theta Head Start  
1020 Victoria Avenue, Venice, CA 90291  
Phone: (310) 1397-2659

Delta Sigma Theta Head Start  
625 Vernon Avenue, Venice, CA 90291  
Phone: (310) 392-5955

First Lutheran School  
815 Venice Blvd, Venice, CA 90291  
Phone: (310) 823-9367

First Years Preschool  
1010 Amoroso Place, Venice, CA 90291  
Phone: (310) 399-3120

Las Doradas Children Center  
804 Broadway Street, Venice, CA 90291  
Phone: (310) 450-0327

Morning Glory Preschool

2552 Lincoln Blvd, Venice, CA 90291  
Phone: (310) 827-0502

St. Joseph Center  
204 Hampton  
Venice, CA 90291

Susan Sims Bodenstein Preschool  
201 Hampton Drive, Venice, CA 90291  
Phone: (310) 396-7733

Westminster Avenue Children's Center  
(LA Schools—Child Development Division)  
Principal: Jacqueline Williams  
1010 Main Street, Venice, CA 90291  
Phone: (310) 392-4581

#### ELEMENTARY, MIDDLE AND HIGH SCHOOLS

Broadway Elementary School (K-5)  
(LA Unified School District Cluster #14—Venice High School)  
Principal: Edwin Romotsky  
1015 Lincoln Blvd, Venice, CA 90291  
Phone: (310) 392-4944  
Ethnicity (fall 1998): 1% Asian, 12% Black, 87% Hispanic

Coeur D'Alene Elementary School (K-5)  
(LA Unified School District Cluster #14—Venice High School)  
Principal: Beth Ojeda  
810 Coeur D'Alene Avenue, Venice, CA 90291  
Phone: (310) 821-7813  
Ethnicity (fall 1998): 4% American Indian/Alaska Native, 5% Asian, 17% Black, 2% Filipino, 42% Hispanic, 1% Pacific Islander, 29% White

First Lutheran School (K-8)  
(Private School)  
Principal: David Rusch  
815 Venice Blvd, Venice, CA 90291  
Phone: (310) 823-9367

Saint Marks Elementary School (PK-8)  
(Catholic School)  
Principal: Martha Mears  
912 Cour [sic] D'Alene Avenue, Venice, CA 90291  
Phone: (310) 821-8812



Westminster Avenue Computer Science/Math Magnet School (1-5)

(LA Unified School District Cluster #14—Venice High School)

1010 Abbot Kinney Blvd, Venice, CA 90291

Phone: (310) 392-3041

Ethnicity (fall 1998): 5% Asian, 18% Black, 1 % Filipino, 58% Hispanic, 18% White

Westminster Avenue Elementary School (K-5)

(LA Unified School District Cluster #14—Venice High School)

Principal: Betty Coleman

1010 Abbot Kinney Blvd, Venice, CA 90291

Phone: (310) 392-3041

Ethnicity (fall 1998): 1% American Indian/Alaska Native, 1% Asian, 34% Black, 1% Filipino, 61% Hispanic, 2% White

Westminster School (PK-5)

(Private School)

Principal: Betty Coleman

1010 Abbot Kinney Blvd, Venice, CA 90291

Phone: (310) 392-3041

Mark Twain Middle School

2224 Walgrove Ave, (90066)

Venice High School

13000 Venice Blvd, Los Angeles 90066

SCHOOLS OUTSIDE VENICE ATTENDED BY VENETIANS:

University High School

11800 Texas Ave, Los Angeles 90025

Richland Avenue Elementary School

11562 Richland Ave, (90064)

Beethoven Street Elementary School

3711 Beethoven St. (90066)

Mar Vista Elementary School

11020 Clover Ave. (90064)

Webster (Daniel) Middle School (1954)

11330 W Graham Place 90064

Culver Christian School

11312 Washington Blvd. (90066)

Culver City SDA School  
11828 Washington Blvd. (90066)

Saint Gerard Majella School  
4451 Inglewood Blvd. (90066)

Wildwood School  
12201 Washington Place (90066)

Windward School (Grades 7-12)  
11350 Palm Blvd. (90066)

Grand View Boulevard Elementary School  
3951 Grandview Blvd, (90066)

ADULT SCHOOL:

Venice Skills Center  
(LA Schools—Adult Division)  
Principal: Cynthia Moore  
611 Fifth Avenue, Venice, CA 90291  
Phone: (310) 392-4153

HOSPITAL:

Daniel Freeman Marina Hospital  
4650 Lincoln Blvd, Marina del Rey, CA 90292  
Phone: (310) 823-8911

SENIOR CENTERS:

Israel Levin Senior Adult Center  
201 Ocean Front Walk  
Venice, CA 90291

Westminster Senior Citizen Center  
1234 Pacific Avenue  
Venice, CA 90291

**Response 6-63**

This attachment was submitted in support of comments stated in Comments 6-12 through 6-28. As such, comments related to this attachment are addressed in Responses 6-12 through 6-28.

**LETTER NO. 7**

Mar Vista Community Council  
P.O. Box 66871  
Mar Vista, CA 90066

December 19, 2003

**Comment 7-1**

The Mar Vista Community Council (MVCC), a certified neighborhood council representing 55,000 people in the neighborhood adjacent to the north of the subject property submits the following comments to the Environmental Draft Document for the Village at Playa Vista (“The Project”):

**Response 7-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 7-2**

A. Executive Summary

2.0 Discretionary Actions Requested and Permits Required

- We are concerned that as part of the discretionary actions contemplated for the implementation of the Project, an Amendment to the Palms-Mar Vista-Del Rey District Plan (The “Plan”) should be considered to address several project policies inconsistent with Policy 16-1.1 [a][b] of the Plan. Additionally, the land use changes to Area ‘C’ do not conform to the existing Plan.

**Response 7-2**

The Proposed Project is located solely within the boundaries of the Westchester Playa-del-Rey Community Plan. The Proposed Project does not propose any land use changes in Area C; thus, amendments to the Palms-Mar Vista-Del Rey District Plan are not required or appropriate.

**Comment 7-3**

B. Project Description

## II C—Statement of Objectives

The Project must meet the adopted policies and objectives of the City of Los Angeles as set forth at pages 173-174 of the EIR. We are concerned that the environmental document does not meet the following project policies with respect to the Mar Vista Community: The City of Los Angeles has adopted policies and objectives, which relate to the implementation of the Proposed Project such as:

- a.) “Accommodate expected population and employment growth within the City and each Community Plan Area and plan for provision of adequate supporting transportation and utility infrastructure and public services.”
- b.) “Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development, provided that is compatible with and maintains the scale and character of existing development.”
- c.) “Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled and air pollution.”

### Response 7-3

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The policies and objectives cited are further discussed in Section IV.G, Land Use, of the Draft EIR, beginning on page 613. Subsection 2.1.4.1 on page 616 describes the City of Los Angeles General Plan and the City of Los Angeles Framework Element context in which the cited policies occur. Subsection 3.4.1.1.4.1 on page 634 analyzes the Project vis-à-vis those policies. Subsection 3.4.1.1.4.2 on page 636 analyzes the Project in comparison to the existing Westchester-Playa del Rey Community Plan and Specific Plan designations. The policies presented in the Framework Element are accompanied by Long Range Land Use Diagrams that identify areas where more clustered types of development can occur. Development provided in higher density projects, such as the Proposed Project, redirects development pressure away from surrounding existing land use. As described in Subsection 3.4.1.1.4.1, the Long-Range Land Use Diagram contained in the Framework designates the area around the intersections of Jefferson and Lincoln Boulevards and Culver and Lincoln Boulevards as the approximate area for a Regional Center. Under the concept presented there, regionally serving uses would be concentrated at the intersection of Jefferson and Lincoln Boulevards and extended/blended eastward into related uses in adjoining areas, including the Proposed Project site. As described in Subsection 3.4.1.1.4.2, the site is designated for light/limited industrial uses (which includes commercial development) and High/Medium Density Residential uses.

The Draft EIR analyzes impacts on utilities (water, wastewater and solid waste), transportation, and character/scale of surrounding areas in Subsections 3.0 of Section IV.N, Utilities, on

pages 1083, 1107, and 1131, IV.K.(1), Traffic and Circulation, on page 960 and IV.O, Visual Qualities, on page 1160. As indicated, after mitigation, there would be no significant impacts on utilities (except in regard to solid waste which is a region-wide issue, identified as a significant impact on landfill facilities in the Draft EIR) or character/scale. With the addition of the new mitigation measure that has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472, the one remaining significant traffic impact at Centinela Avenue and Jefferson Boulevard that was identified in the Draft EIR, would be reduced to a less-than-significant impact. As indicated on page 1183 of the Draft EIR, change in visual character of the Proposed Project site would be less than significant as the Proposed Project would not contrast with the visual character of the surrounding development so as to cause a degradation of the environment.

#### **Comment 7-4**

We also do not believe that consistency with other adopted Land Use Plans (Palms-Mar Vista-Del Rey) has been properly studied.

#### **Response 7-4**

As discussed in Response 7-2, the Proposed Project is located solely within the boundaries of the Westchester Playa-del-Rey Community Plan. The Proposed Project does not propose any amendments in Area C; thus, amendments to the Palms-Mar Vista-Del Rey District Plan are not required. The Draft EIR addresses all off-site impacts that would occur within the Palms-Mar Vista-Del Rey District Plan boundaries, as addressed throughout the Draft EIR.

#### **Comment 7-5**

### C. Environmental Setting

#### III.B Identification of Related Projects

The Village at Playa Vista list of related projects, for the purpose of the cumulative impact analysis, Figure 11, and Table 5, does not include the following projects which in our view both as a component of the traffic analysis for the project and for identifying related growth impacts:

- a.) Olympic/Bundy 535,000 square feet Medical Project.
- b.) Fire Station 62 (Venice Blvd. and Inglewood).
- c.) Taco Bell (Venice and Inglewood).
- d.) Santa Monica College Proposed Campus (Airport and Centinela).
- e.) DWP proposed Sub Station 145, north of National.

**Response 7-5**

A comprehensive discussion of related projects is provided in Topical Response TR-3, Related Projects, on page 453. The Draft EIR considered and incorporated conservative assumptions regarding identifying the list of related projects and analyzing cumulative impacts. The list of related projects was developed via consultation with the adjoining cities and the County of Los Angeles with regard to relevant areas of unincorporated Los Angeles County.

Furthermore, the analysis is conservative in two ways. The related projects list includes over 31 million square feet of commercial and industrial development as well as over 9,300 residential units. To account for additional cumulative development, the EIR assumed an additional growth factor of 10 percent of commercial and industrial development and 25 percent of residential development. These additional increments account for over 3.1 million square feet of commercial and industrial development as well as over 2,300 residential units. Therefore, the Project's related projects represent a total of over 34 million square feet of commercial and industrial development as well as over 11,600 residential units. In addition, the traffic analysis was conducted using a transportation model based on the Southern California Association of Governments (SCAG) regional model, which included the socioeconomic and land use growth anticipated by SCAG for the entire region. Interpolation between 2000 and 2015 socioeconomic datasets produced land use and traffic growth patterns for the Year 2010 to be used as the Future Cumulative Base projections. To check the validity of the SCAG projections, each of the cities within the study area was asked to supply a list of their related background projects, including projects in development or anticipated to be developed and open by 2010. This list was compared against the land use assumptions for each traffic analysis zone ("TAZ") to determine whether each TAZ included sufficient land use growth to accommodate the related projects. Additional land use development was added to those TAZs that did not have sufficient growth based on SCAG's forecast. While additional development was added where required, corresponding reductions in land use was not taken in those instances where the cumulative development was less than that forecasted by SCAG. Thus, the amount of cumulative land use development assumed in the traffic model exceeded that assumed in the related projects list.

With respect to the projects listed in the comment, those projects are either not currently proposed, were proposed after circulation of the Draft EIR, and/or are not anticipated to result in substantial growth. For example, the DWP proposed substation and Fire Station 62 are public works related projects that do not create significant traffic. The Taco Bell at Venice and Inglewood is under the threshold for which the City requires a traffic study to be prepared; the amount of peak hour traffic generated is not substantial. The Santa Monica College Proposed Campus project was announced after circulation of the Proposed Project Draft EIR in August 2003; no formal proposal is pending at this time, and no timeline for completion has been identified. The Notice of Preparation for the 535,000 square foot medical project at Olympic and Bundy, known as the Westside Medical Park, was published on September 9, 2003, after the Draft EIR for the Proposed Project had been circulated for public review. Nonetheless, these projects would fall within the conservative assumptions used in the Draft EIR analysis, as discussed above, and a detailed investigation of the projected growth in each TAZ showed that

the traffic model used in the Draft EIR assumed sufficient growth to account for all of the known projects discussed above.

**Comment 7-6**

D. Environmental Impact Analysis

III. General Overview of the Environmental Setting

IV.B Air Quality

The Mar Vista Community Council is very concerned that no mention is made of the air quality impacts at sensitive receptors within the MVCC boundaries, specifically, residential uses, public and private schools, rest homes, day care centers, parks and open spaces and intersections serving the project within the Mar Vista Community.

Accordingly, the document should address grid location points defining the Mar Vista Residential community, which it does not.

We request that sensitive receptor locations in Mar Vista be included in the environmental report for the purpose of Air Dispersion modeling analysis to determine the extent of localized pollutant concentrations. Additional analysis needs to include intersections near these receptors that may potentially be affected by construction activities and motor vehicles emissions from project related increases in regional traffic.

We request that the traffic analysis be revised to address cumulative project impacts as stated in the preceding comment. We also request that the new analysis incorporates idling conditions at intersections within Mar Vista showing a ‘D,’ ‘E’ or ‘F’ LOS and report resultant air quality impacts as a result of the proposed project. Specifically, the following intersections adjacent to related sensitive receptors have been omitted:

Intersection	Sensitive Receptor
Venice Blvd./Walgrove	Venice High School
Beethoven Blvd./Victoria	Beethoven Elementary
Walgrove/Victoria	Mark Twain Middle School
Walgrove/Rose	Walgrove Elementary
Sawtelle/National	Daniel Webster Middle School
Palms/Kelton	Palms Middle School
	Parks
	Open Space
	Child Care
	Rest Homes

**Response 7-6**

The potential impacts from the Project on the Mar Vista community are addressed in the Draft EIR. Subsection 3.4.1.2 and Subsection 3.4.2.3 of Section IV.B, Air Quality, of the Draft EIR provide an in depth analysis of potential localized construction and operational impacts related to the Project. As discussed in the referenced subsections, sensitive land use receptors in the vicinity of the Project site and the Project's proposed off-site roadway improvements were included in the air dispersion modeling analysis to determine localized pollutant concentrations. Specifically, the local construction impacts from construction operations focused on NO<sub>2</sub>, CO, and PM<sub>10</sub> emissions and their impact on 19 nearby sensitive receptors, including schools, hospitals, rest homes, day-care centers, and a sampling of locations throughout the residential areas adjacent to the Project site. Included within these sensitive receptors are several locations within the Mar Vista community. As shown in Figure 23 on page 288 of the Draft EIR, sensitive receptors within the Mar Vista community include Locations 15, 16, 17, and 18 as well as the residential areas within ¼ mile of the Washington Boulevard and Centinela Avenue intersection. These receptors were selected based on their location and their proximity to the Project site. None of the six off-site roadway improvements included as transportation mitigation measures are located within, or in sufficiently close proximity to, the Mar Vista community so as to cause a localized air quality impact that would adversely affect air quality conditions in Mar Vista. Results of the dispersion modeling indicated that none of the receptors would be significantly impacted based on the SCAQMD's Localized Significance Threshold Methodology. Therefore, as the receptors with the highest potential for pollutant concentrations would not result in a significant impact, it was concluded in the Draft EIR that no significant impacts are anticipated to occur at any other locations in the study area, such as the community of Mar Vista during project construction or project operations.

Furthermore, intersections near the receptors with high Project traffic volumes and poor levels of service (i.e., greatest change in an intersection's volume-to-capacity due to Project-generated traffic) were evaluated in the Draft EIR to assess the potential for local carbon monoxide concentrations to exceed national or state thresholds. Since significant impacts would not occur at the intersections with the highest traffic volumes that are located adjacent to sensitive receptors, it was concluded in the Draft EIR that no significant impacts would be anticipated to occur at any other locations in the study area. This is because the conditions yielding CO hotspots would not be worse than the conditions at the analyzed intersections. Thus, the sensitive receptors included in the analysis would not be significantly affected by CO emissions generated by the net increase in traffic from the Project. Since the Project does not cause or localize air quality impacts related to mobile sources, the emissions from the Project were concluded to be less than significant.

The Draft EIR also provides an extensive analysis of regional construction and operational impacts. The commentator is referred to Subsection 3.4.1.1 and Subsection 3.4.2.2 of Section IV.B, Air Quality, in the Draft EIR for a detailed discussion of these regional impacts.



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**Comment 7-7****III. General Overview of the Environmental Setting****IV.K Transportation****OPENING STATEMENT:**

After a careful review, the Mar Vista Community Council Transportation Committee finds that the Playa Vista Phase II Draft EIR is seriously incomplete in its analysis of the project's traffic impacts on the Mar Vista Community. Specifically, the DEIR is void of an analysis of the cut through traffic, which would seek out the residential local and collector streets within our community, especially in the area north of Washington Blvd. This deficiency also appears to deliberately leave out the traffic impacts on Inglewood Blvd.—one of three north/south arteries that leads directly from the project site and through our community.

This omission greatly understates the overall traffic burden and the resulting air quality impacts placed on our community. Although Centinela Ave. was well studied, its current and worsening condition places increasing pressure on the residential Local/Collector sections of Inglewood Boulevard, Grand View Boulevard, Beethoven Avenue, Walgrove Avenue, Palms Boulevard and Veteran Avenue as convenient cut through routes.

**Response 7-7**

The Playa Vista Transportation Model is discussed in Topical Response TR-1, Playa Vista Transportation Model, on page 445. The transportation policy planning criteria seeks to focus traffic on arterials and collector streets and away from residential streets. Thus, the transportation planning criteria seeks to provide capacity on arterials and collector streets thereby providing travelers with the most efficient traffic routes. Consistent with this process, the traffic model includes freeways, major arterials, secondary arterials, collector streets, and key local streets. The model is calibrated to real world traffic conditions to provide an accurate analysis of existing and future traffic growth. The model was validated to within a 1 to 2 percent variance between model-generated traffic and actual counts. The model does not assign trips along residential streets, because the transportation planning criteria seeks to keep traffic off of residential streets. In this manner, capacity is designed into the freeways, arterials and collectors in order to minimize the need for use of local streets.

In order to protect neighborhood streets, a second analysis was done to address neighborhood and cut-through traffic. Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872, presents an analysis of potential neighborhood impacts that could be caused by project traffic. This analysis includes the Mar Vista community. As discussed in Subsection 3.4.7, the Proposed Project would not result in any significant impacts on neighborhood traffic in the Mar Vista area. Where neighborhood impacts do occur, mitigation is proposed. Additional details of this analysis can be found in Appendix K-2, Traffic Study

Appendix Volume 1D, and Topical Response TR-5, “Neighborhood Traffic Impacts, on page 458.

The comment incorrectly states that Inglewood Boulevard was left out of the traffic analysis. Inglewood Boulevard was included in the traffic analysis. Grand View Boulevard and Veteran Avenue are local streets (i.e., not arterial or collector streets) and are therefore analyzed as part of the neighborhood traffic impact analysis. As noted above, the Draft EIR concludes that the Proposed Project will not have any significant impacts in the Mar Vista community.

### **Comment 7-8**

The other concerns discovered during this review, was the apparent disregard for the Goals, Objectives and Policies contained in the Los Angeles General Plan, specifically the Palms-Mar Vista-Del Rey Community Plan and neglecting to address that allowable Phase 2 traffic maximums are tied to a yet-to-be-achieved cap on Phase 1 traffic.

### **Response 7-8**

The relationship between the Proposed Project and the General Plan and Community Plans is discussed in Responses 7-3 and 7-4. With respect to the Phase 1 traffic cap referenced in the comment, please See Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, on page 470.

### **Comment 7-9**

The MVCC Transportation Committee will seek to explain our fundamental concerns with the DEIR in the following manner:

1. PROJECT’S TRAFFIC IMPACTS AND RELEVANT FACTS
2. VIOLATIONS OF THE LOS ANGELES GENERAL PLAN POLICIES
3. FLAWS WITH TRAFFIC MODELING METHODOLOGY
4. QUESTIONABLE TRAFFIC MITIGATION SCHEMES
5. RECOMMENDATIONS

### **Response 7-9**

The comment provides background information on the letter submittal. Specific comments regarding the Draft EIR and responses follow.

### **Comment 7-10**

1. PROJECT’S TRAFFIC IMPACTS AND RELEVANT FACTS

a) **VEHICLE TRIPS** (taken from Section I.G. Summary of Project Impacts) The proposed project will generate 24,220 vehicle trips per day. Of these, 1,626 trips would occur in the AM peak hour and 2,302 trips would occur during the PM peak hour.

**Response 7-10**

The comment summarizes the total trip generation of the Proposed Project as shown in Section I.G., Land Use, of the Draft EIR on pages 77 and 78.

**Comment 7-11**

b) **EXISTING TRAFFIC CONDITIONS** (At Busiest Mar Vista Intersections)

	<u>PEAK AM</u>	<u>PEAK PM</u>
Centinela/Venice	V/C*: 1.128 LOS "F"	V/C*: 1.167 LOS "FF"
Lincoln/Venice	V/C*: 1.08 LOS "F"	[Not a MVCC intersection but affect us.]
Lincoln/Venice	V/C*: 1.016 LOS "F"	[Not a MVCC intersection but affect us.]
Centinela/National	V/C*: 1.128 LOS "F"	V/C*: 1.167 LOS "FF"
Centinela/Ocean Park	V/C*: 0.919 LOS "E"	V/C*: 1.308 LOS "FFFF"
Centinela/Washington Place	V/C*: 0.894 LOS "D"	V/C*: 0.936 LOS "E"
Centinela/Washington Boulevard	V/C*: 0.757 LOS "C"	V/C*: 0.887 LOS "D"
Walgrove/Venice Boulevard	V/C*: 0.711 LOS "C"	V/C*: 0.859 LOS "D"
Walgrove/Palms	Not addressed	
Beethoven/Washington Boulevard	Not addressed	
Inglewood/Venice	Not rated nor mentioned anywhere in the analysis.	

\*V/C—Volume/Capacity Ratio: The volume/capacity ratio compares the capacity of a roadway with the number of vehicles actually using the roadway. For example, a V/C ratio of 1 means that the roadway is at capacity. Intersections with V/C ratios of 1 or more are subject to gridlock and are appropriated rated "F" for "Failure."

Page 863, Section IVK(1) Traffic & Circulation, states that trip generation will increase by 16% along the north/south Centinela corridor and the increase will be 18% along Lincoln Blvd.

**Response 7-11**

Some of the LOS designations in the comment are not standard designations (i.e., FFFF). With respect to the comment regarding trip generation, page 863 does not state that the project trip generation or that the total traffic flows will increase by the levels indicated in the comment. The data presented on pages 862 and 863 represent the percentage of project traffic that is likely

to use the travel routes in these general directions. An 18 percent assignment of project traffic to the Lincoln and Admiralty corridors, for example, does not mean that the traffic flow along these routes will increase by a total of 18 percent as implied in the comment. Rather, approximately 18 percent of the project traffic generation (1,502 external A.M. trips and 2,182 external P.M. trips) would utilize the two north-south corridors. Figures 4-5 and 4-6 of Appendix K-2 show the actual amount of project traffic assigned to each segment of these routes.

### **Comment 7-12**

#### **c) MITIGATION CLAIMS**

Section V.I. (1) page 887 contains the proposed project mitigation measures, referred to as the “Village at Playa Vista Transportation Improvement Measures.” It was stated that if any of the proposed mitigation measures are “determined not to be feasible or if it is not possible to obtain the necessary permits, then a significant impact(s) will remain.”

One of the mitigation measures at Centinela/Venice proposes to re-stripe a separate southbound right turn lane so that there would be two through lanes, a single left hand turn lane and a separate right turn lane.

On page 910, Playa Vista claims that it will mitigate the effects of traffic generated by its proposed project at every intersection, using the three main mitigation tools cited in Section V.I. (1): Transit mitigations, Roadway improvements and Signalizations improvements. Furthermore, Playa Vista claims that its mitigation efforts will result in no significant impact to the Centinela/Venice intersection and at every intersection surrounding the project site.

### **Response 7-12**

Please See Topical Response TR-8, Significant Impacts May Remain, on page 468.

### **Comment 7-13**

#### **2. GENERAL PLAN POLICY VIOLATIONS**

The Los Angeles General Plan, specifically the sub-section called the Palms-Mar Vista-Del Rey Community Plan, contains several very important Goals in the Transportation Section. These Goals, which are shared by every Community Plan, are intended to maintain an adequate transportation infrastructure for existing residents and to place constraints on traffic growth to ensure it does not exceed infrastructure capacity. It should be noted that the General Plan and the individual Community Plans, are required by State Code 65300 to be “the fundamental policy document of the City of Los Angeles.” Two relevant Goals are as follows:

- Goal 14—Discourage non-residential traffic flow on residential streets and encourage community involvement in determining neighborhood traffic controls.

- Goal 16—Provide a circulation system which supports existing and planned land uses, while maintaining a desired level of service, at all intersections on our highways, freeways and streets.

Below, we have included statements contained in the DEIR, which appear to violate our Community Plan. Included with each statement is the relevant Policy contained in our Community Plan:

### **Response 7-13**

While the Proposed Project is not within the boundaries of the Palms-Mar Vista-Del Rey Community Plan, the Proposed Project is not inconsistent with, nor does it violate, the goals referenced in the comment.

The Draft EIR provides an analysis of the Project's impacts in relationship to the City of Los Angeles General Plan in Subsection 3.4.1.14 of Section IV.G., Land Use. The analysis addresses impacts in relation to the policies of the General Plan Framework, the Westchester-Playa del Rey Community Plan in which the Project is located and the Area D Specific Plan, which implements General Plan policies at the Project site. For the reasons presented within that section, the analysis concludes that impacts regarding the Plan Policies would be less than significant.

Please See Topical Response TR-6, Relationship with Community Policies, on page 460 for a discussion of community plan goals and policies and their relationship with traffic.

### **Comment 7-14**

Analysis of Attachment C of LADOT's "Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project," EIR Volume XX, indicates that 31 Intersection-Peak Hours periods currently operating at LOS "D" or better will not be maintained at LOS "D" after the proposed project. We view these as violations to our Community Plan, Policy 16-1:1 [6], which states that the City is to "Maintain a satisfactory LOS [Level of Service] for streets and highways that should not exceed LOS "D" for Major Highways, Secondary Highways and Collector Streets." Does the City agree that a violation exists? If not, please explain why.

### **Response 7-14**

The Proposed Project will not cause 31 intersections currently operating at LOS D to operate at worse levels. Projected degradation in levels of service are primarily caused by the increase in ambient conditions, rather than by the Proposed Project. Also See Response 7-13. Further, with implementation of the Proposed Project's mitigation program, the Proposed Project would not result in any significant traffic impacts at any location. See Section II.15, Corrections and Additions, and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure on page 472 for further details.

**Comment 7-15**

Analysis of Attachment C of LADOT's "Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project," EIR Volume XX, indicates there are 15 Intersection-Peak Hours periods currently operating at LOS "E" or worse that will not be maintained at LOS "E" after the proposed project. We view these as violations to our Community Plan, Policy 6-1:1 [b], which states that, "If existing levels of service are LOS "E" or LOS "F" on a portion of a highway or collector street, then the level of service for future growth should be maintained a LOS "E" if possible." Does the City agree? If not, please explain why.

**Response 7-15**

Projected degradation in levels of service referenced in the comment are primarily caused by the increase in ambient conditions, rather than by the Proposed Project. The purpose of the Draft EIR is to provide decision-makers with relevant information concerning the Proposed Project's impacts. This information includes traffic impact and volumes created by area-wide growth as well as traffic impacts caused by the Proposed Project.

The Draft EIR provides a comprehensive analysis of the Proposed Project's traffic impacts. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 7-16**

If the City believes that it is impossible to improve these intersections to LOS "E," please explain why. How does the City justify approving developments, which generate significant volumes of traffic, further degrading intersections that are already at unacceptable Levels of Service?

**Response 7-16**

See Responses 7-14 and 7-15.

**Comment 7-17**

Analysis of Attachment C of LADOT's "Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project," EIR Volume XX, indicates that 10 Intersections-Peak Hour periods to be used by the proposed project are already at LOS "F" while 31 will be at LOS "F" after the proposed project and mitigation. Therefore, the infrastructure "cannot accommodate the traffic generated." We view these as violations to our Community Plan, Policy 16-2.1, which states that, "No increase in density shall be effected by zone change or subdivision unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated." Does the City agree? If not, please explain why.

**Response 7-17**

See Responses 7-14 and 7-15.

**Comment 7-18****3. FLAWS WITH TRAFFIC MODELING METHODOLOGY**

Because of the limited number of north/southbound roads (3) leading north from the project site, it should be noted that when one or more of these roadways is highly congested as they are today during AM/PM peak traffic times, commuters will quickly seek out alternatives. Since Centinela Blvd. is currently rated at LOS "F" during peak AM/PM traffic times, commuters already divert to the residential Collector streets such as Inglewood Blvd. as a convenient alternative.

The City's traffic modeling tools and methods do not address the Cut-through traffic issue. As a result the City is continually surprised that traffic predicted by prior approved projects has not appear [*sic*] on the modeled arterial streets when the next developer comes seeking approval for a new project. This is because much of the prior predicted traffic is now cutting through our residential neighborhoods. This is an unacceptable omission by the model. This omission provides an incomplete analysis and makes it impossible for the members of the Mar Vista community to accurately assess Playa Vista's Phase II traffic impacts.

**Response 7-18**

As described in Response 7-7 above, the model did include the minor arterials and collector streets in the Mar Vista neighborhood and therefore the effect of project traffic on these corridors was included in the analysis. In addition, the reason that the modeling process was used in this analysis is that the model is able to track the effects of congestion on the entire system. As one corridor becomes more congested, the model assigns traffic to parallel alternate routes in an attempt to balance the travel times on the system – just as drivers do in their daily travel path choices, and just as the comment suggests.

Further, the City's transportation policy planning criteria seeks to focus traffic on arterials and collector streets and away from residential streets. Thus, the transportation planning criteria seeks to provide capacity on arterials and collector streets thereby providing travelers with the most efficient traffic routes. Consistent with this process, the traffic model includes freeways, major arterials, secondary arterials, collector streets and key local streets. The model is calibrated to real world traffic conditions to provide an accurate analysis of existing and future traffic growth. The model was validated to within a 1 to 2 percent variance between model-generated traffic and actual counts. The model does not assign trips along residential streets, because the transportation planning criteria seeks to keep traffic off of residential streets. In this manner, capacity is designed into the freeways, arterials and collectors, in order to minimize the need for use of local streets. The Playa Vista Transportation Model is discussed in Topical Response TR-1, Playa Vista Transportation Model, on page 445.

In order to protect neighborhood streets, a second analysis was done to address neighborhood and cut-through traffic. Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872, presents an analysis of potential neighborhood impacts that could be caused by project traffic. This analysis includes the Mar Vista community. As discussed in Subsection 3.4.7, the Proposed Project will not result in any significant impacts on neighborhood traffic in the Mar Vista area. Additional details of this analysis can be found in Appendix K-2, Traffic Study Appendix Volume 1D, and Topical Response TR-5, Neighborhood Traffic Impacts, on page 458.

#### **Comment 7-19**

#### **4. QUESTIONABLE TRAFFIC MITIGATION SCHEMES**

Section V.I. (1), page 887, contains the proposed project mitigation measures, referred to as the "Village at Playa Vista Transportation Improvement Measures." It was stated that if any of the proposed mitigation measures are "determined not to be feasible or if it is not possible to obtain the necessary permits, then a significant impact(s) will remain." Our community, should not be placed in a position to absorb a "new development's traffic burden on our streets until it can be clearly demonstrated that the transportation infrastructure is able to handle the additional traffic volume.

#### **Response 7-19**

This comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

With mitigation, the Proposed Project would not result in any significant traffic impacts. A new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With respect to the comment that



“significant impact(s) will remain,” please see Topical Response TR-8, Significant Impacts May Remain, on page 468.

### **Comment 7-20**

On page 910, Playa Vista claims that the results of its mitigation measures, using the three main mitigation tools cited in Section V.I. (1): Transit mitigations, Roadway Improvements and Signalizations improvements will result in no significant impact to the Centinela/Venice intersection. In fact, Playa Vista claims that it will mitigate the effects of traffic generated by the proposed project at every intersection surrounding the development site.

These assumptions appear to be overly optimistic when you considering [*sic*] that 39% (12 of 31) of the required mitigation measures in the City of Los Angeles are to be fulfilled by requiring the developer only to “contribute to the design and implementation of... (some signal or transit improvement).” Simply “Contributing to” a traffic mitigation measure provides not [*sic*] guarantee that the measure will be implemented nor when it will be implemented. Therefore our transportation infrastructure could be left incapable of accommodating the proposed project’s traffic, which would be a violation of City Policy 16-2.1 as mentioned above.

### **Response 7-20**

The Proposed Project’s contribution to the signal and transit improvements is expected to ensure that these improvements will be implemented. All of the proposed signal system improvements are currently scheduled to be implemented.

### **Comment 7-21**

We also question the effectiveness of the proposed Transit improvements to realize the mitigations necessary considering the socio-economic level of the people capable of buying Playa Vista homes. Therefore we must ask:

Where in the City have Transit improvements achieved the level of trip mitigation by people of similar socio-economic level as is being used for the Playa Vista project?

### **Response 7-21**

The proposed transit enhancement mitigation measures are designed for use by Playa Vista residents and employees and to meet the existing and future demand of other transit riders in the area. The transit mitigation does not rely on a majority of Playa Vista residents or employees using transit to be effective; in fact, the proposed mitigation would be effective to reduce potentially significant impacts to less than significant levels with as little as 1% to 3.3% of the total trips along the enhanced transit corridors using the proposed system. This level of usage is consistent with Los Angeles Congestion Management Plan projections. For a more detailed

discussion of the effectiveness of the transit mitigation measures, please See Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455.

**Comment 7-22**

One of the mitigation measures at Centinela/Venice proposes to re-stripe a separate southbound right turn lane so that there would be two through lanes, a single left hand turn lane and a separate right turn lane. Since the main problem affecting this intersections [*sic*] peak southbound traffic is the long wait time for left turns, the re-striping of lanes may do little to increase the intersection's vehicle capacity until a left turn lane arrow is added to the southbound side. Why is a new left-turn arrow not yet under consideration by the LADOT as an effective mitigation measure for this intersection? If a left-turn arrow is under consideration by the LADOT, when will it be installed?

**Response 7-22**

The comment proposes a specific improvement to address existing operational problems along Centinela Avenue. The requested improvement is not needed to address the Proposed Project's traffic impacts in this corridor. As such, the suggestion will be forwarded to the Los Angeles Department of Transportation for review.

**Comment 7-23**

It is not in the best interests of the surrounding communities to allow itself to be burdened with the failed efforts to mitigate the traffic intrusion resulting from Playa Vista's proposed Phase II project. The burden should remain with the developer. The developer ought to be required to convince community leaders how they will minimize or eliminate the potential for traffic intrusion and be made financially responsible and accountable for their implementation's success or failure before they are granted any type of conditional approval for the proposed project.

**Response 7-23**

Please See Response 7-7.

**Comment 7-24****5. RECOMMENDATIONS**

a) We recommend that Playa Vista Phase II not be approved if it alone or in combination with other related projects violates Policies 16.1-1[a], 16-1.1[b] or 16-2.1 contained in the Los Angeles General Plan and Community Plans affected by said development project(s).

**Response 7-24**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As described in Responses 7-13 through 7-23, the Proposed Project would not have a significant impact with regard to General Plan and Community Plan policies mentioned in this comment. Also, please refer to Topical Response TR-6, Relationship with Community Plan Policies, on page 460.

**Comment 7-25**

b) Playa Vista Phase 2 can not be approved without revoking Phase 1 Office Space vesting.

A condition was place [*sic*] on Playa Vista Phase 1 approval that ties the maximum traffic allowed for Phase 1 to the maximum to be allowed by the remainder of Playa Vista's Master Plan. Phase 2 now constitutes the remainder of that Master Plan. The condition in questions [*sic*] is Condition 116 of Vesting Tentative Tract No. 49104 for Phase 1.

Condition 116 states that the maximum traffic to be generated by all Phase 1 Office Space is limited to 1493 vehicle trips in the PM Peak Hour and states that, "failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement of the Playa Vista Master Plan Project as a whole." Playa Vista Phase 2—The Village now constitutes the remainder of that Master Plan.

However Phase 1 in the eastern commercial portion near Inglewood Blvd. is not yet completed or even started at this time. If the City approves Phase 2 before Phase 1 is completed, the City will lose its method of enforcing its cap on Phase 1 traffic generation.

Therefore we recommend either that Phase 2 not be approved until Phase 1 is completed, or that the vesting of the Office and Retail commercial section at the east third of Area D be revoked to allow Phase 2 to proceed in the approval process.

**Response 7-25**

Please See Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, on page 470.

**Comment 7-26**

c) Curtail Cut through Traffic and Re-measure True Remaining Excess Capacity

Much commuter traffic is already using residential Collector streets due to LA and neighboring cities approving more traffic-generating development than our existing transportation

infrastructure can accommodate at acceptable Levels of Service (“D”). This is already in violation of City Transportation Goals 14 and 16 and their related Policies. If the City actually operated in accordance with their stated Goals and Policies commuter traffic now adversely impacting the quality of live [*sic*] in our residential neighborhoods would be redirected to back to our arterial streets. This would of course leave less excess capacity on our arterial streets for new development which will then limit the amount of new growth possible.

While the City may not like this coming reality, our perspective as a community based arm of the City tells us that existing residents are not longer willing to give developer’s traffic a free-ride on their residential streets. The City may soon have to choose between either voluntarily implementing cut through traffic prevention measures or be forced to do so by court action.

Therefore we recommend that the City

1. initiate cut through commuter traffic prevention measures (deterrents are no longer enough) on the streets listed below,
2. re-measure the excess capacity remaining after cut through traffic has been directed back to it intended arterial streets, and then
3. re-evaluate all proposed development projects based on actual remaining excess capacity,
4. require developers to implement any infrastructure expansion measure determined via modeling to accommodate they [*sic*] desired proposed traffic,
5. measure the resulting new expanded excess capacity. and then
6. given [*sic*] the developer permission to generate new traffic to that expanded capacity limit.

To continue allowing traffic-generating development based on modeling that does not address the cut-through traffic problem and the existing lack of infrastructure capacity is courting disaster.

### **Response 7-26**

As described in Response 7-18 above, the traffic analysis based on the modeling approach did measure the effects of traffic flow (existing, future background growth, and project traffic) on the arterial and collector streets in the study area. The modeling process did not assume that residential streets were available for use by through traffic and therefore the analysis in the Draft EIR does exactly what the comment has requested, i.e., measured the actual traffic demand on the arterial and collector street system and identified the traffic improvements needed to mitigate the impacts of the project under those conditions. Please See Response 7-7.

### **Comment 7-27**

Cut-through commuter traffic should be eliminated from at least the following residential Local/Collector streets in the Mar Vista Community Council area:

- Veteran Avenue between Venice Boulevard and National Boulevard.
- McLaughlin Avenue between Washington Boulevard and Barrington Avenue.

- Inglewood Boulevard between Washington Boulevard and National Boulevard.
- Grandview Boulevard between Venice Boulevard and National Boulevard.
- Beethoven Street between Washington Boulevard and Walgrove Avenue.
- Walgrove Avenue between Washington Boulevard and the Los Angeles/Santa Monica border.
- Palms Boulevard between McLaughlin Avenue and Walgrove Avenue.

### **Response 7-27**

In order to protect neighborhood streets, an analysis was done to address neighborhood and cut-through traffic. Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 872, presents an analysis of potential neighborhood impacts that could be caused by project traffic. This analysis evaluated the potential for neighborhood traffic impacts on all local residential streets in the Mar Vista community. As discussed in Subsection 3.4.7, the Proposed Project will not result in any significant impacts on neighborhood traffic in the Mar Vista area. Additional details of this analysis can be found in the Draft EIR Appendix K-2, Traffic Study Appendix Volume 1D, and Topical Response TR-5, Neighborhood Traffic Impacts, on page 458. Also see Response 7-7.

It should be noted that all of the streets mentioned above are classified as collector streets, not local residential streets, in the Palms-Mar Vista-Del Rey Community Plan. The City of Los Angeles considers the issue of cut-through traffic as an issue related to local residential streets, not collector streets such as those mentioned in this comment.

### **Comment 7-28**

d) Implement traffic mitigation and capacity expansion measures now before approving any new development.

Until it can be clearly demonstrated how those intersections in the Mar Vista area, which are now rated at LOS “E” or “F,” can adequately carry the additional traffic proposed by the developer, the Playa Vista Phase II should not be approved. The affected intersections should have their capacity increased to accommodate additional traffic and actual excess capacity measured (as stated in the recommendation above) before new development is approved. If it is not feasible to increase the capacity of certain intersections, then the development should be scaled back or prohibited until the proposed traffic impacts fall within the capacity of the transportation infrastructure.

If the City does not concur with any of our recommendations, please explain why.

### **Response 7-28**

With mitigation, the Proposed Project would not result in any significant traffic impacts. A new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response

TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. Also please see Responses 7-13 through 7-15.

### **Comment 7-29**

#### III. General Overview of the Environmental Setting

##### IV.L Public Services (1) Fire Protection; (2) Police Protection; (3) Schools

The project description includes within its service boundaries Fire Station 62, Pacific Area Division of the Police Department and Venice High School.

### **Response 7-29**

These comments paraphrase portions of the Environmental Setting for public services contained within the Draft EIR. Specific comments regarding the review of the Draft EIR and responses follow.

### **Comment 7-30**

#### 1) Fire Protection Service

The project impacts as shown on Fire Protection and Paramedic Services Figure 85, omits the proposed location for Fire Station 62, which will be in operation at the time of implementation of the proposed project. EIR graphics and text need to be revised to reflect Fire Station 62's location at Venice/Inglewood.

### **Response 7-30**

The Draft EIR identifies Fire Station 62 and includes it in the analyses of impacts on Fire Services. The station is shown on Figure 85 on page 968 and listed in Table 136 on page 967. The station is described as being located at 3631 Centinela Avenue. Its proposed relocation is described on page 972: "Further, the approval of Proposition F in November 2000 provides funding to support the relocation and expansion of the above described LAFD Fire Stations 5 and 62. The future locations of these facilities have not yet been determined, however the stations will be relocated within their current service areas, with expected completion in 2006. The new Fire Station 62 will be 15,250 sq.ft. (versus the current 4,190-sq.ft. facility) and include a standard fire/paramedic station and an equipment and supplies storage area." The relocation of this station would not change the Draft EIR analysis, and has been anticipated in the cumulative impacts discussion, Subsection 6.0 of Section IV.L.(1), Fire Protection, on page 981. A correction has been added to the EIR to account for updated information regarding the locations of Fire Station 62 and Fire Station 5.

Please refer to Section II.18, Corrections and Additions, of the Final EIR for revisions to the Draft EIR to reflect the above comments.

**Comment 7-31**

The Fire response time in relation to the LOS at the Venice/Inglewood intersection has not been analyzed. Implementation of the proposed project would result in the need for increased staffing of fire department personnel.

**Response 7-31**

The Draft EIR addresses Emergency Access in Subsection 3.4.1, of Section IV.L.(1) Fire Protection, on page 975. Also, please see Section II.18, Corrections and Additions, of the Final EIR. As indicated, the response time for the Mar Vista area is approximately 5.3 minutes. As further indicated, the Proposed Project would not have a significant impact on the provision of fire services, nor fire access. With regard to additional project traffic, the Draft EIR states on page 976: “While the Proposed Project would add additional travel trips to local roadway network, the Project would also include mitigation measures that will enhance travel conditions at many locations. As discussed in Section IV.K, Traffic and Circulation, implementation of the Proposed Project along with its mitigation measures would improve the projected 2010 average volume to capacity (v/c) ratios within the traffic study area. This indicates an improvement in overall average system performance during the peak hours.” Further, on page 975, the Draft EIR estimates that there would be an increase in the demand for services within the service area of approximately 3% with the Proposed Project (11,388 emergency incidents increasing by 366 Project generated emergency incidents.) As identified in Subsection 2.2 of Section IV.L.(1), Fire Protection, of the Draft EIR on page 972, a new task force station with paramedic ambulance and battalion headquarters is expected to be located in the Playa Vista First Phase Project. The Draft EIR concludes that it is expected that the new fire station in the adjacent Playa Vista First Phase Project, with sufficient staffing, will avoid a need for further fire station additions, expansions or consolidations and no significant impacts would occur.

**Comment 7-32**

Cumulative impacts should address additional impacts created by the five projects previously noted.

**Response 7-32**

The Draft EIR addresses cumulative impacts in Subsection 6.0 of Section IV.L.(1) Fire Protection. Table 138 on page 982 estimates an additional 48,961 residents and employees that would be added to the area from related projects and other growth. The estimate is based on a list of related projects that is conservative. For example, the expected populations from related

projects were increased by 10% for commercial uses and 25% for residential uses to account for other growth and/or projects. Please See Response 7-5.

**Comment 7-33**

Additional assurances that the Mar Vista Community would not be adversely impacted by the Project need to be provided by reserving a portion of project funding for fire protection facilities within the Mar vista [sic] Community.

**Response 7-33**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As noted on page 975 of the Draft EIR: “The Proposed Project would generate revenues to the City that could be applied toward the provision of staffing for existing and anticipated facilities. The sufficiency of such funds, and a decision to allocate such funds accordingly, is a socioeconomic issue that may be addressed further by the decision-makers. If such funds are not applied to sufficient staffing of the anticipated new fire station, a potentially significant impact could occur.” An estimate of project revenues to the City is provided in Appendix P of the Draft EIR.

**Comment 7-34****2) Police Protection Services**

The Pacific Area Headquarters serves the community of Mar Vista and the proposed Project. Revenue from the project should be directed to assure that adequate allocation of funding is provided to the Pacific Area Headquarters in order to prevent a substantial reduction in the service ratio as a result of the proposed Project to nearby communities. The proposed Project's impact on Police Services is considered significant. Therefore, an allocation should be included in the proposed project and accepted by the responsive agency for commensurate expansion of police services within Mar Vista.

**Response 7-34**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As stated in Section IV.L.(2), Police Protection, of the Draft EIR on page 990, “The Proposed Project would generate revenues to the City which could be applied toward the provision of new police facilities, with related staffing. The sufficiency of such funds, and a decision to allocate such funds accordingly, is a socio-economic issue which may be addressed further by the decision-makers. Since it cannot be guaranteed that the Proposed Project’s revenue



contributions would be applied to police services, it is conservatively concluded that the Proposed Project's demand may result in a substantial reduction in the service ratio, and impacts prior to mitigation would be significant." An estimate of Project revenues to the City is provided in Appendix P of the Draft EIR.

### **Comment 7-35**

#### 3) Venice High School Educational Services

Venice High School serves the Mar Vista Community and the proposed Project. Revenue from the project should be directed to provide adequate allocation of funding to Venice High School and assure continued service level to its student population.

### **Response 7-35**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decisionmakers.

As a point of information, the LAUSD in its comment letter on the Village at Playa Vista Draft EIR (i.e., Comment 17-8) has indicated that Development Impact Fees (including those generated by the proposed Playa Vista Development) have been committed through the year 2009 to other District priority new construction projects. The Lead Agency does not have jurisdiction over school construction or funding.

### **Comment 7-36**

#### III. General Overview of the Environmental Setting

#### IV.O Visual Qualities (Aesthetics and Views)

We concur with the project description of the Westchester Bluffs as one of five major physical features which serve as a view resource to the vicinity of the Proposed Project, as shown on Photo 5, 6 and 7. Section 2.2.2.1 states that, "The bluffs are a notable geological feature and 'Landmark' in the area."

We are concerned that adverse impact created by the implementation of the project, which will obstruct a significant visual resource and landmark resource to the Mar Vista Community, has not been properly analyzed. The document does not identify any visual impact by the construction of the project as viewed from the adjacent communities. The elevation of Mar Vista's unique location creates a panoramic view of the Westchester Bluffs.

The Bluffs are described as a visually notable geologic feature rising 120 feet above the elevation of the site (page 191). As shown on Figure 6, regarding "Proposed Height District Area B limits", indicate that the proposed height for residential and commercial components are listed

at 112' AMSL or 85'-89' above finish grade. Additional height of 25' for roof projections will be permitted. Therefore, the project component at area B, with a proposed height of 13T would leave a 3-foot strip as the entire view of the Westchester Bluffs. The edge of the Bluff is not shown, nor is the location of LMU sign, a source of identity and pride to the adjacent communities.

We request that the proponent of the project both address view impact as a result of construction of the project and propose mitigation measures, such as the creation of a view corridor or imposition of height restrictions to maintain and protect the visually notable geological (Bluff) and landmark (LMU sign) features as shown on Photo 10.

### **Response 7-36**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As described in the Section II.B, Project Characteristics, of the Draft EIR on page 1165: “The Project’s building height envelopes are inclusive of all functional roof top appurtenances. This includes parapets; pitched roofs; chimney; vent stacks; antennas; radar, microwave or television dishes; aircraft warning lights; lightning protection; elevator penthouses; stairwell enclosures; mechanical equipment; skylights; roof decks; helipads and other functional elements. One ornamental architectural feature (such as a belvedere, cupola, steeple, spire, flags, ornamental tower, clock and bell tower or weather vane) may exceed the established height limits, provided: (1) it is no more than 625 sq.ft., (2) has no plan dimension greater than 25 feet, and (3) does not exceed the maximum height envelope by more than 30 feet.” If an ornamental feature were included it would be limited to a small area. If the actual Proposed Project buildings were built to the highest limits allowed, the least amount of vertical bluff face that would remain apparent over the western portion of the Proposed Project site, where maximum height limits are 112 feet AMSL, would be approximately 28 feet. Over the eastern portion of the site where maximum building heights are 95 feet AMSL and the bluff heights rise to approximately 150 feet AMSL, a minimum of approximately 55 feet of the bluffs would remain apparent. Please refer to Responses 7-38 and 7-39 regarding views from elevations higher than the top of Project buildings. This is roughly similar to the bluff view that is available over the existing Spruce Goose building that has a building height of approximately 92 feet AMSL. Therefore, large portions of the bluffs would remain visible over the Proposed Project site, from locations at higher elevations. (It should be noted that the Draft EIR has analyzed impacts that would occur if all of the development on the Proposed Project site were built to the greatest height permitted at any location. Such development is not expected.) The Draft EIR concludes on page 1178 that view impacts from mixed-use areas north of the Proposed Project site would be significant.

### **Comment 7-37**

The analysis does not address the visual impacts that would occur from the implementation of the Project and the Project's equivalency program. Also, it does not address the Project's

secondary impacts that would occur from the implementation of the Project's off-site mitigation measures.

### **Response 7-37**

The analysis of visual impacts that would occur for the Project under the Equivalency Program are analyzed in Subsection 3.4.4 of Section IV.O, Visual Qualities, of the Draft EIR on page 1180. The analysis of visual impacts that would occur from implementation of the Project's off-site mitigation measures are addressed in Subsection 3.4.5 of Section IV.O, Visual Qualities, of the Draft EIR on page 1181.

### **Comment 7-38**

The statements contained in Section 2.2.4.3 and 2.2.4.2 that “Views from thoroughfares in the vicinity are extremely limited” or “Views from these areas are limited due to their lower elevations” are simply not true. The report has not considered the visual impact to nearby communities such as the adjacent Mar Vista Community. As viewed from Grandview Boulevard, north of Palms Blvd., and other nearby streets, at an approximate street elevation of 192' these view resources display the following traits: 1.) “The area view contains a valued view resource”; 2.) “The obstruction of the resource covers more than an incidental/small portion of the resource”; and 3.) “The obstruction would occur along a public view area, or would affect more than a small number of private locations.” Where these factors were clearly present, the impact was considered substantial. The items as outlined herein constitute the specific regulatory issues that form the basis of a finding of significant impact with regard to Visual Quality.

### **Response 7-38**

The Draft EIR utilized an analysis methodology in which views were analyzed from a considerable number of locations. Those locations which would be subject to the greatest impacts were selected for analysis. The analysis identified and disclosed potentially significant impacts that would occur as a result of placing buildings within view corridors to the Westchester Bluff.

The statements referred to in Subsections 2.2.4.3 and 2.2.4.2 of Section IV.O, Visual Qualities (Aesthetics and Views), are relative statements that contrast general conditions in the larger community surrounding the Proposed Project site and viewing conditions from those areas in close proximity to the Proposed Project site, where very direct views, of the entire bluff areas, with considerable viewing opportunities from immediately adjacent properties and long stretches of roadway are apparent. As discussed in those sections, views of and over the Proposed Project site from the larger community are more limited due to intervening development, landscaping, and elevations that are not opportunistic of viewing opportunities. Subsections 2.2.4.2 and 2.2.4.3 that discuss the view setting are being amended to note the view of the site from more distant elevated locations such as the intersection of Grandview Boulevard and Palms Boulevard.

The intersection of Grandview Boulevard and Palm Boulevard is located approximately 2.9 miles north of the Proposed Project site, at an elevation of approximately 192 feet AMSL. At this location, southbound travelers on Grandview Boulevard have a view that contains development and landscaping in the near and mid-range with intermittent views of the bluffs as a backdrop. As the traveler descends from the peak of the intersection, there is a clear direct view of the bluffs behind the eastern portion of the Proposed Project site, adjacent to Centinela Avenue. As the traveler continues, various portions of the bluffs beyond the western portion of the Proposed Project site come in and out of view between/above landscaping and development. The roadway descends quickly with elevations falling below the viewline of the bluffs, prior to reaching Venice Boulevard.

With development of the Proposed Project, the direct view of the Bluffs would be altered with Proposed Project development covering the lower portions of the Bluffs. If buildings on the site were developed to the maximum height allowed, approximately 55 feet of the upper portion of the bluffs in the direct line of sight would remain visible. (Maximum building heights on this portion of the site are 95 feet AMSL, the same height limit that applies the First Phase development behind the Proposed Project site. While 140 feet AMSL has been used in the Draft EIR as an average bluff height, the actual height at this location is reflected in USGS maps as 150 feet AMSL.) The tallest buildings in this location would be similar to the height of the existing Spruce Goose building which has an approximate height of 92 feet AMSL. Descending the roadway and looking towards the west, views of bluff would be altered with the appearance of Proposed Project buildings that could be as high as 112 feet AMSL. In these areas a minimum of 28 feet of the upper slope of the Bluffs would remain apparent; however, the lower portions of the slope, including the lower portion of the LMU sign, could be obscured. Therefore, the Proposed Project would not eliminate views of large portions of the bluffs nor the overall form of the upper portions of the bluffs as a far-range backdrop to the view setting. Impacts from these locations would be less than for more directly impacted locations in closer proximity to the Proposed Project site. As noted in Response 7-36 above, the letter is based on the misconception that building heights on the Proposed Project site would be taller than actually proposed. As described on page 1178 of the Draft EIR, impacts from mixed-use areas north of the Project site would be significant.

Please Refer to Section II.27, Corrections and Additions, of the Final EIR for revisions to the Draft EIR regarding the above comments.

### **Comment 7-39**

The extent to which the project affects recognized views available from a length of a public roadway, bike path, substantial extent of obstruction of views or interference with the nature of the view as natural feature or man-made visual interest must be fully addressed by the EIR. Because panoramic views of the bluffs and the LMU sign would be substantially altered, the analysis of aesthetics has not addressed significant thresholds and reduction of aesthetic qualities.

**Response 7-39**

Please refer to Response 7-38 that discusses view impacts along specific view corridors. In addition to the analysis of views along specific view corridors in Subsection 3.4.2, which identifies significant view impacts, the Draft EIR provides an “Aesthetics” analysis in Subsection 3.4.1 of the Draft EIR. As described in Subsection 3.4.1.1, Impacts on Valued Resources, on page 1171: “The Proposed Project’s Urban Development Component includes 99.3 acres of mostly undeveloped area in a somewhat degraded/unnatural state within an area of urban development. This undeveloped land has resource value as it provides relief from urban development for local residents and travelers along Jefferson Boulevard and offers a view of the Westchester Bluffs from certain vantage points. Development of the Proposed Project would place urban development within large portions of the Proposed Project site. It would alter the current undeveloped appearance of the site to one of urban development. This would be a substantial alteration of the visual character of the Proposed Project site and a significant impact prior to mitigation.”

**Comment 7-40**

As such, any approval of the proposed project must include either additional mitigation in terms of the height and physical scale of the project or a statement of overriding considerations with regard to view resource impacts.

**Response 7-40**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Draft EIR has identified residual significant impacts on view impacts of the Proposed Project as no further feasible mitigation is available. Accordingly, a statement of overriding considerations would be required for Project approval.

**Comment 7-41**

III. General Overview of the Environmental Setting

IV. Safety Risk of Upset

A significant issue relates to the project documentation, in response to high concentration of oilfield gases and toxic issues within the project area. The accompanying environmental document does not provide sufficient information relating to the 4-acre school site and potential effects of Migrating gases to the Mar Vista Community.

The Mar Vista Community Council requests that additional study and full disclosure and accountability of the oilfield gases and toxic issues of the Village at Playa Vista site are provided in the EIR. [See attached Report]

### **Response 7-41**

The Draft EIR provides detailed analysis of soil and groundwater contamination and soil gas issues in Section IV.I., Safety/Risk of Upset, which is supported by Appendix J and documents in the reference library of the Draft EIR. Soil gas issues, including the potential effects of gas migration, are also addressed in Topical Response TR-12, Soil Gas, on page 477. The school is part of the adjacent Playa Vista First Phase Project and not part of the Proposed Project.

### **Comment 7-42**

Conclusion

The EIR report raises issues regarding Air Quality, Transportation, Public Services, Visual Qualifies (Aesthetics and Views), and Safety Risk of Upset that impact the Mar Vista Community directly. The Mar Vista Community Council has reviewed the EIR through a series of public meetings and ad-hoc committee meetings. These meetings have involved participation from the applicant, City officials and have received public comment, which is reflected in these findings. Some of the issues raised in this report are not covered to any degree in the EIR. We respectfully submit a request for your thorough response and consideration.

### **Response 7-42**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 7-43**

Attachment—Playa Vista Phase 2 ; Toxics/Schools EIR—Oilfield Gas

Playa Vista's oilfield gas and toxic plume potential impacts upon the Mar Vista community & schools

The Playa Vista, Phase 2 DEIR is inadequate in its consideration and disclosure of the OILFIELD GAS (and toxic groundwater plume) issues. Necessity for full disclosure and accountability.

1. There is no discretionary process through which to check the impacts and efficacy of the oilfield gas mitigation systems in Phase 1 of Playa Vista, therefore the DEIR comments regarding the gas mitigation systems and their efficacy and potential impacts, or lack of impacts, upon the environment and the public, are not adequate. The DEIR is deficient because:

- a. Where is the data to support that the oilfield gas mitigation systems at Playa Vista Phase 1, function safely?

—We request a complete disclosure of the efficacy data, including that which has been requested by USEPA, State Environmental Protection Agency—the Department of Toxic Substances Control(DTSC) and the public.

2. Due to the physical proximity of Mar Vista to Playa Vista, where is the data to discuss the potential impacts of offsite gas migration hazards (both explosion and toxic) due to:

- a. capping of the Playa Vista site with buildings and roads which may cause the oilfield gases to migrate laterally, offsite and;
- b. seismic events that may cause lateral gas migration offsite and;
- c. seasonal changes, i.e. rainy season that may cause lateral migration offsite and;

Where is the data to discuss the potential impacts of explosion hazards to Mar Vista if a methane explosion(s) should occur upon Playa Vista such as:

- a. The potential domino effects of Playa Vista explosions and/or fires due to an ignition of the oilfield gases that may potentially explode major gas pipelines that run from the Playa Vista site to the north, through the Mar Vista community and;
- b. Should explosions and fires occur upon Playa Vista, where is the data to discuss how such a disaster will be borne out by local communities, including Mar Vista as they may be affected by Playa Vista needs, both immediate and long term?

3. School Impacts as a consequence of having no school at Playa Vista due to oilfield gases and toxic groundwater plume contamination problems.

- a. Where is the data to discuss the impacts, to our local communities including Mar Vista, of potentially having no school site on the Playa Vista site due to the oilfield gas problems and/or the toxic groundwater plumes of Playa Vista. Please include potential impacts that are a direct or indirect consequence of sending the Playa Vista school children into the local communities, including Mar Vista.

No school at Playa Vista may potentially generate more traffic and air pollution into the Mar Vista neighborhood.

- b. School Education Impacts—Where is the data to discuss how potential year-round schooling and placing children in portable classrooms may impact children's health, learning ability and quality of education. Please include information that would discuss the current school test scores and other pertinent demographics as this information pertains to:

1. Playa Vista parent or guardian actual or potential placement of their child(ren) into the Playa del Rey Elementary School and other local schools, including the Mar Vista Schools. This is an important issue that is not discussed in the DEIR. It is important because due to current test scores at the DEIR listed schools of impact, i.e. Playa del Rey Elementary. Playa Vista parents or guardians may or may not choose to send the child(ren) to the specific schools commented upon in the DEIR, thus potentially generating more Playa Vista student attendance in Mar Vista.

- c. School Safety Impacts—Where is the data to discuss the potential health and safety impacts upon Mar Vista resident’s children and children that attend Mar Vista schools that may visit and/or attend field trips as educational tours, seminars etc. that are located in the potentially hazardous areas of oilfield gas migration, i.e. the Wetlands, Freshwater Marsh, buildings upon the Playa Vista site.

### **Response 7-43**

The issue of methane monitoring at the Playa Vista First Phase Project site and the migration of methane are addressed in Topical Response TR-12, Soil Gas, on page 477, above. Further, soil gas issues are discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR, beginning on page 700.

Section IV.L.(3) Schools, of the Draft EIR analyzes the Project’s impacts both with the availability, as well as the absence, of a public school located within the Playa Vista site. Specifically refer to the text on page 1010 and Table 144 on page 1013 of Volume I, Book 3, of the Draft EIR.

The Project’s traffic analysis, and the resultant air quality analyses, as presented in Sections IV.L.(1), Fire Protection, and IV.B, Air Quality, of the Draft EIR, respectively, in order to be conservative, did not take any credits for the availability of a public school within the Playa Vista site.

There is nothing in the analysis, nor was it raised by the LAUSD in their comment letter on the Draft EIR, to suggest that development of the Proposed Project would cause local schools to convert to year-round schooling. The analysis of portable classrooms within Section IV.L.(3) of the Draft EIR was included as a means of demonstrating how future increases in enrollment could be accommodated at the local schools. The use of year-round schooling and portable classrooms are decisions made by the LAUSD in terms of meeting their obligations on a district-wide basis. The potential for inter-district transfers are subject to the availability of classroom space and occur at the discretion of the local principal. Inter-district transfers occur on an elective, and not guaranteed, basis.

### **Comment 7-44**

1. Mar Vista Community Council Special Board Meeting Draft Minutes, December 18, 2003, are provided on the following pages.



**Response 7-44**

The attachment provides the Draft Minutes from the December 18, 2003, Special Board Meeting of the Mar Vista Community Council, and supports comments in the preceding sections of this letter. As such, this comment is addressed in Responses 7-1 to 7-42.

**Comment 7-45**

2. Mar Vista Community Council Board Meeting Minutes, December 9, 2003, are provided on the following pages.

**Response 7-45**

The attachment provides the Minutes from the December 9, 2003, Board Meeting of the Mar Vista Community Council, and supports comments in the preceding sections of this letter. As such, this comment is addressed in Responses 7-1 to 7-42.

**MAR VISTA COMMUNITY COUNCIL  
DECEMBER 18, 2003  
SPECIAL BOARD MEETING  
DRAFT MINUTES**

**DECEMBER 18, 2003 6:00 PM  
MAR VISTA LIBRARY**

The secretary called roll to determine that a quorum was in attendance. The following members of the board were present or arrived shortly thereafter: Ken Alpern, Barbara Corry, Rob Kadota, Amy Lawrence, Tony Navarro, Tom Ponton, Maritza Przekop, Bill Scheduling, Andy Shrader, and Christine Taylor.

**Call to Order**

The meeting was called to order at 6:05 p.m. by Tom Ponton, chair.

**Approval of minutes**

The minutes from the previous meeting were approved as presented.

**Final approval of official MVCC document responding to Playa Vista Phase II Draft EIR**

Maritza Przekop passed out the official MVCC response to the Playa Vista Phase II Draft EIR. Bill Scheduling moved that the board approve the document as constituted by the Urban Planning Committee. This was seconded by Andy Shrader. The chair opened the floor to public comment.

Dorothy Garven questioned the organization of the document. She wondered why certain items were presented both in the introduction and in the body of the document.

Nancy Carlin wondered what the public's concerns were about the Phase II development.

Maritza responded to Dorothy's question by noting that it was important to include everything in the introduction to the document because any responses addressed to items A, B, or C would force the City Planner to look into the rest of the responses.

Bill suggested that in the future, the board set up a system so that the public and the board would be able to see packets such as these before the meetings.

Andy pointed out some typos in the document and these were fixed. He also requested that the names of all the board members be listed on the signature page. In addition, he requested that a phrase be inserted into the introductory paragraph of the document recognizing that the MVCC represents approximately 55,000 people.

Tom asked that the attachment presented to the board by Patricia McPherson,

entitled "Playa Vista's oilfield gas and toxic plume potential impacts upon the Mar Vista community and school," be added to the document. This was accepted as a friendly amendment to the motion.

Another friendly amendment was made that the board also add the minutes from the December 9 meeting and the minutes from the current meeting to the document.

The motion was called to a vote and passed unanimously.

#### **Public Comment**

Dorothy Garven spoke about the Taco Bell issue. She also expressed that she did not have enough notice of the last Urban Planning Committee meeting in order to change her previous plans, and had subsequently missed the meeting.

Nancy Carlin pointed out that the Committee had given as much notice as they are legally required by the Brown Act to give.

Tom questioned whether the board might want to give notice via email for every committee meeting.

The meeting was adjourned at 6:50 p.m.

Minutes submitted by Amy Lawrence on December 20, 2003

# MAR VISTA COMMUNITY COUNCIL DECEMBER 9, 2003 BOARD MEETING MINUTES

DECEMBER 9, 2003 7:00 PM  
MAR VISTA PARK AUDITORIUM

The secretary called roll to determine that a quorum was in attendance. The following members of the board were present or arrived shortly thereafter: Ken Alpern, Evelyn Dravecky, Bryan Gordon, Rob Kadota, Amy Lawrence, Tony Navarro, Tom Ponton, Maritza Przekop, Bill Scheduling, Amanda Seward, Andy Shrader, and Christine Taylor.

Bill Scheduling led everyone in reciting the Pledge of Allegiance.

## **Call to Order**

The meeting was called to order at 7:05 p.m. by Tom Ponton, Chair.

## **Approval of minutes**

Bill moved that the minutes from the previous meeting be approved as presented. This motion was passed.

## **Treasurer's Report**

Tony passed out a report detailing the council's finances. The MVCC credit with DONE is \$46,963.73 and petty cash is \$268.51. Bill will be submitting an invoice for \$250 for the website domain. Tony emphasized that it was important to match expenses to budget requests. He also noted that DONE will not allow \$181 of reimbursement requests because the receipts pre-date the beginning of the board's first fiscal year.

## **Public Comment and Announcements**

Alex Utas asked for the board's assistance in funding a kindergarten playground at Walgrove Elementary School. The community will have to raise \$25,000 in order for the playground to be built. So far, they have only raised \$12,000.

Dan Cohen discussed land ownership in Marina del Rey. He believes that land owned by the government should be open to everyone.

Nadine Gallegos suggested that the MVCC have a "presence" during the daytime for people who cannot make it to night time meetings.

Bill Rosendahl announced that he was running for city council and was at the meeting to listen and learn.

## Committee Reports

### Urban Planning Committee:

The UPC has had two meetings since the October 28 board meeting. It has been reviewing a number of issues including: Playa Vista Phase II Draft EIR, Commercial Corridor sub-committee findings, the new Fire Station, Taco Bell, DWP, and the Santa Monica Airport Park.

In order to facilitate communication between the UPC and local businesses, and in the interests of beautification, *Maritza made a motion that the MVCC draft two letters to local businesses.* The first would include the following basic content: Dear Business Owner, one of the MVCC's goals is to support business owners to enhance the appearance of and reduce visual blight along the commercial corridors. We have designated Jeza Jenkins as our liaison to hear your immediate needs towards this goal. Please do not hesitate to call us with any questions or comments. The second letter would encourage local merchants along the commercial corridors to pay to have their sidewalks professionally cleaned, and would request that they take the lowest professional bid received. *This motion was seconded by Bill Scheduling.* There was no public comment. The board asked that the final draft be approved by the committee before it was sent out. *The motion passed.*

### Playa Vista Phase II Draft EIR findings, resolutions, motions:

Maritza passed out the Urban Planning Committee's report regarding the Playa Vista Phase II Draft EIR. This report is attached here as "Attachment A." *Bill Scheduling moved that the report be the MVCC's official position on the matter.* This was seconded by Evelyn Dravecky. Bill made a comment about the 45' height limit being just adjacent to the bluff. *A Friendly Amendment was added that the height limit be 45' throughout, and the report will be modified accordingly.*

Public comment was as follows:

Gwen Vuchas, a member of the Westchester/Playa del Rey Neighborhood Council, announced that the group had been studying the issue over the last few months and had agreed to support the project. They felt that this was a part of the puzzle and needs to be there for the picture to be complete. Playa Vista residents need to be able to get their services without going anywhere or else the concept does not work.

Carol Beck stated that she felt Phase II should not go through and that a complete EIR should be made.

Nancy Swaim asked whether the MVCC had discussed the issue in their various committees and with the public.

Jeanette Vosburg feels that any approval of Phase II is premature as the full effects of Phase I have not yet been realized. She urged that anyone concerned with the quality of life in Mar Vista look into the issue. She also asked that the public see her flyer about contacting the City Council and the Los Angeles Times to protest Phase II.

She also noted that she was concerned about the public's tax liability if an explosion or other disaster occurs because of all the toxic substances.

Patricia McPherson, the president of the Grassroots Coalition, stated that she felt there were numerous flaws and inconsistencies in the EIR. She worried that the issue of toxic gases had not been disclosed as it relates to Mar Vista. She is also concerned about seismic effects. Furthermore, she noted, there is no school as promised on the Phase I development because LAUSD regulations will not allow one to be built due to the level of toxic gases. In summary, she feels that the draft EIR is incomplete and deficient, and she demands that further study be done.

Dan Cohen asked whether there could be any guarantee that Playa Vista would promise to pay for any damages resulting from explosions or other toxin-caused disasters so that liability for the damage does not fall on taxpayers.

Cedric Sutherland, Vice President of the Westchester, LAX, and Marina del Rey Chamber of Commerce, announced that the group does support the Phase II development because they feel it will expand Playa Vista Capital's dedication to protect the environment. Also, he noted, because everything will be nearby, residents will not be required to drive as much.

Bob Krauch stated that he had never been affected by the gases even though he had lived in Playa del Rey for a very long time.

Bill Ring referred to a letter from a LAUSD representative stating that the site was unacceptable for a school. This, he feels, will put pressure on people with kids as there will be nowhere in the village for the children to go to school.

Sabrina Venskus is a resident of Venice, the legal director of the Ballona Wetlands Trust, and a member of the Venice Neighborhood Council's Land Use Committee. She announced that the Westchester/Playa del Rey Neighborhood Council had not reviewed the draft EIR before giving their approval of Phase II development, even though they were advised to do so by their Land Use Committee. Sabrina also announced that the Venice Council was looking into things and deciding on the deficiencies of the draft EIR just like the MVCC was.

Curt Steindler stated that he felt the Phase I EIR did not care at all about Mar Vista. He feels that the Phase II draft EIR is tremendously deficient.

John Tommy Rosas, the Vice Chair of the Gabrielino Tongva Indians of California Tribal Council, noted that all of the area in question had been the tribe's land at one point. He feels that the Phase I EIR was deficient, and he is frustrated that Playa Vista is currently digging up another Indian burial. He feels that the Wetlands are a significant cultural resource to his people. He urged everyone to be responsible.

George Milhsten, an attorney representing Playa Vista, stated that he and his company look forward to hearing the public's comments. He noted that the Phase I development was already well-occupied. He also stated that the issue of methane and toxic gases had been studied extensively and their effects have been properly mitigated.

Bruce Campbell is a resident of Brentwood. He pointed out that traffic gets worse every day because of Playa Vista. He feels that the toxic gas situation has been thoroughly covered-up and that the seismic studies are insufficient. He also pointed out

that the Westchester, LAX, and Marina del Rey Chamber of Commerce would have supported the Phase II development because they will benefit from Playa Vista residents shopping at their stores.

Leslie Purcell pointed out that all of the people supporting Playa Vista are paid in some way to be at the meeting. She stated that Phase I impacts are not yet known. She also pointed out that the city needs more affordable housing. She feels that Phase I was badly planned and that is why Phase II is needed. If open green space was needed, it should have been incorporated into Phase I, she said.

Board comment was as follows:

Ken Alpern expressed thanks to all the people who came to give their opinions. He also pointed out how effective it was for committees on different Neighborhood Councils to collaborate to discuss these issues.

Bill Scheduling noted that the Transportation Committee also had a motion regarding the Phase II draft EIR.

Amanda Seward felt that the current report by the UPC was deficient in that it ignored traffic and the destruction of the Wetlands, which were major concerns.

Bill pointed out that traffic would be dealt with by the Transportation Committee.

*Amy asked that a Friendly Amendment be added to the motion so that it would read as follows: the MVCC adopts the UPC report as part of its official position on the Phase II draft EIR. The motion passed. Andy Shrader and Barbara Corry were not present for the vote.*

*Maritza made a second motion as follows: That the Mar Vista Community Council recommend additional study and full disclosure and accountability of the oilfield gases and toxic issues of the Playa Vista site in the EIR.*

Public comment was as follows:

George Milhsten said he was unclear about the motion. He reiterated that the issues of toxicity had not been overlooked.

Patricia McPherson responded to George's comments. She also pointed out that the state EPA is not involved in the matter. She urged that there be full disclosure.

Board comment was as follows:

Bill questioned whether the motion had gone through the UPC for review and approval. Maritza answered that it had.

*The motion was called to a vote and passed.*

#### **Taco Bell**

*Maritza moved that the board approve the new Taco Bell Plan subject to the following conditions:*

***Condition 1: Temporary signs of any type will not be permitted at the exterior window.***

***Condition 2: Landscape plans are to be developed in consultation with the Mar Vista Community Council Urban Planning Committee.***

The motion was seconded by Bill Scheduling.

Public comment was as follows:

Kate Wafer, who lives on Mountain View, was disappointed that the board might approve this plan at all. She noted that the Zoning Administrator was not sympathetic to Taco Bell's plan. She feared that the development would increase noise.

Coby King, a representative from Taco Bell, expressed his thanks to everyone for considering this and working with him on it.

Board comment was as follows;

***Bill Scheduling requested that a third condition be added, as a Friendly Amendment to the motion, that Taco Bell resolve to work with the council on any problems that arise. This was accepted by Taco Bell and by Maritza.***

Rob Kadota requested information about what changes had been made since the last plan.

Tom Ponton inquired about compact-sized and full-sized parking spots. Apparently, the maximum number of allowable compact spaces is 40% of all spaces, but Taco Bell will be requesting a variance that will allow it to make 56% of the spaces compact. Since six of the full-sized spaces will be for employees, that leaves only four full-sized parking spaces for the public.

Maritza Przekop spoke about the noise issue. She stated that there would be a six-foot wall in the back and the speakers would be as far from the nearby houses as possible.

***Amanda Seward suggested a fourth condition, in the form of a Friendly Amendment, that Taco Bell put in a spike-strip (so long as it's approved by the Fire Department) to deter people from going the wrong way through the alley.***

The motion was called to a vote and passed with the two Friendly Amendments. Two board members abstained from the vote and Andy Shrader and Barbara Corry were not present to vote.

### **Fire Station**

***Maritza moved that the Urban Planning Committee reserve its full recommendations regarding the proposed construction at Fire Station 62 subject to a review of the egress and ingress diagrams at Inglewood Avenue and Venice Boulevard. The Committee also requests further consultation with the Department of Transportation and the council board.*** This motion was seconded by Bill Scheduling and passed without any public or board comment.



## Transportation Committee:

Bill announced that the Committee had also reviewed the Phase II draft EIR in an ad hoc committee, and he introduced Bill Pope to give a presentation on their findings. The presentation is summarized as follows:

The ad hoc committee discovered that only 15% of the Playa Vista traffic would remain in the village. They also discovered violations of LA's General and Community Plan Traffic Policies, found flaws in the city's Traffic Modeling Methodology, and questioned its traffic counts. They questioned how the city could accommodate even more traffic and still say that it's operating at the same traffic levels. In the Phase II draft EIR, the ad hoc committee found 15 violations of Community Plan Policy 16-1.1 and 10 violations of Goal 14 of the Community Plan. In addition, the city's traffic modeling doesn't take into account the additional traffic that goes through residential neighborhoods, so it thinks that it has more room than it actually does. The ad hoc committee made four major recommendations to the city regarding the draft EIR, as seen in "Attachment B."

*Bill Scheduling moved that the board adopt the recommendations made by the ad hoc committee. This was seconded by Andy Shrader.*

Public comment was as follows:

Jeanette Vosburg affirmed the findings of the ad hoc committee as presented by Bill Pope.

Patricia McPherson spoke about the unbearable traffic on her street and reiterated Bill Pope's point about residential neighborhoods taking the brunt of increased traffic.

Board comment was as follows:

Amanda questioned why a few intersections were not included in the study.

Bill encouraged everyone to drive the speed limit.

Evelyn Dravecky asked about plans to widen Centinela

Ken Alpern expressed his thanks to Bill Pope and Bryan Gordon for their investigative-work and the excellent presentation.

Bill Scheduling stated that Land Use and Transportation Departments generally clean-up each other's messes.

*The motion was called to a vote and passed.*

*The board took a break from Committee Reports and went on to Old Business.*

## Old Business

Andy expressed appreciation on behalf of the board to Mark Koerner who had submitted the winning logo in the board's logo contest. Mark was presented with a plaque.

Amy thanked Christy Boardman and Nancy Hoisman on behalf of the board and the community for their dedication in preparing the October 14 Stakeholder Meeting. Both received a gift and thank you letter, though Nancy was not present.

## Committee Reports (continued)

### Election Committee:

Bill Scheduling passed out a couple of packets identifying recommended changes in the By-laws and the Election Procedures. *He moved that the board accept the changes to the By-laws as recommended by the Election Committee.* This was seconded by Ken. There was no public comment. Amanda questioned the change from 10 to 20 signatures required for candidacy. It was answered that this just adds more credibility to the candidate. *The motion passed.* A detailing of the changes made is attached here as "Attachment C."

*Bill then moved that the board accept the Election Procedures as recommended by the Election Committee.* This was seconded by Rob Kadota. *A slight change was made to the Election Procedures, and the motion passed.* The Election Procedures are attached as "Attachment D."

### Budget and Finance Committee:

Tony passed out the budget survey that had been developed the day before at the committee's meeting. The survey detailed projected spending for 1/1/04 through 3/31/04. *Tony moved that the board accept the Third Project Quarter budget request; this was seconded by Bill Scheduling.*

John Beilock, a member of the public, asked whether the money not used in the fiscal year would roll over to the next year. The answer to this was- no, it doesn't.

Alex Utas suggested a contribution to the Walgrove playground.

Bill Scheduling questioned whether the Outreach Committee really needed \$3000 set aside for a Newsletter. Evelyn answered that the figure was based on estimates.

Andy Shrader suggested that a figure be set aside for a possible Farmer's Market in Mar Vista, a project that may take place this coming quarter. This was accepted as a Friendly Amendment to the Budget Request. *The motion passed with the Friendly Amendment.* The Budget Request is attached here as "Attachment E."

### Outreach Committee:

Evelyn announced that the Committee was continuing to work on planning the Stakeholder Meeting in January. The meeting will feature a panel of city representatives who can answer questions and help the public learn how to deal with some of the practical problems they face. The Committee is also working on developing a Newsletter for the council. It is looking to recruit writers, editors, formatting experts, etc. for the project. Also, the website re-design is continuing. Finally, the Committee is investigating a possible History project about Mar Vista. A lot of interest has already been shown in this.

### Safety and Security Committee:

Rob announced that the Committee had met earlier in the month and had adopted the proposed goals that the board saw at the last board meeting. Two CERT classes have been going on and 80 or so CERT volunteers are being trained. The next meeting for the Safety and Security Committee will be in January or February.

### **New Business**

*Consideration of an Education Committee: tabled*

*Donation request for the Venice High Alumni Association:*

Bill discussed a program put forth by the Venice High Alumni Association that gives money to young students who are the first in their families to go to college. He moved that the MVCC make a donation of \$1000 to the Venice High Alumni Association to use on this particularly program. This was seconded by Amy Lawrence. After discussion by the board, the motion was withdrawn.

### **Future Agenda Items**

Bill Scheduling suggested that the board consider the creation of a Farmer's Market Committee and a committee to handle non-profit donations and requests.

Evelyn Dravecky suggested that the board think about office space somewhere.

Bill Scheduling suggested that the board consider charging the Executive Committee with the "Oversight for council" issues like business forms, office staff, office space, and technical production matters.

Ken Alpern asked that the issue of an Education Committee be forwarded to the next month's agenda.

Amanda Seward suggested that the board look into issues of copyright and the availability of published and copyrighted materials.

Andy Shrader suggested that the board consider appointing a "communications" officer, or PR person.

### **Public Comment and Announcements**

Bill Ring stressed how important an Education Committee is and was sorry that the matter had been tabled.

George Garrigues pointed out to the board that he had filed a grievance and stated that he would like that to go forward. He expressed the frustration that the matter was causing him.

Bruce Campbell spoke about the Human Relations Commission for the City of L.A.

The next Mar Vista Community Council Board Meeting will take place on January 13, 2004 at the Mar Vista Park Auditorium. It will take place at 6:00 p.m. before the Stakeholder Meeting, which begins at 7:00 p.m.

The meeting was adjourned at 10:05 p.m.

Minutes submitted by Amy Lawrence on December 10, 2003

**Comment 7-46**

The Mar Vista Community Council, Urban Planning Committee has reviewed and studied the Village at Playa Vista Draft environmental Report and finds direct unmitigated impacts affecting the Mar Vista Community by omission of a comprehensive analysis or significant mitigation measures in the areas of Air Quality, Visual Qualities and Public Services.

**Response 7-46**

The comment is an introductory overview statement. Specific comments regarding review of the Draft EIR follow.

**Comment 7-47**

## Air Quality

Construction of the proposed Project inclusive of the equivalency program and the proposed off-site improvements would generate toxic air pollutants emissions that would have a significant and unavoidable adverse impact on the regional air quality. The Draft Environmental Impact Report fails to demonstrate any potential adverse Air Quality Impacts to the Mar Vista Community by omitting sensitive land use receptors in Mar Vista such as public and private schools, residential areas, rest homes, day care centers, public parks and open spaces.

The traffic modeling for the project needs to consider idling conditions at LOS 'D' thru LOS 'F' intersections and represent toxic air pollutant emissions to these intersections in addition to intersections within 1/4 mile of sensitive receptors not yet analyzed in the report.

**Response 7-47**

The potential impacts to air quality from the Project were analyzed in conformance with the SCAQMD's recommended approach for assessing air toxics. Under the SCAQMD methodology, the impacts of the Project on both regional and local air quality are considered. Moreover, if a project would not result in localized air toxics impacts, then regional air toxics impacts similarly would be considered less than significant.

As discussed in Subsection 3.4.2.3 of Section IV.B, Air Quality, in the Draft EIR, potential localized air toxic impacts from Project-related mobile source emissions would be minimal since the Proposed Project does not include any facilities (e.g., warehouse distribution and truck terminals) that would substantially change the number of heavy-duty trucks on the surrounding roadway network resulting in an increase of diesel particulate emissions. Therefore, given the minimal mobile source air toxics generated by the Proposed Project, and considering that none of the allowed land uses associated with Proposed Project development have the potential to emit high levels of potentially toxic air contaminants, it was concluded in the Draft EIR that operation of the Proposed Project would not be anticipated to emit carcinogenic or toxic air contaminants

that individually or cumulatively exceed the maximum individual cancer risk of ten in one million. This is below the significance threshold, and is consistent with the SCAQMD methodology for assessing the risk of exposure to airborne toxics. See the SCAQMD *CEQA Air Quality Handbook*, Chapter 6. Given that a less than significant localized air toxics impact would result, it has been concluded that a less-than-significant regional air toxics impact would also occur. The community of Mar Vista is included in the regional air toxics impact analysis.

Please refer to Response 7-6 for information regarding the analysis of sensitive receptors in the Mar Vista community.

### **Comment 7-48**

#### Visual Quality

Construction of the proposed Project inclusive of the equivalency program and the proposed off-site improvements would have a significant and unavoidable adverse impact on the natural and cultural visual resources to the Mar Vista Community.

The Westchester Bluffs and the LMU (Loyola Marymount University) landmark sign represent a significant Visual Resource to our community. Visual Resources are identified as 'vistas' from a public way or designated bike lane to significant cultural or natural features. Grandview Blvd. north of Palms Blvd. is a residential public street and a designated bike lane that benefits from these visual resources. The Environmental Impact Report fails to demonstrate the proposed built out phase of the project against the Westchester Bluffs. The proposed project height would substantially obstruct the view to the Westchester Bluffs & LMU (significant cultural and natural resources) thus creating a significant adverse effect to our community. We request that a maximum height limit of 45' be imposed throughout, consistent with the graphics presented by Playa Vista Capital or that the Project includes the creation of a view corridor to protect the visual resources to the Mar Vista Community.

### **Response 7-48**

Please refer to Responses 7-37 through 7-40.

### **Comment 7-49**

#### Services

Construction of the proposed project inclusive of the equivalency program and the proposed off-site improvements would create a burden on the public services to the Mar Vista Community which include sharing of police protection services (Pacific Division), educational facilities (Venice High School) and fire protection services (Fire Station 62).

In order to reduce the significant impacts to these services to a less-than-significant level to our community, a condition must be included that allocates appropriate funding to accommodate the additional police, school and fire protection services.

**Response 7-49**

Please refer to Responses 7-33, 7-34, and 7-35 regarding funding for fire, police and school services, respectively.

**Comment 7-50****OPENING STATEMENT:**

After a careful review, the Mar Vista Community Council Transportation Committee finds that the Playa Vista Phase II Draft EIR is seriously incomplete in its analysis of the project's traffic impacts on the Mar Vista Community. Specifically, the DEIR is void of an analysis of the cut through traffic, which would seek out the residential local and collector streets within our community, especially in the area north of Washington Blvd. This deficiency also appears to deliberately leave out the traffic impacts on Inglewood Blvd.—one of three north/south arteries that leads directly from the project site and through our community.

This omission greatly understates the overall traffic burden and the resulting air quality impacts placed on our community. Although Centinela Ave. was well studied, its current and worsening condition places increasing pressure on the residential Local/Collector sections of Inglewood Boulevard, Grand View Boulevard, Beethoven Avenue, Walgrove Avenue, Palms Boulevard and Veteran Avenue as convenient cut through routes.

The other concerns discovered during this review, was the apparent disregard for the Goals, Objectives and Policies contained in the Los Angeles General Plan, specifically the Palms-Mar Vista-Del Rey Community Plan and neglecting to address that allowable Phase 2 traffic maximums are tied to a yet-to-be-achieved cap on Phase 1 traffic.

The MVCC Transportation Committee will seek to explain our fundamental concerns with the DEIR in the following manner:

1. PROJECT'S TRAFFIC IMPACTS AND RELEVANT FACTS
2. VIOLATIONS OF THE LOS ANGELES GENERAL PLAN POLICIES
3. FLAWS WITH TRAFFIC MODELING METHODOLOGY
4. QUESTIONABLE TRAFFIC MITIGATION SCHEMES
5. RECOMMENDATIONS

1. PROJECT’S TRAFFIC IMPACTS AND RELEVANT FACTS

a) VEHICLE TRIPS (taken from Section I.G. Summary of Project Impacts) The proposed project will generate 24,220 vehicle trips per day. Of these, 1,626 trips would occur in the AM peak hour and 2,302 trips would occur during the PM peak hour.

b) EXISTING TRAFFIC CONDITIONS (At Busiest Mar Vista Intersections)

	<u>PEAK AM</u>	<u>PEAK PM</u>
Centinela/Venice	V/C*: 1.128 LOS “F”	V/C*: 1.167 LOS “FF”
Lincoln/Venice	V/C*: 1.08 LOS “F”	[Not a MVCC intersection but affect us.]
Lincoln/Venice	V/C*: 1.016 LOS “F”	[Not a MVCC intersection but affect us.]
Centinela/National	V/C*: 1.128 LOS “F”	V/C*: 1.167 LOS “FF”
Centinela/Ocean Park	V/C*: 0.919 LOS “E”	V/C*:1.308 LOS “FFFF”
Centinela/Washington Place	V/C*: 0.894 LOS “D”	V/C*: 0.936 LOS “E”
Centinela/Washington Boulevard	V/C*: 0.757 LOS “C”	V/C*: 0.887 LOS “D”
Walgrove/Venice Boulevard	V/C*: 0.711 LOS “C”	V/C*: 0.859 LOS “D”
Walgrove/Palms	Not addressed	
Beethoven/Washington Boulevard	Not addressed	
Inglewood/Venice	Not rated nor mentioned anywhere in the analysis.	

\*V/C—Volume/Capacity Ratio: The volume/capacity ratio compares the capacity of a roadway with the number of vehicles actually using the roadway. For example, a V/C ratio of 1 means that the roadway is at capacity. Intersections with V/C ratios of 1 or more are subject to grid lock and are appropriated rated “F” for “Failure.”

Page 863, Section IVK(1) Traffic & Circulation, states that trip generation will increase by 16% along the north/south Centinela corridor and the increase will be 18% along Lincoln Blvd.

c) MITIGATION CLAIMS

Section V.I. (1) page 887 contains the proposed project mitigation measures, referred to as the “Village at Playa Vista Transportation Improvement Measures.” It was stated that if any of the proposed mitigation measures are “determined not to be feasible or if it is not possible to obtain the necessary permits, then a significant impact(s) will remain.”

One of the mitigation measures at Centinela/Venice proposes to re-stripe a separate southbound right turn lane so that there would be two through lanes, a single left hand turn lane and a separate right turn lane.

On page 910, Playa Vista claims that it will mitigate the effects of traffic generated by its proposed project at every intersection, using the three main mitigation tools cited in Section V.I. (1): Transit mitigations, Roadway improvements and Signalizations improvements. Furthermore, Playa Vista claims that its mitigation efforts will result in no significant impact to the Centinela/Venice intersection and at every intersection surrounding the project site.

## 2. GENERAL PLAN POLICY VIOLATIONS

The Los Angeles General Plan, specifically the sub-section called the Palms-Mar Vista-Del Rey Community Plan, contains several very important Goals in the Transportation Section. These Goals, which are shared by every Community Plan, are intended to maintain an adequate transportation infrastructure for existing residents and to place constraints on traffic growth to ensure it does not exceed infrastructure capacity. It should be noted that the General Plan and the individual Community Plans, are required by State Code 65300 to be “the fundamental policy document of the City of Los Angeles.” Two relevant Goals are as follows:

- Goal 14—Discourage non-residential traffic flow on residential streets and encourage community involvement in determining neighborhood traffic controls.
- Goal 16—Provide a circulation system which supports existing and planned land uses, while maintaining a desired level of service, at all intersections on our highways, freeways and streets.

Below, we have included statements contained in the DEIR, which appear to violate our Community Plan. Included with each statement is the relevant Policy contained in our Community Plan:

Analysis of Attachment C of LADOT’s “Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project,” EIR Volume XX, indicates that 31 Intersection-Peak Hours periods currently operating at LOS “D” or better will not be maintained at LOS “D” after the proposed project. We view these as violations to our Community Plan, Policy 16-1:1 [6], which states that the City is to “Maintain a satisfactory LOS [Level of Service] for streets and highways that should not exceed LOS “D” for Major Highways, Secondary Highways and Collector Streets.” Does the City agree that a violation exists? If not, please explain why.

Analysis of Attachment C of LADOT’s “Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project,” EIR Volume XX, indicates there are 15 Intersection-Peak Hours periods currently operating at LOS “E” or worse that will not be maintained at LOS “E” after the proposed project. We view these as violations to our Community Plan, Policy 6-1:1 [b], which states that, “If existing levels of service are LOS “E” or LOS “F” on a portion of a highway or collector street, then the level of service for future growth should be maintained a LOS “E” if possible.” Does the City agree? If not, please explain why.

If the City believes that it is impossible to improve these intersections to LOS “E,” please explain why. How does the City justify approving developments, which generate significant volumes of traffic, further degrading intersections that are already at unacceptable Levels of Service?



Analysis of Attachment C of LADOT's "Initial Traffic Impact Assessment for the Proposed Village at Playa Vista Project," EIR Volume XX, indicates that 10 Intersections-Peak Hour periods to be used by the proposed project are already at LOS "F" while 31 will be at LOS "F" after the proposed project and mitigation. Therefore, the infrastructure "cannot accommodate the traffic generated." We view these as violations to our Community Plan, Policy 16-2.1, which states that, "No increase in density shall be effected by zone change or subdivision unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated." Does the City agree? If not, please explain why.

### 3. FLAWS WITH TRAFFIC MODELING METHODOLOGY

Because of the limited number of north/southbound roads (3) leading north from the project site, it should be noted that when one or more of these roadways is highly congested as they are today during AM/PM peak traffic times, commuters will quickly seek out alternatives. Since Centinela Blvd. is currently rated at LOS "F" during peak AM/PM traffic times, commuters already divert to the residential Collector streets such as Inglewood Blvd. as a convenient alternative.

The City's traffic modeling tools and methods do not address the Cut-through traffic issue. As a result the City is continually surprised that traffic predicted by prior approved projects has not appear [*sic*] on the modeled arterial streets when the next developer comes seeking approval for a new project. This is because much of the prior predicted traffic is now cutting through our residential neighborhoods. This is an unacceptable omission by the model. This omission provides an incomplete analysis and makes it impossible for the members of the Mar Vista community to accurately assess Playa Vista's Phase II traffic impacts.

### 4. QUESTIONABLE TRAFFIC MITIGATION SCHEMES

Section V.I. (1), page 887, contains the proposed project mitigation measures, referred to as the "Village at Playa Vista Transportation Improvement Measures." It was stated that if any of the proposed mitigation measures are "determined not to be feasible or if it is not possible to obtain the necessary permits, then a significant impact(s) will remain." Our community, should not be placed in a position to absorb a "new development's traffic burden on our streets until it can be clearly demonstrated that the transportation infrastructure is able to handle the additional traffic volume.

On page 910, Playa Vista claims that the results of its mitigation measures, using the three main mitigation tools cited in Section V.I. (1): Transit mitigations, Roadway Improvements and Signalizations improvements will result in no significant impact to the Centinela/Venice intersection. In fact, Playa Vista claims that it will mitigate the effects of traffic generated by the proposed project at every intersection surrounding the development site.

These assumptions appear to be overly optimistic when you considering [sic] that 39% (12 of 31) of the required mitigation measures in the City of Los Angeles are to be fulfilled by requiring the developer only to “contribute to the design and implementation of... (some signal or transit improvement).” Simply “Contributing to” a traffic mitigation measure provides not [sic] guarantee that the measure will be implemented nor when it will be implemented. Therefore our transportation infrastructure could be left incapable of accommodating the proposed project’s traffic, which would be a violation of City Policy 16-2.1 as mentioned above.

We also question the effectiveness of the proposed Transit improvements to realize the mitigations necessary considering the socio-economic level of the people capable of buying Playa Vista homes. Therefore we must ask:

Where in the city have Transit improvements achieved the level of trip mitigation by people of similar socio-economic level as is being used for the Playa Vista project?

One of the mitigation measures at Centinela/Venice proposes to re-stripe a separate southbound right turn lane so that there would be two through lanes, a single left hand turn lane and a separate right turn lane. Since the main problem affecting this intersections [sic] peak southbound traffic is the long wait time for left turns, the re-striping of lanes may do little to increase the intersection’s vehicle capacity until a left turn lane arrow is added to the southbound side. Why is a new left-turn arrow not yet under consideration by the LADOT as an effective mitigation measure for this intersection? If a left-turn arrow is under consideration by the LADOT, when will it be installed?

It is not in the best interests of the surrounding communities to allow itself to be burdened with the failed efforts to mitigate the traffic intrusion resulting from Playa Vista’s proposed Phase II project. The burden should remain with the developer. The developer ought to be required to convince community leaders how they will minimize or eliminate the potential for traffic intrusion and be made financially responsible and accountable for their implementation’s success or failure before they are granted any type of conditional approval for the proposed project.

## 5. RECOMMENDATIONS

- a) We recommend that Playa Vista Phase II not be approved if it alone or in combination with other related projects violates Policies 16.1-1[a], 16-1.1[b] or 16-2.1 contained in the Los Angeles General Plan and Community Plans affected by said development project(s).
- b) Playa Vista Phase 2 can not be approved without revoking Phase 1 Office Space vesting.

A condition was place [sic] on Playa Vista Phase 1 approval that ties the maximum traffic allowed for Phase 1 to the maximum to be allowed by the remainder of Playa Vista’s Master Plan. Phase 2 now constitutes the remainder of that Master Plan. The condition in questions [sic] is Condition 116 of Vesting Tentative Tract No. 49104 for Phase 1.

Condition 116 states that the maximum traffic to be generated by all Phase 1 Office Space is limited to 1493 vehicle trips in the PM Peak Hour and states that, “failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement of the Playa Vista Master Plan Project as a whole.” Playa Vista Phase 2—The Village now constitutes the remainder of that Master Plan.

However Phase 1 in the eastern commercial portion near Inglewood Blvd. is not yet completed or even started at this time. If the City approves Phase 2 before Phase 1 is completed, the City will lose its method of enforcing its cap on Phase 1 traffic generation.

Therefore we recommend either that Phase 2 not be approved until Phase 1 is completed, or that the vesting of the Office and Retail commercial section at the east third of Area D be revoked to allow Phase 2 to proceed in the approval process.

c) Curtail Cut through Traffic and Re-measure True Remaining Excess Capacity

Much commuter traffic is already using residential Collector streets due to LA and neighboring cities approving more traffic-generating development that our existing transportation infrastructure can accommodate at acceptable Levels of Service (“D”). This is already in violation of City Transportation Goals 14 and 16 and their related Policies. If the City actually operated in accordance with their stated Goals and Policies commuter traffic now adversely impacting the quality of live [*sic*] in our residential neighborhoods would be redirected to back to our arterial streets. This would of course leave less excess capacity on our arterial streets for new development which will then limit the amount of new growth possible.

While the City may not like this coming reality, our perspective as a community based arm of the City tells us that existing residents are not longer willing to give developer’s traffic a free-ride on their residential streets. The City may soon have to choose between either voluntarily implementing cut through traffic prevention measures or be forced to do so by court action.

Therefore we recommend that the City

1. initiate cut through commuter traffic prevention measures (deterrents are no longer enough) on the streets listed below,
2. re-measure the excess capacity remaining after cut through traffic has been directed back to it intended arterial streets, and then
3. re-evaluate all proposed development projects based on actual remaining excess capacity,
4. require developers to implement any infrastructure expansion measure determined via modeling to accommodate they [*sic*] desired proposed traffic,
5. measure the resulting new expanded excess capacity. and then
6. given [*sic*] the developer permission to generate new traffic to that expanded capacity limit.

To continue allowing traffic-generating development based on modeling that does not address the cut-through traffic problem and the existing lack of infrastructure capacity is courting disaster.

Cut-through commuter traffic should be eliminated from at least the following residential Local/Collector streets in the Mar Vista Community Council area:

- Veteran Avenue between Venice Boulevard and National Boulevard.
- McLaughlin Avenue between Washington Boulevard and Barrington Avenue.
- Inglewood Boulevard between Washington Boulevard and National Boulevard.
- Grandview Boulevard between Venice Boulevard and National Boulevard.
- Beethoven Street between Washington Boulevard and Walgrove Avenue.
- Walgrove Avenue between Washington Boulevard and the Los Angeles/Santa Monica border.
- Palms Boulevard between McLaughlin Avenue and Walgrove Avenue.

d) Implement traffic mitigation and capacity expansion measures now before approving any new development.

Until it can be clearly demonstrated how those intersections in the Mar Vista area, which are now rated at LOS “E” or “F,” can adequately carry the additional traffic proposed by the developer, the Playa Vista Phase II should not be approved. The affected intersections should have their capacity increased to accommodate additional traffic and actual excess capacity measured (as stated in the recommendation above) before new development is approved. If it is not feasible to increase the capacity of certain intersections, then the development should be scaled back or prohibited until the proposed traffic impacts fall within the capacity of the transportation infrastructure.

If the City does not concur with any of our recommendations, please explain why.

### **Response 7-50**

This comment reiterates issues raised in Comments 7-7 through 7-28. As such, please see Responses 7-7 through 7-28.

### **Comment 7-51**

## **ATTACHMENTS**

Additional attachments begin on page 662.

**Response 7-51**

The attachment provides background information on the Palms Mar Vista – Del Rey District Plan and the Mar Vista Community Council’s Proposed Workplan Budget Requests. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

at the time the election is declared 'closed.' The election area will then be closed, and no one except the person or person (s) assigned to handle the ballots will be allowed to enter.

Ballots will then be secured by the election official and counting will proceed in accordance with the Election Committee's schedule.

Electronic machines may be used to count the ballots. The Election Committee and The League of Women Voters will observe the ballot count.

Provisional Ballot: Provisional ballots will only be counted after validation of the ballot by the Election Committee, and only if they can change the outcome of the election.

Absentee Ballot: No absentee ballots may be cast.

### VIII. VOTING PROCESS ORGANIZATION

Members of Mar Vista Community Council or Election Committee who are not candidates and other volunteers will conduct voter and candidate check-in, distribution of ballots and related activities during election hours.

Each registration area will have binders holding copies of candidate registration forms.

Registered stakeholders will be directed by election-day volunteers to the check-in table. They will be asked for their name and stakeholder basis. When the stakeholder is verified by the election official the stakeholder will receive a ballot and be directed to the voting area.

### IX. PROXY VOTES, TIE VOTES

No proxy votes will be allowed.

Tie votes will be decided by a toss of a coin conducted by the "Final Arbitrator".

### X. THIRD PARTY OVERSIGHT OF THE ELECTION

As stated in the MVCC bylaws:

The Election Committee may engage an independent third party ("Third Party Election Administrator"), such as the League of Women Voters, which will be responsible for overseeing the election process. Further, the Election Committee may engage an independent third party is empowered to determine the resolution of any issues that arise through the election process ("Final Arbitrator"). Also, the independent third party Final Arbitrator will verify the candidate status in the even event of a challenge.

All challenges to the election must be submitted in writing within 5 working days of the election to the **Final Arbitrator**. Every effort will be made to provide a determination within 30 working days. Decisions of the **Final Arbitrator** will be final.

### XI. ELECTION CHALLENGES

All challenges to the election must be submitted in writing within 5 working days of the election to the "**Final Arbitrator**". Every effort will be made to provide a determination within 30 working days. Decisions will be final. All stakeholders, candidates and their representative agree to be bound by the decisions of the arbitrator.

### XII. POST ELECTION PROCEDURES

The Election Committee will transfer the ballots and voting tabulation materials to a secure location in accordance with DONE.

Election results will be posted on the MVCC website, through newsletters, newspapers and other public organs.

Results of the election will be posted at the 5 or more selected sites accessible to the public.

Newly elected Board Members will be installed at the next meeting of the MVCC Board of Directors by the Election Committee.

Sometime between 30-60 days following the election, and in accordance with the City Attorney, the MVCC Board of Directors will determine the need to retain in storage the ballots and other election materials.

## V. VOTER ENROLLMENT

Stakeholders who wish to vote must complete a Stakeholder Registration Form (SRF) that provides: the individual's name, stakeholder address, e-mail address, telephone number (optional), stakeholder category designation (each voter must indicate one stakeholder category, despite being eligible for more than one), and stake holder's Zone designation (one through six).

All stakeholders, at the designated time on election day, must register as a stakeholder by submitting the completed SRF attesting their stakeholder status to an election official.

SRF's must be completed by stakeholders on election day and submitted to an election official to receive a ballot.

After completing a stakeholder registration form and receiving a valid ballot all stakeholders may vote in the election subject to the following:

For At-Large Election:

Each voter may vote for no more than seven candidates on the at-large ballot.

For Zone-Director Election:

Each voter may vote for no more than one candidate on the zone ballot.

## VI. CANDIDATE INFORMATION

### A. CANDIDATE FILING

Candidate applications for the MVCC Board of Directors will be received by the Election Committee, by mail or hand delivery at a designated site(s), through the date and time of the Candidate Filing Meeting in order to be a valid candidate for the election. Candidates may appear in person or be presented by a third-party. Candidate must acknowledge their candidacy through candidate forms.

At-Large-Director Candidates must be registered and verified as stakeholders within the approved Mar Vista Community Council boundaries. Zone-Director Candidates must be registered and verified as stakeholders within their respective Zone's boundaries.

There will be no late candidate filing allowed.

Candidate's eligibility will be verified by the Election Committee.

### B. CANDIDATE ORIENTATION

At least one Candidate orientation program will be held prior to Election Day to brief candidates on election procedures, expectations and responsibilities of a Board Member.

Attendance at the Candidate Orientation is recommended, but not required. Information for Candidates will be available from the Election Committee and the web site.

Candidates will be asked to electronically submit a qualifying statement (not to exceed 150 words) and a vision statement for the Council (not to exceed 150 words) for publication on the MVCC website prior to Election Day. These statements will be available for voter review outside of the voting site on election day. Combined statements will be truncated to 300 words.

Only candidate photographs taken at a Candidate Orientation can be used for MVCC election purposes.

### C. CANDIDATE FORUM

From 5:15 p.m. to 6 p.m. on Election Day, a Candidate Forum will be held for the Mar Vista Community Stakeholders. Candidates will be asked to present a two-minute presentation regarding their candidacy. In the interest of time and to ensure that all candidates are given sufficient time, no questions will be taken from the audience until all of the candidate presentations are completed. Attendance at the forum is mandatory for all candidates. Candidates that fail to appear before the stakeholders shall be removed from the candidate list.

## VII. BALLOTS

Instructions will be provided to each registered stakeholder voter in either English or Spanish on how to use the ballots.

Votes must be cast only on the official ballot, and voting must be based upon the instructions given to the stakeholder with the ballot.

All ballots will be numbered to avoid duplicate votes. Any ballots that are duplicated or otherwise altered will not be counted. Ballots that do not conform to the voting instructions will not be counted.

Provisional ballots will be issued to voters whose stakeholder status cannot be immediately determined and the ballot will be accepted and sealed for provisional counting.

No candidate will be allowed to handle or count the ballots once they are cast. Each candidate or their designated representative may observe, but not handle the ballot(s) and must not interfere with the counting process.

Five minutes before closing the polls, an election official shall declare that the polls will close in 5 minutes. After this declaration, no ballots shall be put into the ballot boxes except for the ballots of voters still in the process of check-in, or completing their ballots

**ELECTION PROCEDURES**  
**For the March 16, 2004, Zone-Director Board Members Election**  
**and subsequent At-Large Elections of MVCC.**

**I. ELECTION SCHEDULE**

MVCC Approved Election Schedule for the 2004 election:

**Candidate Information Session:** Tuesday, January 20, 2004, Mar Vista School  
**Candidate Filing Meeting:** Tuesday, February 17, 2004.  
**MVCC Candidate Forum and Election:** March 16, 2004 (Election Day).  
**Forum:** 5:15 to 6:00 PM, **Election:** from ~~7:00 to 8:00 PM~~, 6-8  
**Location:** Mar Vista Elementary School, 3330 Granville Blvd, Mar Vista, CA, 90066  
**Installation of newly Elected Board and Annual MVCC Meeting:** Tuesday, April 20, 2004, 7:00 PM, Mar Vista Park.

**II. ELECTION COMMITTEE**

Composition:

The Mar Vista elections Committee is composed of up to six (6) community stakeholders.

The meetings are open to the public.

From the MVCC Bylaws:

Duties/Responsibilities:

Conduct nominations for Directors,  
 Verify that the nominees have met candidacy criteria,  
 Promote, announce and schedule an election,  
 Produce ballots for the election,  
 Certify each stakeholder when the ballot is issued,  
 Count ballots, determine the winners, and certify the election,  
 Announce results, and  
 Install new Board Members.

**III. DEFINITIONS AND AUTHORITY**

The Department of Neighborhood Empowerment (DONE) Election Procedures Working Group has established a standard set of definitions that relate to Neighborhood Council Elections. Those definitions are adopted by the MVCC Election Committee and are to be used in conjunction with MVCC's election procedures.

The Election Committee has determined that in order to guarantee a fair election and a fair outcome, that it shall ask the League of Women Voters (LoWV) to act as the "Third

Party Election Administrator." As such the LoWV shall assist the Election Committee by, but not limited to, overseeing (or) observing the election voting process and receipt of the ballots from the ballot boxes and to overseeing (or) observing the ballot counting and to announce the election results.

The Department of Neighborhood Empowerment (DONE) will act as the "Final Arbitrator" for the MVCC election.

MVCC Elections shall follow a "Pre-prepared Ballot Elections" format with no "Vote-by-mail" provision.  
 In years 2003,2005,2007, etc. the MVCC Election will be for Seven(7) At-Large Directors. In years 2004,2006,2008, etc. the MVCC Election will be for Six(6) Zone-Directors, with each Zone director being a stakeholder and representing their respective Zone.

After each annual election, once the new directors are installed, they will conduct an Election of the following officers: Chair, 1<sup>st</sup> Vice-Chair, 2<sup>nd</sup> Vice-Chair, Secretary and Treasurer. This annual officer election shall follow a "Same Day Election" format.

**IV. PUBLIC NOTICE OF ELECTIONS**

The Election Committee will prepare an Election Announcement Package, in both English and Spanish, to announce the Board's election process. The package will include the following:

- Introductory information about the Mar Vista Community Council
- Election policies and procedures
- Election events and times
- Stakeholder Registration Form
- Candidate Declaration Form

This package will be submitted to DONE for printing and distribution to the community.

The Mar Vista Community Council, the MVCC Election Committee, the MVCC Outreach Committee and, also, any volunteers will:

- make presentations to community groups;
- ensure that information about the Council and the election will be published in community newsletters, church bulletins, flyers for neighborhood distribution;
- create posters and flyers, and make arrangements to display them in local businesses, community centers;
- send e-mail messages to all stakeholders (where possible), inviting them to run for election and informing them of election processes;
- post election information on the MVCC website, and at least 5 locations where the information is accessible to public view; and
- post registration and candidate declaration forms on the MVCC website.



Present bylaws:

**F. Criteria for Candidates.** Candidates for Director shall meet the following criteria:

1. Candidates must certify in writing that they are stakeholders of the Mar Vista Community Council.
2. Candidates must obtain signatures to support their candidacy from MVCC stakeholders as follows:  
 ten (10) signatures for At-large Directors; seven (7) signatures for Zone Directors.
3. Candidates must follow all election procedures as established; and
4. Candidates must be 18 years of age or older.

Proposed bylaws:

**F. Criteria for Candidates.** Candidates for Director shall meet the following criteria:

1. Candidates must certify in writing that they are stakeholders of the Mar Vista Community Council.
2. Candidates must obtain signatures to support their candidacy from MVCC stakeholders as follows:  
~~ten (10)~~ **twenty (20)** signatures for ~~At-large~~ all Directors;  
~~seven (7)~~ signatures for ~~Zone Directors~~.
3. Candidates must follow all election procedures as established; and
4. Candidates must be 18 years of age or older.

Present bylaws:

Committees, once established, are subject to the terms of the Brown Act for meetings, minutes, and notices of meetings. Standing committees may include, but shall not be limited to the:

- A. Executive Committee
- B. Elections Committee
- C. Finance Committee
- D. Communications Committee
- E. Grievance Committee
- F. Nominating Committee

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Proposed bylaws:

Committees, once established, are subject to the terms of the Brown Act for meetings, minutes, and notices of meetings. Standing committees may include, but shall not be limited to the:

- A. Executive Committee
- B. Elections Committee
- C. Finance Committee
- D. ~~Communications~~ **Outreach** Committee
- E. Grievance Committee
- F. ~~Nominating~~ **Transportation** Committee
- G. **Urban Planning** Committee
- H. **Safety and Security** Committee

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 Procedure for change to bylaws:  
**First reading** at Dec. 9<sup>th</sup> 2003 meeting. Council approval with majority vote to be sent to **DONE for approval**. Once Done approves,  
**Second Reading** at Jan 13, 2004 meeting, 2/3 by the Board vote to amend bylaws, as approved by DONE.

Present bylaws:

**E. Election of the Directors.** Election of the seven (7) "At-large Directors" shall alternate from one year to the next with election of the six (6) "Zone Directors."

An Elections Committee shall oversee the election of Directors through the following process:

1. Conduct nominations for Directors.
2. Verify that the nominees have met candidacy criteria.
3. Promote, announce, and schedule an election.
4. Produce ballots for the election.
5. Certify each stake holder when the ballot is cast.
6. Count ballots, determine the winners, and certify the election.
7. Announce results.
8. Install new Board Members.

The Election Committee may engage an independent third party, such as the League of Women Voters, which will be responsible for overseeing the election process. The independent third party is empowered to determine the resolution of any issues that arise through the election process. Also, the independent third party will verify the candidate status in the event of a challenge.

All challenges to the election must be submitted in writing within 5 working days of the election to the independent third party. Every effort will be made to provide a determination within 30 working days. Decisions will be final.

Proposed bylaws:

**E. Election of the Directors.** Election of the seven (7) "At-large Directors" shall alternate from one year to the next with election of the six (6) "Zone Directors."

An Elections Committee shall oversee the election of Directors through the following process:

1. Conduct nominations for Directors.
2. Verify that the nominees have met candidacy criteria.
3. Promote, announce, and schedule an election.
4. Produce ballots for the election.
5. Certify each stakeholder when the ballot is ~~cast~~ issued.
6. Count ballots, determine the winners, and ~~certify~~ certify the election.
7. Announce results.
8. Install new Board Members.

The Election Committee may engage an independent third party ("Third Party Election Administrator"), such as the League of Women Voters, which will be responsible for overseeing the election process. Further, the Election Committee may engage an independent third party ~~is empowered~~ to determine the resolution of any issues that arise through the election process ("Final Arbitrator"). Also, the ~~independent third party~~ Final Arbitrator will verify the candidate status in the ~~even event~~ of a challenge.

All challenges to the election must be submitted in writing within 5 working days of the election to the Final Arbitrator. Every effort will be made to provide a determination within 30 working days. Decisions of the Final Arbitrator will be final.

**Mar Vista Community Council**  
**Proposed Workplan/Budget Requests**  
 1/1/04 – 03/31/04

<b>Executive Committee</b>		<b>\$1000</b>
Printing Bus. Cards	\$500	
Hosting MVCC Website	\$500	
<b>Budget &amp; Finance</b>		<b>\$0</b>
<b>Election Committee</b>		<b>\$1450</b>
Printing	\$500	
Ballot Equipment	\$500	
Refreshments	\$30	
Promotional	\$100	
Supplies	\$320	
<b>Safety Committee</b>		<b>\$500</b>
Printing	\$200	
Supplies	\$300	
<b>Transportation Committee</b>		<b>\$600</b>
Printing	\$100	
Refreshments	\$30	
Supplies	\$470	
<b>Outreach Committee</b>		<b>\$5200</b>
Stakeholder Printing	\$500	
Meeting Refreshments	\$100	
Misc.	\$100	
MVCC Printing/Distribution	\$3000	
Newsletter		
MVCC Start-up Costs	\$500	
Historic Project		
Website Design Costs	\$500	
Design		
Stationery Stationery Design	\$500	
<b>Urban Planning/Land Use</b>		<b>\$500</b>
Photography	\$200	
Printing	\$100	
Maps	\$100	
Refreshments	\$100	
<b>Farmer's Market Committee</b>		<b>\$2000</b>
Start up costs	\$2000	
<b>Petty Cash</b>		<b>\$500</b>
<b>Total Request.....</b>		<b>\$11,750</b>

**LETTER NO. 8**

Department of the Army  
Los Angeles District, Corps of Engineers  
David J. Castanon  
Chief, North Coast Section  
Regulatory Branch  
Post Office Box 532711  
Los Angeles, CA 90053-2325

**Comment 8-1**

Reference is made to the Draft Environmental Impact Report dated August 2003 for the Village at Playa Vista, a proposed mixed-use residential development adjacent to Ballona Creek and Centinela Ditch in the City of Los Angeles near the community of Marina del Rey, Los Angeles County, California.

The Corps has reviewed the above Draft Environmental Impact Report and has no project specific comments concerning the proposed Village at Playa Vista project. As part of Permit Number 90-00426-EV, the Corps of Engineers authorized all the discharges of fill material in waters of the United States, including wetlands, which are associated with the proposed project. As long as Playa Capital complies with all applicable terms and conditions for Permit No. 90-00426-EV, the proposed project would be fully authorized pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The Corps of Engineers concurs with all the proposed mitigation measures in the document that require Playa Capital to coordinate with the Corps of Engineers prior to initiating additional work in waters of the United States for the Freshwater Marsh, Riparian Corridor or other structural/treatment control Best Management Practices.

If you have any questions concerning this letter, please contact Dr. Aaron O. Allen of my staff at (805) 585-2148.

**Response 8-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 9**

CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 OceanGate, Suite 1000  
Long Beach, CA 90802-4302

December 22, 2003

**Comment 9-1**

The proposed Phase II Playa Vista development is located entirely outside of the Coastal Zone and proposes most mitigation measures, such as street widening, outside the Coastal Zone. The proposed project would include 2,600 dwelling units (apartments or condominiums); 175,000 square feet of office space, 150,000 square feet of retail space and 40,000 square feet of “community serving” uses. The document estimates a net population of 5,760 based on the number of residences. The project includes 11.4 acres of parks and one acre of trails. In addition, the project will include the restoration of over five acres of riparian bluff scrub impacted by project grading, and the restoration of a 6.7-acre riparian corridor approved as part of the freshwater marsh. (The freshwater marsh, CDP 5-91-463, received a coastal development permit that included this restoration outside of the Coastal Zone as part of its mitigation.)

**Response 9-1**

These comments paraphrase portions of the Project Description. Specific comments regarding the review of the Draft EIR and responses follow. For clarification, the Proposed Project contains one acre of bike lanes, not one acre of trails.

**Comment 9-2**

The Coastal Commission does not have jurisdiction of development that occurs outside the Coastal Zone. However, when project mitigation measures require development in the Coastal Zone, the development that is located inside the Coastal Zone will require a coastal development permit. Occasionally, restoration outside the Coastal Zone may be proposed by an applicant and accepted as part of a project approved inside the Coastal Zone. This occurred when the Commission approved the freshwater marsh.

**Response 9-2**

Any development required within the Coastal Zone would follow the coastal development permit process.

The Freshwater Marsh is a component of the First Phase Project, which was previously approved in 1993. No change to the Freshwater Marsh is proposed or under consideration at this time.

**Comment 9-3**

1. The Ballona Wetlands are located in the Coastal Zone near the project. Some impacts associated with increasing population, including runoff, lighting, noise, invasive landscaping plants, increased foot traffic and additional domestic animals could have impacts on the productivity of the wetlands. These impacts should be prevented.

**Response 9-3**

Potential impacts on the Ballona Wetlands resulting from increased human presence, runoff, lighting, noise, landscaping, and domestic animals were evaluated in Subsection 3.3, Section IV.D, Biotic Resources, of the Draft EIR.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration by decision-makers.

**Comment 9-4**

2. We note that the report concludes that this project will not have direct impacts on wetlands. If there is credible evidence that areas of the site provide habitat that now functions in concert with the wetlands habitat, efforts should be made to preserve that habitat function.

**Response 9-4**

Subsection 3.5 of Section IV.D, Biotic Resources, of the Draft EIR, on page 548, concludes that “no on-site wetlands beyond those previously permitted for fill would be impacted by the Project.” The remaining wetlands in the Project Site, which have been permitted to be filled pursuant to previously approved Federal, State and local permits, are less than 0.7 acres. There is no evidence that the fragmented patches of native vegetation on the Project site provide habitats that function in concert with wetlands habitat, either on-site or off-site (i.e., the Ballona Wetlands). As discussed in Subsection 3.4 of Section IV.D, Biotic Resources, of the Draft EIR on page 546, implementation of the Habitat Creation/Restoration component of the Proposed Project is expected to result in improved habitat connectivity and functions.

**Comment 9-5**

3. While the Regional Water Quality Control Board will have jurisdiction over water quality issues, the Coastal Commission staff is concerned that run-off from the project could, if mitigation measures are not followed, have impacts on the Ballona wetlands. The project drainage, including street runoff, should be designed to minimize the discharge of pollutants to

the waterways that could affect nesting birds and marine life. The project includes on-site water quality measures and runoff controls. However, the list of water quality mitigation measures on page 507 does not include measures to reduce water-quality impacts of run-off from parking lots. Given the project's proximity to sensitive habitat, the City should consider additional measures to reduce pollutants from the parking lots.

### **Response 9-5**

Appendix C of the Draft EIR includes a Mitigation Monitoring and Reporting Program (MMRP). The MMRP has been prepared in accordance with CEQA, Public Services Code Section 21081.6 and describes the procedures the City and Applicant will use to implement the mitigation measures adopted in connection with the approval of the Proposed Project and the method of monitoring and reporting on such actions. The mitigation measures referred to by the commentor in Subsection 3.4.2, Groundwater Quality, of Section IV.C.(2), Water Quality, of the Draft EIR, on page 507, is a list of treatment control BMPs that were included in the pollutant loading model and is only a partial list of BMPs. The Proposed Project does include measures to reduce water quality impacts of runoff from parking lots. As described on page 508 of the Draft EIR, underground (subterranean) parking and the internal transit system are among the planned BMPs that are anticipated to reduce vehicular pollutants. Any surface parking lots within the Proposed Project will be designed to direct surface runoff into landscaped swales to filter runoff.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration by decision-makers.

### **Comment 9-6**

4. The project proposes to redirect the Jefferson Storm Drain into the freshwater marsh approved by the Commission in [C]oastal [D]evelopment [P]ermit 5-[9]1-463. This was anticipated in the original proposals for the freshwater marsh. Given increased knowledge about water quality: the City may wish to consider measures to further reduce pollution before this water is allowed to enter the marsh. Please note that any change in the freshwater marsh system requires a consultation with the Executive Director to determine whether an amendment to Coastal Commission-issued coastal development permit 5-91-463 is required.

### **Response 9-6**

The Proposed Project does not include the redirection of the Jefferson Storm Drain into the Freshwater Marsh. The redirection of this drain has already been implemented as part of the construction of the Freshwater Marsh pursuant to Coastal Development Permit No. 5-91-463, U.S. Army Corps of Engineers Permit No. 90-426-EV and California Department of Fish and Game 1603 Streambed Alteration Agreement No. 5-639-93. No change to the Freshwater Wetland System or to any of these permits is proposed or under consideration at this time.

**Comment 9-7**

5. Some of the trees listed for use in landscaping on page 162, including *Washingtonia robusta*, have proved nuisances in restoration areas. The project includes the restoration of 11.2 acres of habitat. It is adjacent to the newly acquired Ballona Wetland Restoration area. Given the existence of these restoration projects, the project landscaping should not include invasive plants that may invade these on- and off-site restoration areas. Such plants are listed by the California Native Plant Society, in its guidelines “Recommended list of Native Plants for Landscaping Wildland Corridors in the Santa Monica Mountains[”], in special conditions imposed on several Coastal Commission-issued coastal development permits, by the Los Angeles County Department of Agriculture Weed Management Agency, and on a website prepared by the University of California at Davis. This site (<http://www.owue.water.ca.gov/docs/wucols00.pdf>) provides information on water consumption, but also lists the most aggressive invasive plants.

**Response 9-7**

In connection with the selection of final plans for landscaping, consideration will be given to the invasive nature of plants to be used and the potential impact on restoration areas. See Section IV.D, Biotic Resources, of the Draft EIR on page 550. Moreover, the Operations, Maintenance, and Monitoring Manual for the Ballona Freshwater Wetland System, Appendix F-2 of the Draft EIR, requires removal of invasive vegetation and collection of seed/cuttings of local, native plants for use in planting.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration by decision-makers.

**Comment 9-8**

6. On Page 54 there is a policy to encourage “native plants.” We have discovered that “native plant” is a term that needs precise definition. If the purpose of employing a native plant is to augment nearby habitat, the plant should be a locally occurring plant of coastal sage scrub coastal prairie or riparian plant, if possible from a local gene pool. If the purpose is aesthetic, we have received advice that plants that are native to California but are native to other regions of California should be used carefully. Plants that might be invasive or that might interbreed with local plants in nearby restoration areas, such as *Washingtonia robusta*, should be avoided.

**Response 9-8**

In response to this comment, plants that might be invasive or that might interbreed with native plants in nearby restoration areas will be avoided in the landscaping along Bluff Creek Drive. This provision has been added as a new mitigation measure for the Proposed Project. The Operations, Maintenance, and Monitoring Manual for the Ballona Freshwater Wetland System, Appendix F-2 of the Draft EIR, requires removal of invasive vegetation and collection of seed/cuttings of local, native plants for use in planting.



The remaining comment is noted and will be incorporated into the Final EIR for review and consideration by decision-makers.

Please refer to Section II.7, Corrections and Additions of the Final EIR for a revision to the Draft EIR regarding the above comments.

### **Comment 9-9**

7. We note that there [are] proposed mitigation measures to control light and glare. Again, lighting from a project close to restoration and bird nesting areas could reduce the productivity of these areas if the light levels near these areas were raised.

### **Response 9-9**

The mitigation measures to control light and glare, described in Subsection 4.0 of Section IV.D, Biotic Resources, of the Draft EIR, on page 551, are expected to minimize impacts from these sources on wildlife, including nesting birds, within the Habitat Creation/Restoration Component of the Project.

### **Comment 9-10**

8. The project includes 11.4 acres of parks and one acre of trails. The proposed mitigation measures did not explicitly require that such parks and trails would remain available to the general public even if the Department of Recreation and Parks were unable to accept them. Given the impact of the project on public recreational resources, including public beaches, we would encourage measures to guarantee the parks would remain open to the public, even if maintained by the homeowners association.

### **Response 9-10**

For clarification, the Proposed Project contains one acre of bike lanes, not one acre of trails. As noted in the comment and as described in the mitigation measures in Subsection 4.0 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1040, the lots designated for parks would be offered for dedication to the Department of Recreation and Parks. In the event the Department does not accept the offer of dedication, the parks will be owned and maintained by a property owner's association. As with the parks in the adjacent First Phase Project, all parks within the Proposed Village at Playa Vista will remain open to the public. The mitigation measures have been revised to clarify the availability to the public.

Please refer to Section II.21, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comment.

**Comment 9-11**

9. The report indicates that the project will increase traffic on two major streets, Lincoln and Jefferson Boulevards, which are partially located within the Coastal Zone (page 873). Both Lincoln and Jefferson Boulevards provide beach access. Jefferson is a major bicycle route to the coastline. Road widening proposed to mitigate this project is all located outside the Coastal Zone, but other measures, such as signal improvements, would occur inside the Coastal Zone. The final document should indicate that any development within the Coastal Zone, including road widening required in this EIR, will require a coastal development permit. The standard of review for the coastal development permit will be the Coastal Act, or the certified LCP.

**Response 9-11**

For clarification, Jefferson Boulevard does not include bike lanes and is not a designated bikeway in the City's Bike Plan. (East-west bike lines would be provided on Bluff Creek Drive, which parallels Jefferson Boulevard.) As noted by the commentor, no roadway widening within the Coastal Zone is proposed within the mitigation program for the Proposed Project. Any development required within the Coastal Zone, however, would follow the coastal development permit process.

**Comment 9-12**

10. The project proposes to provide shuttles for residents of the project to visit nearby beach areas and to the County owned recreation facilities in the Marina del Rey. These measures are important to reduce impacts on traffic and on nearby recreation areas.

**Response 9-12**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 9-13**

11. As noted above, the proposed traffic mitigation measures include improvements at intersections through re-striping and management of traffic signals (ATSAC) in the Coastal Zone. Parking for access to the freshwater marsh, a recreation mitigation [*sic*] measure for the project's first phase is located on Jefferson Boulevard. If increased traffic on this street requires a dedicated right turn lane, this new lane could remove this parking. Coastal staff suggests that the City include recreation support parking for the general public visiting the freshwater marsh and internal parks as part of the mitigation for the second phase of Playa Vista.

**Response 9-13**

The mitigation program for the Proposed Project does not call for the addition of any traffic lanes that would reduce the amount of visitor parking available to the Freshwater Marsh. Further, with respect to parks within the Proposed Projects, these parks are arranged within a short walk from residential units. Parking for the general public wishing to visit any parks would be available on the streets adjacent to the parks within the Proposed Project and the First Phase Project.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 10**

California Department of Conservation  
Division of Oil, Gas, & Geothermal Resources  
Paul L. Frost  
Associate Oil & Gas Engineer  
5816 Corporate Avenue, Suite 200  
Cypress, CA 90630-4731  
714-816-6847  
714-816-6853 fax  
consrv.ca.gov

**Comment 10-1**

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced project. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations. We offer the following comments for your consideration.

The proposed project is located beyond the administrative boundaries of any oil or gas field. There are no oil, gas, or injection wells within the boundaries of the project. The Division recommends that any wells found within or in close proximity to project boundaries be accurately plotted on future project maps.

**Response 10-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 10-2**

The Division concurs that there is no indication that methane gas seepage within the project area is from the Playa Del Rey gas storage reservoir. However, the Division has not determined whether the shallower Pico Sands are the source of the gas seepage.

**Response 10-2**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 10-3**

If any unrecorded wells are uncovered during excavation or grading, remedial plugging operations may be required. If such discovery occurs, the Division's district office in Cypress must be contacted to obtain information on the requirements for and approval to perform remedial operations.

**Response 10-3**

Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 739 proposes a mitigation measure that would require any unrecorded well found on the Proposed Project site during excavation and grading to be abandoned in accordance with current DOGGR standards.

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 10-4**

Specific Division comments as to information in the Draft Environmental Impact Report for your consideration:

Volume 1 - Book 2, 2.1.2. State Level (pg. 663):

Testing and inspection of safety devices for gas storage fields are regulated under Title 14, Division 2, Chapter 4, California Code of Regulations, Section 1724.4.

**Response 10-4**

As requested by the commentor, a correction will be incorporated into the Final EIR for review and consideration of the decision-makers.

Please refer to Section II.13, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

**Comment 10-5**

Volume 1 - Book 2, 2.2.1.1.1 Natural Gas Storage Reservoir (pg. 672):

“SCGC is regulated by DOGGR, which requires monthly reports on injection and extraction, and frequent periodic surface and downhole monitoring of wells.” Revise the statement, as there is no reference to “frequent periodic” in Division regulations.

**Response 10-5**

As requested by the commentor, a correction will be incorporated into the Final EIR for review and consideration of the decision-makers.

Please refer to Section II.13, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

**Comment 10-6**

To ensure proper review of building projects, the Division has published an informational packet entitled, “Construction Project Site Review and Well Abandonment Procedure” that outlines the information a project developer must submit to the Division for review. Developers should contact the Division's Cypress district office for a copy of the site-review packet. The local planning department should verify that final building plans have undergone Division review prior to the start of construction. Determination of the adequacy of any proposed methane mitigation measures for the project is beyond the Division's authority. However, the Division recommends that any plugged and abandoned well be vented if a structure is to be built over or in proximity to a well.

If any structure is to be located over or in the proximity of a previously plugged and abandoned well, the well may need to be plugged to current Division specifications. Section 3208.1 of the PRC authorizes the State Oil and Gas Supervisor (Supervisor) to order the reabandonment of any previously plugged and abandoned well when construction of any structure over or in the proximity of the well could result in a hazard. The cost of reabandonment operations is the responsibility of the owner of the property upon which the structure will be located.

Thank you for the opportunity to comment on the Draft Environmental Impact Report. If you have questions on our comments, or require technical assistance or information, please contact Linda Champion at 801 “K” Street, Sacramento, Ca 95814 or call at (916) 324-1268.

**Response 10-6**

Please see Response 10-3.

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**LETTER NO. 11**

California Department of Fish and Game  
William E. Tippets  
Environmental Program Manager  
4949 Viewridge Avenue  
San Diego, CA 92123  
858-467-4201  
www.dfg.ca.gov

**Comment 11-1**

The Department of Fish and Game (Department) has reviewed the above-referenced Draft Environmental Impact Report (DEIR) for the Village at Playa Vista Project (project) in the City of Los Angeles (City).

The Department is identified as a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA) Sections 15386 and 15381, respectively, and is responsible for the conservation, protection, and management of the state's biological resources. Additionally, the Department is responsible for administering the California Endangered Species Act, (CESA, Fish and Game Code Section 2050 et seq.) which regulates the take of species listed as threatened or endangered or considered rare in the state, and the Streambed Alteration Agreement program (Fish and Game Code Section 1600 et seq.).

**Response 11-1**

The comment provides background information on the letter submittal in light of the Agency's role as a trustee agency and a responsible agency. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 11-2**

The 111.0-acre project site is located in the Playa Vista area of West Los Angeles. The project includes an Urban Development component, with commercial and residential development, and a Habitat Creation/Restoration component, to include restoration of habitats along Westchester Bluffs and Centinela Ditch adjacent to the project site. The Habitat Creation/Restoration Component would include the onsite restoration of 6.7 acres as part of a 25-acre riparian corridor along Centinela Ditch which connects with the Playa Vista First Phase Freshwater Marsh. The project also includes 5.0 acres of bluff restoration to enhance the use of the corridor by wildlife. According to the DEIR, approximately 45.3 acres of the site is developed with buildings, paved lots and other structures. Approximately 60.2 acres of the site is currently undeveloped and dominated by non-native plant species interspersed with a few native species. Approximately

4.0 acres are identified as stormwater detention basins/flooded areas and approximately 1.5 acres supports coyote brush scrub, a native vegetation community.

### **Response 11-2**

These comments paraphrase portions of the Project Description, and information provided in Table 66, Vegetation Acreages, on page 529 of the Draft EIR. Specific comments regarding the review of the Draft EIR and responses follow.

### **Comment 11-3**

A qualified biologist will survey for nests prior to any earthmoving activities during the avian breeding season. The survey will be conducted within three days before any clearing/grubbing activity and will include the area of influence and a suitable buffer. If nests are found, the nest and a suitable buffer area will be protected until the young have fledged.

### **Response 11-3**

The comment paraphrases the first mitigation measure presented in Subsection 4.0, Section IV.D, Biotic Resources, on page 550 of the Draft EIR.

### **Comment 11-4**

A snowy egret (*Egretta thula*), a federal species of concern, was observed foraging near the base of Centinela Ditch during surveys. A Cooper's hawk (*Accipiter cooperii*), a California Species of Special Concern, was also observed flying over the project site. No other sensitive plant or wildlife species were observed onsite.

### **Response 11-4**

The commentor correctly notes that a snowy egret and Cooper's hawk were observed foraging or flying over the project site, as described in Subsection 2.2.1.4, Section IV.D, Biotic Resources, on page 535 of the Draft EIR.

### **Comment 11-5**

The Department offers the following comments and recommendations on your project:

According to Page 358 of the DEIR, the creation of the freshwater marsh downstream was approved as part of Playa Vista Phase I (Phase I) and was designed to capture and treat runoff from the project and Phase I before entering Ballona Wetlands salt marsh downstream. The project should ensure post-implementation hydrologic conditions are consistent with plans



developed with Phase I to ensure habitat restoration efforts at the downstream freshwater marsh can be maintained.

### **Response 11-5**

As described in Subsection 4.0, Section IV.C.(1), Hydrology, of the Draft EIR beginning on page 394, the completion of the Riparian Corridor (i.e., the last segment of the Freshwater Wetland System), will be constructed to the satisfaction of the City's Department of Public Works and/or other responsible agencies (e.g., Army Corps of Engineers in conformance with Permit No. 90-426-EV). This will complete the overall Freshwater Wetland System as approved in the Corps permit and the Streambed Alteration Agreement No. 5-639-93. The Operations, Maintenance and Monitoring Manual for the Ballona Freshwater Wetlands System, dated October 2001 (the "O&M Manual") is part of the Draft EIR, as it is attached as Appendix F-2 to the Draft EIR. The O&M Manual is the primary document discussing compliance with Performance Criteria (see Subsection 3.4.1.2.8 on page 503). Performance criteria require hydrologic conditions to be maintained as required by the Corps permit and the Streambed Alteration Agreement.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 11-6**

The Department requests that a copy of the Habitat Creation/Restoration Plan be provided for our review and approval. The plan should include specific success criteria and long-term maintenance provisions and include a perpetual funding source.

The Department appreciates the opportunity to comment on your project. Questions and comments concerning this letter should be directed to Warren Wong, Biologist in the Department's South Coast Region, at (858) 467-4249.

### **Response 11-6**

The Habitat/Creation Restoration Component of the Proposed Project would be constructed in accordance with the Habitat Mitigation and Monitoring Plan (HMMP) for the Ballona Freshwater Wetlands System and a bluff restoration plan. The California Department of Fish and Game previously reviewed and approved the HMMP, which includes the Freshwater Marsh and Riparian Corridor, in its issuance of the Streambed Alteration Agreement No. 5-639-93. The Agreement specifically references and requires compliance with the HMMP. The HMMP is included within the reference library for the Draft EIR; the Streambed Alteration Agreement No. 5-639-93 is included in Appendix G-1 of the Draft EIR. The portion of the Riparian Corridor within the Proposed Project would be constructed in conformance with the HMMP and the Streambed Alteration Agreement.

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A draft bluff restoration plan, including success criteria and long-term maintenance provisions, is included within the Appendices to this Final EIR.

The Master Homeowner's Association for the Proposed Project will be the Playa Vista Parks and Landscape Corporation (PVPAL), which has been established and currently governs the adjacent First Phase Project at Playa Vista. PVPAL has the power and duty to maintain the Playa Vista common areas, including the restored bluffs, in accordance with the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Playa Vista as well as the Covenants and Agreements associated with the vesting of the tract map (these items are located in the Reference Library for the Final EIR). Both of these documents "run with the land" and are binding against all successors. PVPAL is funded by homeowner assessments and builder assessments; upon project buildout, the PVPAL annual budget is expected to be approximately \$12 million per year and sufficient to meet all of its obligations. All sources of funds are expected to last in perpetuity based on the agreements outlined above.

The Ballona Wetlands Conservancy has the duty to maintain the Freshwater Marsh and Riparian Corridor in accordance with the Settlement Agreement entered into by the Friends of Ballona Wetlands, the Army Corp of Engineers, the City of Los Angeles, and the Applicant's predecessor in interest. The Conservancy is funded in perpetuity independently of PVPAL, with funds from the commercial operations, as well as funds created upon the sale of residential units, in both the previously approved First Phase Project and the Proposed Project.

**LETTER NO. 12**

Department of Toxic Substances Control  
Edwin F. Lowry, Director  
1011 North Grandview Avenue  
Glendale, CA 91201

December 22, 2003

**Comment 12-1**

Thank you for providing the Department of Toxic Substances Control (the Department) with an opportunity to review the Draft Environmental Impact Report (EIR) for the Village and Playa Vista Project (ENV-2002-6129-EIR, SCH NO. 20022111065). The Department has had an ongoing interest in the Playa Vista Project and has submitted comments on several critical Health Risk Assessment documents to the Los Angeles Regional Water Quality Control Board (LARWQCB). The LARWQCB is the lead agency for the Playa Vista Project.

**Response 12-1**

This comment establishes the commentor's interest in the Proposed Project. Comments on the Draft EIR are presented and responded to in the remainder of the letter. Please note that pursuant to Section 15051 of the State CEQA Guidelines, the City of Los Angeles is the CEQA Lead Agency. The Regional Water Quality Control Board (RWQCB) is a responsible agency pursuant to CEQA. The RWQCB, however, is the lead agency for remediation of contamination at the Proposed Project site.

**Comment 12-2**

1. The Department's comments on the Chief Legislative Analyst's Report (CLA).

The comments we are submitting on the EIR are consistent with our earlier comments. It is important to note that the Department did comment on the City's Chief Legislative Analyst's report on May 29, 2001. Since our comments were not included in the comments provided in the EIR in Technical Appendix J we are providing them with this letter. We recognize that our comments on the CLA report were submitted late.

**Response 12-2**

The responses of the City's Chief Legislative Analyst and the RWQCB to the DTSC's comments to the May 2001 CLA Report are in the Appendix for the Final EIR. The responses of the

Applicant to the DTSC's comments to the May 2001 CLA Report are contained in *Addendum to Phase 1 Residential Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Responses to Comments*, dated September 19, 2002 and *Attachment to Addendum to Phase 1 Commercial Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Response to Comments*, dated November 27, 2002, which are in the reference library for the Draft EIR and also have been added to the Appendix for the Final EIR for the Proposed Project.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 12-3**

#### **2. Methane Site Assessment**

The Department's primary concern is whether the development at this site would be safe for occupancy in view of the evidence of significant methane concentrations in the subsurface and the location of a subsurface natural gas storage area in the vicinity of the site. There are subsurface concentrations of methane greater than 150,000 ppmv (15%) and, indeed, these concentrations exceed the Upper Explosive Limit for methane. The draft EIR states that the Los Angeles City Department of Building and Safety (LADBS) is requiring prospective developers at the first phase project to complete a methane site assessment (page 670). The Department recommends that an advisory developed jointly by the Los Angeles Regional Water Quality Control Board and the Department be utilized in performing the assessment. The advisory provides consistent methodologies for soil gas investigations. The methodologies have been reviewed by government organizations and by the soil gas consulting community. This document is available on the Department's web page.

### **Response 12-3**

Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 700-717, provides a detailed discussion regarding methane assessments and data and is supported by Appendices J-4 to J-10, J-14, and documents in the reference library for the Draft EIR. As shown in Figure 59, on page 716 of the Draft EIR, approximately 0.05% of the Proposed Project site contains sub-surface concentrations of methane greater than 150,000 ppmv (15%). These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477.

As stated in the September 16, 2003 letter from the California Environmental Protection Agency Secretary, Winston Hickox, to Grassroots Coalition (See the Appendix of the Final EIR), the RWQCB and the DTSC do not have regulatory authority or jurisdiction over naturally occurring methane or oil field gas issues. Secretary Hickox further noted that "the City of Los Angeles, Department of Building and Safety and the State of California Department of Conservation, Division of Oil, Gas and Geothermal Resources have authority over the oilfield gas issues." The

City of Los Angeles Department of Building and Safety has authority over methane gas issues only.

As discussed in Section 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, on pages 700-716, the LADBS's independent peer reviewer, Exploration Technologies, Inc. ("ETI"), designed and completed a soil gas survey consisting of 812 sample locations placed on a 100 foot staggered grid over the adjacent Playa Vista First Phase Project Site and onto the Proposed Project Site. Subsequently, over 200 additional locations were sampled in the Proposed Project Site pursuant to a sampling protocol developed in consultation with and approved by LADBS and ETI. These studies provide a baseline of soil gas data. In addition to these baseline assessments, as described in Subsections 2.1.3.3, 3.4.4 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, on pages 669-670, 732-33 and 738-739, respectively, and Appendix J-14, prior to issuance of building permits, prospective builders will complete additional soil gas assessments. See also Topical Response TR-12, Soil Gas, on page 477.

The methane mitigation systems and monitoring and maintenance of the systems are described in Subsections 2.2.4.1.2.2 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 710 and 736, respectively, and Appendices J-6 and J-14 of the Draft EIR. These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477.

As discussed in Appendix J-14 of the Draft EIR, individual building methane mitigation systems at the Proposed Project will be tested, maintained and serviced by a licensed methane mitigation engineer to the satisfaction of the Fire Department and the Department of Building and Safety to make sure they work properly.

With regard to the advisory suggested by the commentor, it is assumed the referenced advisory is the *Advisory – Active Soil Gas Investigations*, dated January 28, 2003. The suggestion to utilize such advisory is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

#### **Comment 12-4**

The discussion on page 707 is misleading. The section states, "The vast majority of the adjacent Playa Vista First Phase Project site has methane concentrations that are less than 1.25 percent." The data, which would support this statement, is not provided. In fact the map on the next page shows several significant areas of Phase I with over 150,000 ppmv concentrations of methane. An even larger percentage of land addressed in the map is near to, or within, the lower and upper explosive limits (50,000-150,000 ppmv). The map does not cover all of Area D. The CLA report included in the Appendix does have a less clear map with similar data for the entire site. In reviewing this map it would appear that areas with high concentrations of methane are found through out the site. Information on page 711 appears to reflect incorporation of the Department's recommendation that the methane threshold of 12,500 ppmv be adopted. Can this be confirmed?

**Response 12-4**

The Draft EIR discussion of methane concentrations in the adjacent Playa Vista First Phase Project site on page 707 is supported by Subsection 2.2.4.1.2.1 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 703-707, Appendices J-6 and J-10 of the Draft EIR and documents in the reference library of the Draft EIR. Figure 58 on page 708 of the Draft EIR illustrates that over 90 percent of the western portion of the First Phase Project contains concentrations of methane that are less than 1.25 percent (12,500 ppmv). The balance of Area D is illustrated in Figure 58, on page 716 of the Draft EIR, and Figure 2.1 of Appendix J-2, contained in Volume XVI of the Draft EIR. As shown in Figure 2.1, only a very small area within the eastern portion of the First Phase Project contains concentrations of methane above 1.25 percent.

Methane mitigation has been required at the adjacent Playa Vista First Phase Project site for all buildings, even if no methane is detected at the building site. There are three levels of mitigation: Level I for sites with less than 100 ppmv of methane; Level II for sites with 100 ppmv to 12,500 ppmv of methane; and Level III for sites above 12,500 ppmv of methane. As stated in Subsection 2.2.4.1.2.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 711, all sites in the Proposed Project would require a building mitigation system that includes at least a gravel blanket, with pipes to ventilate methane gas from underneath the building, an impermeable methane membrane underneath the building, and a methane detection alarm system within the building.

**Comment 12-5**

The text on page 709 states that the Fountain Park Apartments on the Playa Vista phase I project is completely built. The EIR does not provide specific information on the methane controls actually installed in the Fountain Park Apartments. If monitoring has been installed it would be useful to provide data on the monitoring results.

**Response 12-5**

The Fountain Park Apartments are part of the adjacent First Phase Project approved in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December, 1995.

The methane mitigation system for the Fountain Park Apartments is consistent with the methane mitigation guidelines for the adjacent Playa Vista First Phase Project site described in Subsection 2.2.4.1.2.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 711, and Appendix J-6 of the Draft EIR.

The design of the methane mitigation system and methane monitoring for the Proposed Project is addressed in Topical Response TR-12, Soil Gas, on page 477. As discussed in Appendix J-14 of

the Draft EIR, individual building methane mitigation systems at the Proposed Project will be tested, maintained and serviced by a licensed methane mitigation engineer to the satisfaction of the Fire Department and the Department of Building and Safety to make sure they work properly.

**Comment 12-6**

The text on page 728 correctly states that underground utility corridors on gravel beds could act as lateral conduits for gas migration and/or for buildup of methane concentrations within underground vaults. However, mitigation measures to prevent these potential circumstances are not, but should be identified.

**Response 12-6**

The mitigation of utility vaults would occur with the preparation of a methane safety plan prior to issuance of a B-permit for public works projects or subsurface utility improvements within the Proposed Project site as described under Subsection 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 738, and Appendix J-14 of the Draft EIR.

**Comment 12-7**

It is exceedingly important that the proposed mitigation measures for Area D and the mitigation measures currently installed in the Phase I portion of the project be rigorously maintained and monitored. Since hydrogen sulfide has also been detected in the sub-surface gases, it is also important to inspect the systems periodically for signs of corrosion over time. Therefore, it is critical that trained personnel be responsible for maintaining the complex system of methane gas controls.

It is our understanding that the responsibility for maintaining these systems will ultimately fall with the Project's homeowners association. It will be critical for this association to have adequate expertise and training in order to properly carry out this important task.

**Response 12-7**

The methane mitigation systems and monitoring and maintenance of the systems are described in Subsections 2.2.4.1.2.2 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 710 and 736, respectively, and Appendices J-6 and J-14 of the Draft EIR. These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477.

As discussed in Appendix J-14 of the Draft EIR, individual building methane mitigation systems at the Proposed Project will be tested, maintained and serviced by a licensed methane mitigation engineer to the satisfaction of the Fire Department and the Department of Building and Safety to make sure they work properly.

There is no evidence, during decades of successful operation of methane mitigation systems with membranes, in many California jurisdictions, and in locations with orders of magnitude higher levels of hydrogen sulfide than the Proposed Project site, that the systems have been compromised by hydrogen sulfide. The mitigation systems have worked well in extreme environments such as hazardous waste landfills, even in many cases without the multiple layers of protection proposed for the Playa Vista development. The membrane material must pass rigorous ASTM tests for hydrogen sulfide and BTEX permeability, acid exposure, oil resistance, heat aging, chemical incompatibility and other tests. The vent pipes of high-density plastic, also used in industrial sewer and gas pipelines for decades, have not been compromised by hydrogen sulfide nor sulfuric acids at normal temperatures.

### **Comment 12-8**

On May 1, 2002, the United States Environmental Protection Agency (USEPA) submitted comments to the LARWQCB on several issues regarding Playa Vista. The comments were in response to requests for EPA review and feedback on several documents. The USEPA recommended that the appropriate agency or agencies 1) develop effectiveness criteria for the methane system 2) identify a lead agency for maintenance/management and response to issues regarding the system and develop an action plan to be implemented if the system fails to meet effectiveness criteria or if the methane alarm is triggered or if there is an accidental release. We support their recommendations.

### **Response 12-8**

The City Department of Building and Safety and the State of California Department of Conservation, Division of Oil, Gas and Geothermal Resources have authority over the oilfield gas issues. The City Fire Department also has jurisdiction over maintenance and emergency procedures.

As requested in the referenced letter, the Department of Building and Safety has developed criteria for development of methane mitigation systems and has identified agencies within the City to monitor maintenance of these systems. The methane mitigation systems and monitoring and maintenance of the systems are described in Subsections 2.2.4.1.2.2. and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 710 and 736, respectively, and Appendices J-6 and J-14 of the Draft EIR. These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477. As discussed in Appendix J-14 of the Draft EIR, individual building methane mitigation systems at the Proposed Project will be tested, maintained and serviced by a licensed methane mitigation engineer to the satisfaction of the Fire Department and the Department of Building and Safety to make sure they work properly.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.



**Comment 12-9**

The USEPA understood that the LARWQCB would be requiring Playa Capitol [*sic*] to conduct a full risk assessment for all of Area D after thorough site characterization is complete and prior to initiating final remediation and construction activities. The USEPA recognized that the use of individually derived, compound-specific, risk-based cleanup levels could be an approach that would sufficiently address potential health risks due to exposure to a single or a few contaminants. In and of itself however, it may not completely address the potential for aggregated health risks due to the combined effects of simultaneous exposures to multiple contaminants, especially in a situation where many contaminants are present on a site, as is the case at Playa Vista. For this reason the USEPA recommended a cumulative risk assessment be performed at Playa Vista to ensure that these combined effects do not create an unacceptable level of risk.

The Department recommends that a cumulative (multi-chemical, multi-pathway) risk assessment be performed for the site when a thorough site characterization is completed. This is particularly important for any areas of residential development.

**Response 12-9**

On October 25, 2003, the USEPA issued an Expanded Site Inspection Report for the Playa Vista site (See the Appendix of the Final EIR). The report contains the results of an evaluation conducted by the USEPA under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), commonly known as “Superfund.” The purpose of the study was to determine if the site qualifies for placement on the National Priorities List based on historical industrial contamination and ecological issues. The USEPA determined that the Proposed Project site does not qualify for Superfund listing and no further assessment by USEPA is warranted.

As stated in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, at page 668, and in documents in the reference library, a cumulative post-remediation risk assessment for the Proposed Project site will be performed by a qualified environmental engineering firm upon completion of all remediation activities within the Proposed Project and adjacent First Phase Project sites, and submitted to the RWQCB (the lead agency under CAO 98-125). This assessment will also follow the applicable U.S. EPA and Cal-EPA guidance for conducting human health risk assessments.

**Comment 12-10****3. Testing for Dioxin and Furan Contamination**

On page 686, mention is made of the former fire training burn pit and former test sites. If any data exists re: dioxin and furan contamination in these areas, it should be mentioned here. If testing has not been done for these chemicals, it should be stated here. Dioxin and furan

contamination could extend beyond the immediate locations of the burn pit and the former test site. We were not able to identify any data in the EIR that would address this concern.

Thank you for providing the Department of Toxic Substances Control (the Department) with an opportunity to review the Draft Environmental Impact Report (EIR) for the Village and Playa Vista Project (ENV-2002-6129-EIR, SCH NO. 20022111065). Please contact me with any questions you may have (818-551-1925).

### **Response 12-10**

The Draft EIR provides a detailed discussion of soil and groundwater contamination at the Proposed Project site and the adjacent Playa Vista First Phase Project site in Subsection 2.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 682-700, and is supported by Appendices J-1 to J-3 and J-7 to J-13 of the Draft EIR.

As discussed on page 4-5 of Appendix J-3 of the Draft EIR, soil samples collected from a boring at the location of a former incinerator and incinerator pit in the former Salvage Yard at the Proposed Project site were analyzed for dioxins and furans. Of three samples analyzed, only one detected dioxins and furans above the laboratory reporting limit at 3.7 picograms per gram and this detection was below the residential preliminary remediation goal (PRG) of 3.9 picograms per gram.

In August 2001 and in September and October 2002, soil sampling was conducted in the former Fire Safety Training Area in the First Phase Project site to assess if the area was impacted with dioxins and furans from historic uses. In total, 26 soil samples were collected from 14 locations and analyzed for dioxins and furans. Concentrations of dioxins and furans were below the residential PRGs at 12 of the 14 locations. Two samples exceeded the residential PRG for dioxins and furans. Soil excavation of the two areas was initiated in late 2003 to remediate these localized areas. Subsequent confirmation sampling is being performed at each location to verify the adequacy of remediation (See Preliminary Endangerment Assessment, Tentative Tract Map No. 49104-07 Lots 5 (Western Portion) & 6 (Eastern Portion) Playa Vista Property, December 5, 2003; Letter Report to Mr. Adnan Siddiqui, RWQCB, Former Fire Safety Training Area – Phase 1 Project Area, Additional Soil. Characterization Activities for Dioxins and Furans, Playa Vista Site, Los Angeles, October 16, 2002, which are in the reference library for the Final EIR.)

### **Comment 12-11**

#### **MEMORANDUM**

TO: Dennis Dickerson  
Executive Officer  
Regional Water Quality Control Board

FROM: Florence Gharibian, Chief

Department of Toxic Substances Control  
Statewide Compliance Division--Glendale

DATE: May 29, 2001

SUBJECT: CITY INVESTIGATION OF POTENTIAL ISSUES OF CONCERN AND HUMAN HEALTH RISK ASSESSMENT: PLAYA VISTA DEVELOPMENT, LOS ANGELES, CALIFORNIA

The Department of Toxic Substances Control (DTSC) received a March 12, 2001 letter from the City of Los Angeles - Office of the Chief Legislative Analyst, regarding the Playa Vista Development site. The letter requests DTSC's review and comment on a report prepared by their office, as well as a risk assessment. Seeking supporting information, DTSC also obtained a report specifying health based remediation goals from your office. We are providing our comments on these documents to you, and providing a copy to the city, with the recognition that the Los Angeles Regional Water Quality Control Board is the designated state lead agency overseeing this site.

The following documents were reviewed:

- City Investigation of Potential Issues of Concern for Community Facilities District No. 4 (CIPIC), March 2001;
- Human Health Risk Assessment (HHRA), Kleinfelder Inc., February 6, 2001;
- Health-Based Remediation Goals (HBRG), Integrated Environmental Services Inc., February, 2000.

These documents evaluate potential risk factors associated with the site. It is DTSC's understanding that the purpose of the HHRA is to specifically address the indoor air inhalation exposure pathway associated with benzene, toluene, ethyl benzene, xylene (collectively BTEX), and hydrogen sulfide, while the purpose of the HBRG is to conservatively calculate health based remediation goals for all potentially hazardous constituents in soil and groundwater. With regard to these documents, DTSC has the following general comments:

- 1) From the information DTSC has been given, it appears that an ecological risk assessment was not performed for the site. DTSC recommends that an ecological risk assessment be performed as a matter of policy, particularly due to the sensitive ecosystem in and surrounding the project.
- 2) The documents state that future land use of the site includes residential use, yet a residential exposure scenario was not provided in the HBRG's.

Attached are specific comments to the documents. In addition, DTSC has attached general and specific comments from both our Human and Ecological Risk Division, and Engineering and Geologic Support Branch. DTSC acknowledges that the public comment period has already ended as of April 9, 2001.

From the information that has been given, the HHRA and the HSRG for the Playa Vista Development site are incomplete, and DTSC is requesting additional information as outlined in the attached comments. If you have any questions, please contact Nancy Carder at (818) 551-2869 or me at (818) 551-2925.

cc: Mr. Ronald F. Deaton  
Chief Legislative Analyst  
City of Los Angeles  
200 N. Main Street, Room 512  
Los Angeles, California 90012

#### Attachments

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#### MEMORANDUM

TO: Nancy Carder  
Southern California Glendale Office  
Statewide Compliance Division  
1011 North Grandview Avenue  
Glendale CA 91201

FROM: A. Kimiko Klein, Ph.D.  
Staff Toxicologist  
Human and Ecological Risk Division (HERD)

DATE: May 22, 2001

SUBJECT: PLAYA VISTA DEVELOPMENT PROJECT PEA: 36322 SITE: 301024-00

#### Background

The Playa Vista site covers about 1,087 acres of undeveloped land north of the Los Angeles airport and south of the Marina del Rey community. The site has been divided into four geographic areas. Areas A and B are areas of former wetlands, and Areas C and D are former upland areas. Material dredged from the creation of Marina del Rey and the Ballona Creek have been used as landfill material in Areas A and C to the depth of approximately five feet. Area D was used for industrial operations by Hughes Aircraft and McDonnell Douglas Helicopters from the 1930's to 1994 and is the most contaminated of the four areas. Since the 1960s the site has been studied and remedial activities have been completed under the direction of the Los Angeles Regional Water Quality Control Board (LARWQCB). A phased redevelopment of the site is planned which includes residential units, offices, and retail spaces. The plan also includes a restored 350-acre natural habitat containing salt- and fresh-water wetlands, a riparian corridor and

upland habitat. The Human and Ecological Risk Division (HERD) has been requested to provide technical support to the investigation of this site.

#### Documents Reviewed

The HERD reviewed two documents. 1) "Health-Based Remediation Goals, Playa Vista, Los Angeles, California". This document, dated February, 2000, was prepared by Integrated Environmental Services, Inc., for Playa Capital Company, LLC. 2) "Human Health Risk Assessment, Playa Vista Development, Los Angeles, California". This document, dated February 6, 2001, was prepared by Kleinfelder, Inc., for the City of Los Angeles, Department of Public [W]orks/Bureau of Engineering. Both documents were received by the HERD in the first half of May 2001. In addition to these documents, the HERD also received copies of correspondence from the Office of Environmental Health Hazard Assessment (OEHHA) and the LARWQCB.

#### General Comments -- Health-Based Remediation Goals (February 2000)

The OEHHA reviewed and approved the approach described in the Health-Based Remediation Goals document in which a health risk assessment and estimation of health-based remediation levels were combined into one project. The resultant health-based remediation goals (HBRGs) are to be used to Identify soils that need remediation, to verify the completeness of remediation, and to estimate overall residual risk remaining on site after remediation. The HERD concurs that this approach is reasonable. The OEHHA also reviewed and approved the subject HBRG document. In their review, the OEHHA checked algorithms, input parameters, and output results. Therefore, the review of the HERD was cursory and focused on other aspects of the risk assessment.

The HERD's review uncovered two major issues that have been incompletely addressed in this document. The first is the lack of information with regard to any ecological evaluation performed for those areas proposed for restoration. The second is the exclusion of the residential scenario as the basis for calculating health-risk based remediation goals, when it appears that residential units will be built as part of the redevelopment of this site.

#### Specific Comments -- Health-Based Remediation Goals (February 2000)

1. Page 1-5, Section 1.3.1 Soil Investigation and Remediation -- Areas A and C: Soil samples were taken to a depth of four feet below ground surface (bgs). Dredge spoil was deposited as fill to an average thickness of five feet. Therefore the soil results do not characterize the underlying native soil and do not characterize these areas to ten feet bgs, the depth to which the HERD recommends investigation. The HERD assumes that any future land use scenario, including that proposed for this site, could entail the excavation of soil down to ten feet bgs, the placement of the soil on the surface, and consequent potential for direct exposure.

2. Page 1-6, Section 1.3.1 Soil Investigation and Remediation -- Area 8: This area is described as a wetland that has been degraded by urban runoff from upstream industrial areas and having elevated levels of copper, lead, and zinc. However, there is no information given as to whether

this is an area designated for restoration. There is no map showing the location of this wetland, the pathway of historic surface runoffs, and locations of past sampling. There is no table giving the results of the sampling. It is not known if other chemical classes, such as volatile organic compounds (VOCs) were also tested for. Finally, there is no information given as to whether an ecological risk evaluation has been performed for this area if it has been designated for habitat restoration.

3. Page 1-9, Section 1.3.1 Soil Investigation and Remediation -- Area D: In point 4, a chromate waste sump is identified as being located near "Building 35". There is no map showing the location of this building and no indication that soil samples surrounding this sump were ever tested for hexavalent chromium. Impacted soil was removed, confirmation sampling was done, and the results were reported to be below cleanup levels established by the LARWQCB. These cleanup levels are not given, so it is impossible to determine if this removal action was done in a manner that would have been considered acceptable to the DTSC.

4. Page 1-11, Section 1.3.2 Groundwater Investigation and Remediation -- Area D: Four separate plumes are described in the text, but there is no map showing the locations of these plumes, there are no tables listing the contaminants contained in these plumes or their levels, and there is no information describing the treatment system installed or information demonstrating the effectiveness of the treatment system.

5. Page 1-12, Section 1.4 Site Development Plan: The text states that a natural habitat will be restored as part of the redevelopment of this site. However, nowhere in this document is there a map showing the location of this habitat or an ecological screening evaluation of the site or of the area proposed as a natural habitat. These represent serious deficiencies, since much of this site was formerly upland and wetlands habitats. A map showing the proposed location(s) of the restored natural habitat should be provided to the DTSC. If an ecological risk assessment for the area(s) designated for restoration has been done, the DTSC requests a copy for review. If no such assessment has been done, one should be performed immediately in order to determine if there are contaminants of significant ecological concern that must be addressed in the restoration of designated areas of this site. This ecological scoping risk assessment should be performed following the DTSC Ecological Risk Assessment Guidance (1996).

6. Page 1-12, Section 1.5 Use of Health-Based Remediation Goals in Site Remediation: A "90/10" health-based remediation strategy is proposed for this site, but the strategy is not described. Such a description should be included here.

7. Page 1-14, Section 1.6 Objective: The health-based remediation goals are intended to be protective of "human health and the environment". However, no ecological risk based remediation goals have been developed for this site. A human health-based remediation goal for any chemical would not necessarily be protective of ecological receptors. Therefore, it is not correct to state that the goals calculated in this document would be protective of the environment.

8. Pages 2-1 and 2-2, Section 2 Toxicity Assessment; and Table 2-1 Constituents of Potential Concern: The text and footnote to Table 2-1 state that some chemicals "lack certain pathway-

specific toxicological data”. Does this statement mean that some chemicals lack numeric toxicity criteria for specific exposure routes (oral, inhalation, dermal contact)? Please clarify.

9. Page 3-2, Section 3:1.1 Future Land Use and Associated Exposure Scenarios: Three on-site exposure scenarios were chosen for calculating the human health risk-based goals: the construction worker, the office worker, and children at an on-site daycare center. In calculating these goals, it was assumed that there would be no direct contact with soil because of capping with clean soil, cement or vegetation, all buildings would have a vapor barrier, and deed restrictions would be in place. No on-site residential scenario has been used to calculating [sic] health-based remediation goals, despite the statement made in Section 1.4 that residential units are to be built as part of the redevelopment of this site. The text states that deed restrictions “to be implemented at the site” are consistent with the assumed land use. However, the wording of these proposed deed restrictions is not included in this document. The lack of a residential use exposure scenario, the presumptions made with regard to assumed capping of soil, and the lack of information regarding any proposed deed restrictions make this document incomplete and unacceptable to the HERD. A suite of health risk-based goals based on a residential scenario should be performed without the presumptions of protection by capping or restrictions of any deed restriction as the basis for a reasonable maximum exposure (RME).

10. Page 3-4 Figure 3-1 Conceptual Exposure Model: This figure lists the ingestion of foods grown in contaminated soils as being an incomplete exposure pathway without justification. Given the lack of site-specific information presented in this document, community and individual gardens are as likely as any other exposure pathway. This exposure pathway should be included or defensible justification provided for its exclusion.

11. Page 3-10 Section 3.2.3.2 On-Site Operations/Office Personnel; first paragraph: The text states that direct exposure to site soils would require intrusive activities because of effective capping that will take place during redevelopment. As noted in Specific Comment 9 above, the possibility of such capping should not be assumed in developing health-based remediation goals. In addition, residents could engage in gardening activities that would include intrusive activities into site soils.

12. Page 3-11 Section 3.2.3.4 Hypothetical Off-Site resident Adult: In this scenario, the adult at the property boundary is assumed to use the groundwater from the shallow aquifer as a source of tap water. The HERD agrees with the need to evaluate the use of groundwater in exposure pathways, but it is also important to evaluate the shallow groundwater as a potential source of contamination of the deeper aquifers.

13. Page 3-14 Section 3.2.4.3 Ingestion Exposure Routes: As stated in previous specific comments above, capping should not be assumed in developing health-based remediation goals, and the potential for ingesting home-grown produce should be evaluated, at least qualitatively.

14. Page 4-11 Section 4.1.3 Ingestion of Groundwater; and Pages 4-22 through 4-28 Section 4.2.1.3 Soil-to-Groundwater Attenuation Factors: The Seasonal Soil Compartment Model (SESOIL) and Analytical, Transient One-, Two-, and Three-Dimensional Simulator saturated

zone fate and transport model were used to model the migration of chemicals in soil to groundwater and transport in groundwater from source to exposure point. Using these models, a 'safe' soil concentration was back calculated from a "health-protective groundwater concentration". The DTSC geologist should be consulted with regard to the acceptability of using these models and the appropriateness of the parameters input into these models shown in Table 4-6. A list of health-protective chemical-specific groundwater concentrations used in these models is apparently given in Table 5-6. However, the basis of these concentrations is not, but should be, provided.

15. Page 4-3E Section 4.21.5 Indoor Air Attenuation Factors; and Appendix D Summary of Unit Risk Characterization Inhalation of Particulates and Volatiles: The Johnson and Ettinger Model available from the US Environmental Protection Agency (US EPA) for vapor intrusion of soil vapors into indoor air was used to estimate potential indoor air concentrations at this site. Indoor air concentrations were calculated two ways: with the assumption that a vapor barrier and methane collection system would be in place and functioning properly and with the assumption that no vapor barrier would be installed. The text states that calculated indoor air concentrations are presented in Tables D-3 and D-5 of Appendix D.

However, there are no worksheets in Appendix D or elsewhere in this document providing the input parameters used in this model to describe the building characteristics with and without a liner and the sub-surface soil conditions and characteristics used to calculate indoor air concentrations. In addition, indoor air concentrations are not listed in Tables D-3 and D-5. Alpha values are listed in these tables. Therefore, the HERD could not evaluate the use of this model for this site.

16. Pages 4-55 to 4-57 Table 4-11 Aggregate Unit Risk Values for On-Site Receptors: This table lists the summed (aggregate) risk values for all potential chemicals of concern and all human receptors being evaluated. However, there is no discussion of the exposure pathways contributing the most to the aggregate unit risk. Such information could be valuable in deciding what remediation activities should take place.

17. Page 5-11 Section 5.3.2 Final Health-Based Remediation Goals for Inorganic Compounds; Table 5-5 Final HBRGs for Inorganic Compounds in Soil: Initial HBRGs for Inorganic compounds were compared to site-specific background concentrations. However, no information is provided describing the background data set, including the number of background samples taken, the statistical analysis performed and whether the background value represents a maximum value or some statistically identified value, such as the 95% upper confidence limit of the arithmetic mean. This information should be included in this document. In addition, lead is not listed in the table but should be included. The final HBRG for those inorganic compounds known to cause adverse effects in humans, such as arsenic and lead, should be set at site-specific background levels.

Conclusions -- Health-Based Remediation Goals (February 2000)



As also recommended by the OEHHA (memorandum dated December 9, 1999) human health-based remediation goals for soil must be calculated assuming a residential exposure scenario and direct contact with site soil for all chemicals found or expected to be found. This suite of values would serve as the RME-based remediation goals. The remediation goals already calculated may represent one site-specific alternative suite of values. In those areas designated for restoration, ecologically-based remediation goals should be calculated for terrestrial and aquatic receptors. The resultant values should be compared with the human health-based goals in making a decision on the final goals to use for each area to be restored, because human health-based goals are not necessarily protective of ecological receptors.

The HERD assumes that the California Department of Fish and Game (CFG), as the delegated state natural resource trustee, has been contacted by the LARWQCB with regard to classifying those areas to be restored and those areas where natural habitat will be in place along-side residential units. If the DFG has classified any area to be restored as a sensitive habitat, such as a marsh or wetland, an ecological scoping risk assessment should be done to determine if there are contaminant issues that must be addressed and possibly mitigated. The HERD assumes that the Natural Heritage Division of the DFG has been contacted for the current special animal and plant lists for the upland areas. These lists would be useful in the calculation of ecologically-based remediation goals for sensitive species.

#### General Comments and Conclusions -- Human Health Risk Assessment (February 6, 2001)

This is a human health risk assessment only of chemicals present in soil gas at the site via the singular exposure pathway of inhalation of indoor air. The migration of soil gas into indoor air was evaluated using the Johnson and Ettinger Model as modified by the US Environmental Protection Agency (US EPA, 1997). The chemicals evaluated were benzene, toluene, ethyl benzene, xylene, and hydrogen sulfide ( $H^2S$ ).

In contrast to the approach used in calculating the HBRGs, this health risk assessment assumed a residential scenario and did not assume the presence of a vapor barrier under the buildings. This approach is acceptable to the HERD. Also, the input parameters used in the model and their justification were provided in Table 2-1 of this document and in a memorandum from Kleinfelder, Inc., dated April 3, 2001. The data set used to calculate the average vapor concentrations was provided in Appendix B, and the results of the statistical evaluation of that data set are given in Table 2-2. The approach used to input measured soil gas concentrations into the model is acceptable to the HERD.

This health risk assessment is incomplete, because data and maps are not included to show that additional volatile organic compounds (VOCs) have not been detected in the areas where elevated levels of methane were detected.  $H^2S$  is an extremely toxic chemical. The average and maximum  $H^2S$  soil vapor concentrations measured at this site are equivalent to 153 and 57,148  $\mu\text{g}/\text{m}^3$ , respectively. Yet these soil vapor concentrations result in very low indoor air concentrations with calculated hazard quotients of only 0.0001 and 0.051, respectively. Therefore, the HERD requests copies of the model runs used to evaluate this compound for its

review. Finally, there should be a discussion in this health risk assessment on the potential role of the convective flow of methane in transporting VOCs to the surface and into indoor air.

Reviewed by:

Charles D. Miller, DVM, Ph.D.  
Senior Toxicologist  
Human and Ecological Risk Division

Michael Anderson, Ph.D.  
Staff Toxicologist  
Human and Ecological Risk Division

Specific Comments:

CIPIC, Section-5.2, Last Paragraph: DTSC disagrees with the report's statement that the source of H<sup>2</sup>S is not directly associated with methane observed at the site. H<sup>2</sup>S emissions are most likely occurring as a result of the methane gas seepage observed at the site.

HHRA, Chemicals of Concern, Second Paragraph: Soil gas survey depths are stated as being 4 to 4.5 feet below ground surface. DTSC recommends that the top 10 feet of soil must be evaluated when determining risk, in particular indoor air exposure.

HHRA, Appendix B: This Appendix does not include soil gas survey analytical results as it is entitled, but includes five duplicate pages of the same summary table. Actual analytical data, showing concentrations of chemicals of concern, must be included in this Appendix for it to be complete. This missing data is also referenced in section 2.1.1 of the report, as the data from which source vapor concentrations in Table 2-2 were developed. This missing data must be included in the HHRA.

HBRG, Section 1.5, Last Paragraph: The last sentence states that confirmation sampling will verify that residual constituent levels are protective of human health and the environment. This implies that risks to ecological receptors will be evaluated; however, this document does not include or reference an ecological risk assessment for the site.

HBRG, Section 3.1.1: The first paragraph states that residential land use is planned for the site, yet a residential exposure scenario was not evaluated. Later in this section, assumptions are made that vegetation, capped surfaces, imported soil, and vapor barriers validate the elimination of many different exposure pathways. DTSC disagrees with this approach, and recommends that a residential exposure scenario be evaluated when calculating health based remediation goals.

HBRG, Section 3.24:3: This section states that all agriculturally based exposure pathways are not applicable, due to redevelopment plans. This appears to eliminate ingestion pathways with the exception of incidental soil ingestion for on-site construction and operational exposure scenarios. DTSC disagrees with this approach, and recommends including a homegrown produce exposure pathway.

HBRG, Table 5-5, Final HBRGs for Inorganic Compounds in Soil: Lead is missing from this table, and should be included.

HBRG, Section 6.4.3: Groundwater cleanup levels should be protective of the deeper water bearing zones. Fate and Transport of contaminants from soils and the uppermost water bearing zone to deeper groundwater has not been addressed.

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#### MEMORANDUM

TO: Nancy Carder  
Project Manager  
Statewide Compliance Division

VIA: John Hart, P.E.  
Chief, Engineering Services Unit

FROM: Tizita Bekele P.E.  
Hazardous Substances/Engineer  
Engineering Services Unit

DATE: May 15, 2001

SUBJECT: PLAYA VISTA DEVELOPMENT PROJECT METHANE MITIGATION, LOS ANGELES, CALIFORNIA

Document reviewed:

You requested ESU to review the methane mitigation proposal presented in the City Investigation of Potential Issues of Concern For Community Facilities District No. 4 Playa Vista Development Project, prepared by City of Los Angeles Office of the Chief Legislative Analyst, dated March 2001.

Summary of Document:

The Playa Vista Development project includes residential, retail, commercial, library, school, open space, wetland and habitat restoration, recreational areas and infrastructure. The subject document was prepared for the Playa Vista Development project to address a variety of potential risk identified in the proposed development area. The presence of methane gas is one of the potential risk [sic] identified at the project site. Distribution of methane gas was determined by the soil gas survey conducted at the site; furthermore, the pilot test indicates that methane venting is feasible.

The subject document includes three levels of methane mitigation measures based on methane concentrations. Level I--less than 100 ppmv, Level II--100 to 12,500 ppmv, and Level III--above 12,500 ppmv. Methane levels exceeding 150,000 ppmv are shown in Figure 2.1. The mitigation measures depending on the levels of methane, range from passive venting to active mechanical ventilation and subsurface ventilation, installation of methane detection systems, and monitoring and maintenance.

Summary of review:

- 1: Table 2-1, footnote 4, -- Level II and Level III include a mechanical ventilation system that will be triggered when the methane concentration reaches 37,500 ppmv under the impermeable membrane. Although the document indicates that the City of Los Angeles, Department of Building and Safety (LADBS) concluded that the proposed methane mitigation measures would adequately protect public safety, ESU recommends the trigger level be set at 12,500 ppmv which is 25% of the lower explosive limit (LEL) of 50,000 ppmv.
2. ESU recommends considering subsurface mechanical ventilation in Level III area where the methane concentrations exceed 12,500 ppmv.
3. ESU recommends to review the venting system design which is In progress when it becomes available.

Please contact me at (714) 484-5450 if you have any questions.

### **Response 12-11**

The attachments support comments made in Comment 12-2. As such, this comment is addressed in Response 12-2.

### **Comment 12-12**

#### MEMORANDUM

TO: Arthur Heath, Chief  
Remediation Section Chief  
Los Angeles Regional Water Quality Control Board

FROM: Florence Gharibian, Chief  
Statewide Compliance Division--Glendale  
Department of Toxic Substances Control

DATE: December 21, 2001

SUBJECT: PHASE 1 RESIDENTIAL HEALTH-BASED REMEDIATION GOALS:  
PLAYA VISTA DEVELOPMENT, LOS ANGELES, CALIFORNIA

The Department of Toxic Substances Control (DTSC) has reviewed the "Phase 1 Residential Health-Based Remediation Goals" for the Playa Vista Development Project, dated November 9, 2001, prepared by Integrated Environmental Services, Inc (Integrated). This document provides health based remediation goals (HBRGs) for the Phase 1 Residential Area of the project.

DTSC is providing comments to you, the Los Angeles Regional Water Quality Control Board (LARWQCB), as the designated lead state agency overseeing the Playa Vista Development site. Included are general and specific comments to the document. In addition, DTSC has attached comments from our Human and Ecological Risk Division (HERD). If you have any questions, please contact Nancy Carder at (818) 551-2869 or me at (818) 551-2925.

Attachment

cc: Ms. Rachel Loftin  
Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, California 94105-3901

cc. Mr. Matt Etuna  
Public Utilities Commission  
320 West 4th Street  
Suite 500  
Los Angeles, California 90013

Dr. Kimiko Klein  
Staff Toxicologist  
Human and Ecological Risk Division  
Department of Toxic Substances Control  
1001 I Street  
Sacramento, California 95812-0806

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Addendum to Phase 1 Residential HBRGs, dated November 9, 2001

General Comments:

1) DTSC again recommends including a flow chart that references all the health risk assessment documents that contain associated health based remediation goals (HBRGs) or soil cleanup levels (SCLs) for compounds of potential concern (COPCs) in different media for the Playa Vista Project.

2) DTSC recommends that post remedial confirmation sampling and risk assessment be performed on the property before the onset of construction. The post remedial risk assessment should evaluate the indoor air risk of compounds such as hydrogen sulfide and vinyl chloride. This process can be done in phases to better facilitate development.

Specific Comments:

Section ES.4.1, Second Paragraph--The following statement is made regarding the evaluation of exposure pathways--"If any element is missing, no exposure will occur". State what safeguards will be in place to insure that these elements don't change, and what are the contingencies if they do?

Section 2, Third Paragraph--

DTSC recommends including inorganic constituents, that are known to move through soil under certain circumstances (such as hexavalent chromium and lead), to be included as COPCs for development of groundwater HBRGs that will be protective of the underlying Silverado Aquifer that is a regionally significant drinking water source.

DTSC recommends including organics that have been detected in soil in the Phase 1 Residential Development Area to be used as COPCs for development of soil gas HBRGs.

Section 3.1.1--The first three paragraphs imply that contamination will be buried under 11 feet of clean fill, thus eliminating exposure pathways. The document should address the purpose of the fill material, and include an approved grading map.

Section 5, Third Paragraph--A discussion about soil and groundwater contamination at the source areas should be included here. If downward vertical migration of contaminants has occurred through the "tight" clays and silts of the Bellflower aquitard, then upward migration of contaminants is just as possible.

Section 6, Third Paragraph--The text states "Actual risks associated with contamination at the site might not be sufficient, in some areas, to trigger clean-up based on current regulatory policy. Nevertheless, all areas where contaminant levels exceed HBRGs will be addressed." Specify how these areas will be addressed if they, are not cleaned up. For example: What institutional controls will be implemented?

Section 6.4.3, Fourth Paragraph--DTSC recommends removing the statements "Use of HBRGs could lead to overly aggressive remedial decisions", and "failure to meet HBRGs after remediation will not mean that public health is not protected". These statements conflict with the objectives of this document as stated in the Executive Summary and Section 1.4, Objectives and Methodology.

Table 5-17--DTSC recommends the development of a final HBRG for hydrogen sulfide in soil gas. This recommendation is due to the close proximity of the natural gas reservoir and the presence of natural gas at the site.

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#### MEMORANDUM

TO: Nancy Carder  
Southern California Glendale Office  
Statewide Compliance Division  
1011 North Grandview Avenue  
Glendale CA 91201

FROM: A. Kimiko Klein, Ph.D.  
Staff Toxicologist  
Human and Ecological Risk Division (HERD)

DATE: December 20, 2001

SUBJECT: PLAYA VISTA DEVELOPMENT PROJECT  
PCA: 36322 SITE: 301024-00

#### Background

The Playa Vista site covers about 1,087 acres of undeveloped land north of the Los Angeles airport and south of the Marina del Rey community. The site has been divided into four geographic areas. Areas A and B are areas of former wetlands, and Areas C and D are former upland areas. Material dredged from the creation of Marina del Rey and the Ballona Creek have been used as landfill material in Areas A and C to the depth of approximately five feet. Area D was used for industrial operations by Hughes Aircraft and McDonnell Douglas Helicopters from the 1930's to 1994 and is the most contaminated of the four areas. Since the 1980s the site has been studied and remedial activities have been completed under the direction of the Los Angeles Regional Water Quality Control Board (LARWQCB). A phased redevelopment of the site is planned which includes residential units, offices, and retail spaces. The plan also includes a restored habitat containing salt- and fresh-water wetlands, a riparian corridor and upland habitat. Primary oversight for health risk assessment at this site is the responsibility of the Office of Environmental Health Hazard Assessment (OEHHA). However, the Human and Ecological Risk Division (HERD) is providing technical support for this site and has attended a number of meetings between regulatory agencies and the responsible party and consultants.

#### Document Reviewed

The HERD reviewed "Phase I Residential Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California". This document, dated November 9, 2001, was

prepared by Integrated Environmental Services, Inc., for Playa Capital Company, LLC., and was received by the HERD on November 27, 2001.

### General Comments

This document describes the methods used to calculate health-based remediation goals (HBRGs) for the portion of the site to be developed for residential purposes. The HERD assumes that the OEHHA has reviewed this document in depth, has checked the calculations performed and verified the model runs. In addition, there have been a number of meetings between the responsible party and the regulatory agencies at which discussions and agreements have been made with regard to risk assessment methods and parameters. Therefore, the HERD is providing a cursory review that is not intended to be comprehensive in nature. This is a well-written and comprehensive report. Standard human health risk assessment guidance has been followed.

### Specific Comments

1. Page ES-3. Section ES-2 Identifying Chemicals of Potential Concern (COPCs), second paragraph: The text states that "fill materials are carefully selected to be acceptable by residential standards". The Department of Toxic Substances Control (DTSC) has recently published a fact sheet entitled "Clean Imported Fill Material Information Advisory" (October 2001). The HERD recommends the use of this fact sheet for guidance on sampling of fill material, analysis and documentation of results.
2. Page ES-4, Section ES.2 Identifying Chemicals of Potential Concern (COPCs), top paragraph: The text implies that direct exposure pathways were evaluated as if no fill material is in place. However, the presence of fill material was assumed in evaluating the indirect exposure pathways (produce ingestion, inhalation of soil vapors migrating into indoor air). Therefore, please revise the text to include a short discussion on the exposure pathways in which fill material was assumed to be in place and the pathways in which fill material was not assumed to be present.
3. Page 1-5, Section 1.2 Geology and Hydrology: As stated in the HERD memorandum of October 24, 2001, a portion of the subsurface is used as a natural gas reservoir. A description of this reservoir and its approximate boundaries should be included in this section. The gases present in this reservoir should be identified.
4. Page 2-2, Section 2 Toxicity Assessment, second paragraph; and Table 2-1: A) As stated in the HERD memorandum (October 24, 2001), Table 2-1 should include a sub-section listing the chemicals making up the natural gas in the reservoir, such as n-butane, ethane, methane, and propane. These chemicals are of potential concern because of their flammability and/or ignitability. B) There are several sites within the Phase 1 Development Area at which dioxins and furans could be present as products of combustion (farmer fire training burn pit, former test site). Therefore, this class of chemicals should be included in this table.
5. Page 2-2, Section 2 Toxicity Assessment, third paragraph; and Table 2-1: The OEHHA has offered to work with the risk assessors for this site to develop toxicological criteria for chemicals



lacking such criteria. The text states that chemicals lacking toxicological criteria have not been frequently detected, found at high concentrations, or possessing characteristics facilitating off-site migration. The text further states that the lack of toxicity data will not compromise public health. However, no data are presented to support these claims. An additional table should be included that lists the chemicals having no toxicity criteria, their detection frequency, and the maximum concentration detected. A search of toxicity data bases should be carried out for each of these chemicals and a summary given of the results found for each chemical. These results should be analyzed and presented to the OEHHA and a mutual decision made whether toxicity criteria should be developed for any of these chemicals.

6. Page 2-6, Section 2.4 Toxicity Equivalence Factors: The text refers to toxicity equivalence factors in Table 2-3. This table does not appear in this document and is not listed in the table of contents. The table should be included, and the table of contents should be revised.

7. Page 3-3, Section 3.1.1 Future Land Use and Associated Exposure Scenarios, second bullet: The subject of this bullet item is the imported fill soil that will be added to elevate the final grade well above the existing ground surface. A) The intention to place at least 11 feet of fill soil over the entire area designated for residences is stated in several sections of this document. Since this depth of clean fill would dramatically decrease the potential for exposure to site-related contaminants, it is important to know with certainty that this amount of fill will actually be added. Provide the rationale for the elevation of the final grade 11 feet above the present grade. B) Future residents at the site will be potentially exposed to the fill soil rather than the remediated native soil. Therefore, the specifications for this fill should be compared to the guidance described in Specific Comment 1 above. The more stringent specifications should be selected. If other specifications are used, they must be adequately justified. The criteria for specific chemicals to be analyzed for should be included as an Appendix to this document.

8. Page 3-4, Section 3.1.1 Future Land Use and Associated Exposure Scenarios, first paragraph: The text states that domestic water will be supplied by the local municipality, and land use covenants [sic] will prohibit on-site groundwater wells. As stated in the HERD memorandum (October 24, 2001), the HERD usually requires that groundwater as tap water be included in an exposure evaluation unless the Regional Water Quality Control Board (RWQCB) has explicitly excluded that possibility. The HERD requests that the RWQCB provide guidance with regard to the exposure pathways involving the use of groundwater as flap water.

9. Page 3-5, Section 3.2.1 Constituent Sources, third paragraph; and Table 5-17 Final Health Based Remediation Goals (HBRGs) for Organic Compounds in Residential Soil Gas: The text states that soil gas HBRGs are developed to assist with decisions with regard to mitigation prior to remediation of soil and/or groundwater sources. A) The HERD recommends that the soil gas HBRGs presented in Table 5-17, presented in units of  $\mu\text{g}/\text{m}^3$ , also be converted to mg chemical/kg soil using the equations published by the Los Angeles RWQCB in order to facilitate the comparison of these remedial goals with those goals calculated for the other exposure pathways. B) A subsection to this table should be added that provides the numeric criteria to be used for mitigation of methane, hydrogen sulfide ( $\text{H}_2\text{S}$ ) and other gases from the natural gas reservoir that may be encountered.

10. Page 4-7, Section 4.2.1.1 Soil-to-Indoor Air Attenuation Factors, third paragraph; and Tables 4-4 and 4-5 Average Unsaturated Zone Soil Properties for Soil Identified as Fill. Phase 1 Residential Area at Playa Vista, Los Angeles, CA: Soil properties characterizing the fill material were input into the Johnson and Ettinger Vapor Intrusion Model. These properties are taken from data from 20 locations and are tabulated in Tables 4-4 and 4-5. Add a figure showing the locations of these 20 samples in order to confirm that these data represent the area of the site designated for residential purposes.

11. Page 5-1, Section 5 Development of Health-Based Remediation Goals: The text provides a rationale for developing health-based remediation goals (HBRGs) for groundwater assuming exposure only by inhalation of vapors coming from the shallow-most Bellflower aquitard. HBRGs are not developed for the deeper Ballona aquifer. There should be a discussion added to this section on the proposed approach to be taken to address impacts to this aquifer, particularly because of the connectivity of the Ballona aquifer to the Silverado aquifer, a regional drinking water aquifer.

12. Page 5-4, Section 5.3 Final Soil Health-Based Remediation Goals: This section describes the method used to calculate the final soil HBRGs. There should be a discussion added indicating that these final soil HBRGs will be compared to another suite of soil levels that will be calculated for the protection of groundwater.

13. Page 5-5, Section 5.3.2 Final Health-Based Remediation Goals for Inorganic Compounds in Soil: This section describes the method used to calculate the final soil HBRGs for inorganic compounds. Human health risk based goals will be compared to site-specific soil background concentrations. The background concentrations should be further defined as the arithmetic mean of 30 samples.

14. Page 6-4, Section 6.3 Uncertainties in Toxicity Assessment, third paragraph: The subject of this paragraph is the toxicity of 1,1 dichloroethene (1,1-DCE). The HERD notes that the OEHHA does not consider this chemical to be a carcinogen. Therefore, the HBRG for this chemical should be based on its non-carcinogenic systemic toxicity.

15. Table 2-2 Chemical Toxicity Values: A) The source of each numeric criterion should be identified. B) The non-carcinogenic effect of lead is evaluated differently than other chemicals on this list, and this should be so stated in a footnote. The HERD recommends the use of the DTSC leadsread model to calculate a 99th percentile soil concentration resulting in a blood lead level of 10 µg/dl or less.

16. Table 5-1 Initial Soil HBRGs: The soil HBRG for lead is based upon its carcinogenicity. As stated in Specific Comment 14 above, the HERD recommends that a soil lead HBRG should also be calculated based on a blood lead level of 10 µg/dl.

17. Appendix A, Page A-2. A1.1 Soil-to-Outdoor-Air Volatilization Attenuation Factors: The HERD did not critically evaluate the models described in this appendix. However, the Cal/EPA

1999 citation given in this section is incomplete, since there are several 1999 citations listed in the reference. Please correct the citation.

### Conclusions

This report is generally comprehensive in scope but contains deficiencies, particularly with regard to the adequacy of documentation specifying that the fill material is clean and the accounting of all gases in the subsurface with regard to their toxicity or hazard. The deficiencies described above in the specific comments must be addressed.

Reviewed by:

Charles D. Miller, DVM, Ph.D.  
Senior Toxicologist  
Human and Ecological Risk Division

### Response 12-12

The attachments are not referenced in the commentor's letter. These attachments relate to remediation in the previously approved First Phase Project. The responses of the Applicant to these attachments are contained in *Addendum to Phase 1 Residential Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Responses to Comments*, dated September 19, 2002 and *Attachment to Addendum to Phase 1 Commercial Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Response to Comments*, dated November 27, 2002, which were in the reference library of the Draft EIR and also have been added to the Appendix as part of the Final EIR for the Proposed Project.

### Comment 12-13

#### MEMORANDUM

TO: Arthur Heath, Chief  
Remediation Section Chief  
Los Angeles Regional Water Quality Control Board

FROM: Florence Gharibian, Chief  
Department of Toxic Substances Control  
Statewide Compliance Division

DATE: November 5, 2001

SUBJECT: ADDENDUM TO PHASE 1 COMMERCIAL HEALTH-BASED  
REMEDIAION GOALS: PLAYA VISTA DEVELOPMENT, LOS ANGELES,  
CALIFORNIA

The Department of Toxic Substances Control (DTSC) has reviewed the "Addendum to Phase 1 Commercial Health-Based Remediation Goals" for the Playa Vista Development Project, dated September 25, 2000, prepared by Integrated Environmental Services, Inc (Integrated). This document provides health based remediation goals (HBRGs) for the Phase 1 Commercial Area of the project that includes the former Hughes Aircraft facility.

This report is an addendum to the Health Based Remediation Goals, dated February 2000, also prepared by Integrated. DTSC provided comments to the February 2000 document in a letter to you agency dated May 29, 2001.

DTSC is providing comments to you with the recognition that the Los Angeles Regional Water Quality Control Board (LARWQCB) is the designated lead state agency overseeing this site. Attached are general and specific comments to the document. In addition, DTSC has attached comments from our Human and Ecological Risk Division (HERD). If you have any questions, please contact Nancy Carder at (818) 551-2869 or me at (818) 551-2925.

#### Attachment

cc: Ms. Rachel Loftin  
Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, California 94105-3901

Mr. Matt Etuna  
Public Utilities Commission  
320 West 4th Street  
Suite 500  
Los Angeles, California 90013

Dr. Kimiko Klein  
Staff Toxicologist  
Human and Ecological Risk Division  
Department of Toxic Substances Control  
1001 I Street  
Sacramento, California 95812-0806

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ATTACHMENT 1

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Addendum to Phase 1 Commercial HBRGs, dated September 25, 2001

General Comments:

1. DTSC recommends including a flow chart that references all the health risk assessment documents that contain associated health based remediation goals (HBRGs) or soil cleanup levels (SCLs) for compounds of potential concern (COPCs) in different media for the Playa Vista Project
2. DTSC strongly recommends recording a deed restriction for any property that has not been deemed safe for residential (unlimited) use. No mention of a deed restriction is made in this document. DTSC was informed in a conference call on October 17, 2001, that covenants, conditions, and restrictions (CC&Rs) would be the mechanism to restrict use on this property instead. The text of the HBRG Report, February 2000, states that deed restrictions "to be implemented at the site" are consistent with the assumed land use. Provide an explanation for the discrepancy between these two documents.
- 3) DTSC recommends that post remedial confirmation sampling and risk assessment be performed on the property before the onset of construction. The post remedial risk assessment should evaluate the indoor air risk of compounds such as hydrogen sulfide and vinyl chloride. This process can be done in phases to better facilitate development.

Specific Comments

Section ES.4.1, Second Paragraph--The following statement is made regarding the evaluation of exposure pathways--"If any element is missing, no exposure will occur". What safeguards will be in place to insure that these elements don't change, and what are the contingencies if they do?

Section 2, Third Paragraph--In addition to including organic constituents as COPCs for development of soil gas HBRGs, DTSC recommends both organic and inorganic constituents to be included as COPCs for development of groundwater HBRGs that will be protective of the underlying Silverado Aquifer that is a regionally significant drinking water source.

Section 2, Fourth Paragraph--DTSC recommends developing a soil HBRG for lead. This recommendation was made in DTSC's comments to Table 5-5 of the February 2000 HBRG Report, prepared by Integrated Environmental Services Inc., and has not yet been addressed.

Section 5.4, First Paragraph--The text states that Playa Capital Company, LLC "was asked to develop SCLs that are protective of groundwater quality, based on potential for residual contaminants in soil to leach into groundwater. SCLs for 18 selected COPCs were developed and submitted in a letter report to the RWQCB on August 27, 2001." The August 27, 2001 letter only addresses VOCs, and does not address the potential impacts from compounds such as hexavalent chromium. TSC recommends that SCLs be developed for metals such as hexavalent chromium since a plating shop was located at the former Hughes facility.

Section 6, Third Paragraph--The text states "Actual risks associated with contamination at the site might not be sufficient, in some areas, to trigger clean-up based on current regulatory policy. Nevertheless, all areas where contaminants exceed HBRGs will be addressed." Specify how these areas will be addressed if they are not cleaned up.

Section 6.4.3, Fourth Paragraph--The text states "...failure to meet HBRGs after remediation will not mean that public health is not protected." Specify how this will be accomplished.

Table 2-1: Note--HBRGs have not been developed for potential soil gas components such as hydrogen sulfide, toluene, ethyl benzene, and xylene. The notation in [T]able 2-1 states that certain pathway specific toxicity values are unavailable; therefore, HBRGs cannot be calculated for these constituents in those pathways. There are toxicity values for several of these compounds having this notation (attached comments from HERD). DTSC recommends that the table be updated, and changes made to the document accordingly. DTSC understands that the potential risks of these compounds are addressed in the Human Health Risk Assessment (HHRA) prepared by Kleinfelder Inc., February 6, 2001; however, DTSC's comments on the Kleinfelder HHRA have not yet been addressed as of this date. DTSC recommends that these comments be addressed.

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## ATTACHMENT 2

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## MEMORANDUM

TO: Nancy Carder  
Southern California Glendale Office  
Statewide Compliance Division  
1011 North Grandview Avenue  
Glendale CA 91201

FROM: A. Kimiko Klein, Ph.D  
Staff Toxicologist Human and Ecological Risk Division (HERD)

DATE: October 24, 2001

SUBJECT: PLAYA VISTA DEVELOPMENT PROJECT  
PCA: 36322 SITE: 301024-00

## Background

The Playa Vista site covers about 1,087 acres of undeveloped land north of the Los Angeles airport and south of the Marina del Rey community. The site has been divided into four geographic areas. Areas A and B are areas of former wetlands, and Areas C and D are former upland areas. Material dredged from the creation of Marina del Rey and the Ballona Creek have been used as landfill material in Areas A and C to the depth of approximately five feet. Area D was used for industrial operations by Hughes Aircraft and McDonnell Douglas Helicopters from the 1930's to 1994 and is the most contaminated of the four areas. Since the 1980s the site has been studied and remedial activities have been completed under the direction of the Los Angeles Regional Water Quality Control Board (LARWQCB). A phased redevelopment of the site is underway and includes residential units, offices, and retail spaces. The plan also includes a restored 350-acre natural habitat containing salt- and fresh-water wetlands, a riparian corridor and upland habitat. The Human and Ecological Risk Division (HERD) has been requested to provide technical support to the investigation of this site and reviewed several health risk assessment documents in a memorandum, dated May 22, 2001. A teleconference on the subject addendum was held on October 17, 2001.

#### Document Reviewed

"Addendum to Phase 1 Commercial Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California". This document, dated September 25, 2001, was prepared by Integrated Environmental Services, Inc., for Playa Capital Company, LLC, and received by the HERD on October 15, 2001.

#### General Comments

The-HERD assumes that the Office of Environmental Health Hazard Assessment (OEHHA) is reviewing this document in depth. Therefore, although the HERD read the entire document, its review is cursory and not intended to be comprehensive. The document is generally clearly written, and standard human health risk assessment guidance has been followed. However, the HERD has the following specific comments.

#### Specific Comments

1. Page ES-1, Executive Summary: A) The text explains that health-based remediation goals (HBRGs) for contaminated soils in the Phase 1 Commercial Area were approved in July 2000, and a document in preparation will address the development of HBRGs for the residential areas of Phase 1. However, there is no mention of other documents pertinent to the identification of all potential compounds of concern at this site. There is no mention of other documents describing the development of HBRGs for compounds in environmental media, exposure pathways or exposure scenarios not addressed in this document. There is no mention of required mitigation measures that might preclude the development of HBRGs for specific compounds, such as, components of natural gas. A summary description and citations for all documents related to HBRGs should be included in this executive summary. B) Other areas of the Phase 1 will be restored as a riparian corridor, fresh-water wetlands, and upland bluffs. Therefore, the HERD

recommends that appropriate ecological remediation goals be developed for those areas as previously stated in the HERD memorandum, dated May 22, 2001.

2. Page 1-4, Section 1.1 Site Location, History and Development Plan: A) The text states that seven localized areas of groundwater contamination have been identified, and some groundwater remediation activities have been performed. However, these contaminated areas are not depicted on any figure in this document. A figure should be included showing these areas, the sources of the contamination and the location of any treatment facilities. B) The text also states that groundwater remedial activities are scheduled, even though "the current extent of groundwater contamination is not fully delineated". The HERD believes that it is not possible to design and implement appropriate remediation systems without adequate knowledge of the nature and extent of groundwater contamination.

3. Page 1-6, Section 1.2 Geology and Hydrology: The subsurface of this site is described in this section. However, no mention is made of the characteristics of certain areas of the subsurface that have resulted in its use as a reservoir for natural gas. Also, no mention is made of the gases present in that reservoir. The natural gas reservoir and its contents should be described in this section.

4. Page 1-7, Section 1.3 Use of Health-Based Remediation Goals in Site Remediation: A human health risk assessment is to be conducted after remedial activities are completed. The HERD stresses that a confirmation sampling and analysis plan should be submitted to and reviewed by a California Environmental Protection Agency (Cal/EPA) toxicologist to assure that the data will be adequate for the conduct of such an assessment. A similar plan should be developed for those areas earmarked for ecological restoration.

5. Page 2-2, Section 2 Toxicity Assessment; Table 2-1 Constituents of Potential Concern Playa Vista Site: A) The text states that Table 2-1 lists all the organic constituents of potential concern that have been detected in the Phase 1 Commercial Development Area. However, this table does not include those chemicals that have been found, both dissolved in groundwater and as free gases, constituting natural gas, such as n-butane, ethane, methane, and propane. An additional table or sub-section to Table 2-1 should be added that includes these chemicals. These chemicals may not display toxic characteristics but are of potential concern because of their flammability and/or ignitibility. B) A footnote to Table 2-1 states that pathway-specific toxicity values for certain constituents are unavailable, making it impossible to calculate HBRGs. Several of the chemicals so identified, such as hydrogen sulfide and toluene, do have numeric toxicity criteria listed by the OEHHA and/or the US EPA. The HERD recommends that the entire table be reviewed and corrected as necessary. C) In previous site investigations and remedial actions, total petroleum hydrocarbons (TPHs) were identified as contaminants. Explain why TPHs are not mentioned in this table or discussed in the text.

6. Page 3-2, Section 3.1.1 Future Land [U]se and Associated Exposure Scenarios, and Figure 3-1 Conceptual Exposure Model for Commercial Development (CEM), Playa Vista Site: The use of underlying groundwater as a drinking water source has been excluded in this scenario. Although the HERD agrees that drinking water would most likely be supplied by the local municipality, it



has been the policy of the DTSC to assume that any groundwater aquifer could be a potential drinking water source, unless the Regional Water Quality Control Board (RWQCB) has explicitly excluded that possibility. The HERD will defer to the LAWQCB with regard to whether or not ingestion of groundwater as tap water should be evaluated as a potential exposure pathway at this site. However, the HERD recommends that the drinking water exposure pathway be evaluated for the reasons given in specific comment 8 below.

7. Page 4-3, Section 4.1.1.2 Outdoor Air Attenuation Factors: A volatilization emission model is described in this section that calculates chemical- and site-specific ambient air attenuation factors for chemicals volatilizing from groundwater. This model is a series of spreadsheet models developed by Groundwater Services Inc. and published in the Risk Based Corrective Action (RBCA) Tool Kit (1998). Although this model and other methods developed under RBCA have not been approved for use by the DTSC, the HERD understands that the LARWQCB has reviewed and approved of the volatilization emission model for its applicability at this site for the stated purpose.

8. Page 5-1, Section 5 Development of Health-Based Remediation Goals: The text states that vapor migration of volatile chemicals from aquifers beneath the Bellflower aquitard would not occur because of the intervening more shallow groundwater and tight overlying soils. Therefore, the HBRGs for groundwater will only apply to contaminants in the Bellflower aquitard. In addition, since the use of groundwater as a potential drinking water source is excluded (See specific comment 6 above), it appears that there will be no HBRGs to be applied to constituents found in the aquifers beneath the Bellflower aquitard, such as the Ballona aquifer. The Ballona aquifer is described in Section 1.2 as being in direct hydraulic communication with the Silverado aquifer, making it possible for contaminants to move from the Ballona to the Silverado aquifer. The Silverado aquifer is described in Section 1.2 as a regionally significant drinking water aquifer. Therefore, the HERD recommends that HBRGs, such as Maximum Contaminant Level Goals (MCLGs) or Public Health Goals (PHGs), for groundwater beneath the Bellflower aquitard be proposed based on the use of such groundwater as a drinking water source.

9. Page 5-5, Section 5.4 Final Soil Matrix HBRGs and Soil Cleanup Levels for Groundwater Protection; and Appendix E: In Appendix E, Soil Cleanup Levels (SCLs) were calculated for 18 chemicals using the VLEACH model. These SCLs are soil matrix concentrations that are protective of groundwater quality. A) Provide the criteria and explain how these 18 chemicals were selected for these calculations. B) Explain how these SCLs differ from those SCLs calculated in the Health-Based Remediation Goals document, dated February 2000, in which safe soil concentrations were back calculated from a "health-protective groundwater concentration" using the SESOIL and AT123 models.

10. Tables 5-1 through 5-8: A) There are approximately 80 chemicals identified as representing all the chemicals detected in either soil or groundwater in the Phase 1 area. There are 20 chemicals representing all the chemicals detected only in groundwater in the Phase 1 area. For each suite, there are chemicals for which no HBRGs were calculated. These chemicals should be listed separately with a summary qualitative analysis addressing the potential risk or hazard that these chemicals may represent. B) If there are discrepancies between these lists and the list given

in the Health-Based Remediation Goals document, dated February, 2000, an explanation for the discrepancies should be included here. C) In Table 5-7, final HBRGs are presented in units of  $\text{Mg}/\text{M}^3$  and  $\text{mg}/\text{kg}$ . The HERD assumes that the units of  $\text{mg}/\text{kg}$  were converted from  $\text{mg}/\text{m}^3$ . Provide the conversion equation in a footnote to the table.

### Conclusions

The current document is incomplete because of deficiencies outlined above in the specific comments.

### Reviewed by:

Charles D. Miller, DVM, Ph.D.  
Senior Toxicologist  
Human and Ecological Risk Division

### **Response 12-13**

The attachments are not referenced in the commentor's letter. These attachments relate to remediation in the previously approved First Phase Project. The responses of the Applicant to these attachments are contained in *Addendum to Phase 1 Residential Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Responses to Comments*, dated September 19, 2002 and *Attachment to Addendum to Phase 1 Commercial Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Response to Comments*, dated November 27, 2002, which were in the reference library of the Draft EIR and also have been added to the Appendix as part of the Final EIR for the Proposed Project.

**LETTER NO. 13**

California Department of Transportation  
District 7, Regional Planning  
IGR/CEQA Branch  
120 South Spring Street  
Los Angeles, CA 90012

December 22, 2003

**Comment 13-1**

Thank you for including the California Department of Transportation in the environmental review process for the above-mentioned project. Based on the information received, we have the following comments:

The project is expected to generate 1626 AM peak period trips, 2302 PM peak hour trips and 24,244 average daily trips. The traffic generated by the Village at Playa Vista project will contribute to the already poor operating peak period conditions along the nearby I-405 (San Diego Freeway). The Village at Playa Vista project traffic using State Route 90 (Marina Freeway) will ultimately connect to the already congested I-405 Freeway. The 96 cumulative/related projects mentioned in the report will also have a significant impact on peak period freeway traffic conditions. We assume that the trip generation and distribution calculations used for the Village at Playa Vista project are appropriate and acceptable for the Westside area.

**Response 13-1**

The Draft EIR acknowledges that the project traffic will contribute to a cumulative impact on both the arterial and the freeway system, as shown in Subsection 6.0, Section IV.K(1), Traffic and Circulation, of the Draft EIR beginning on page 919. However, the Draft EIR also concludes that the Proposed Project will not create a significant impact on any freeway segment (See Subsection 3.4.6 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 870 and 871; supporting analysis presented on pages IV-11 and IV-12 of Appendix K-2; and Section II.15, Corrections and Additions, of the Final EIR).

**Comment 13-2**

An equitable share contribution for mainline freeway improvements will be needed to mitigate traffic impacts and improve freeway operations along the I-405 Freeway. I-405 HOV lanes from Route 90 to I-10 was identified as a Committed Roadway Improvement. The equitable share contribution was calculated by dividing the number of peak hour PM project trips by the total 2025 projected trips minus existing 2006 TRips [sic] for the I-405 n/o La Tijera Blvd. to the I-10

Freeway. Based on this formula, the equitable share is  $97/(16117-10242)=0.0165$  for the southbound direction and  $8/(16640-10885)=0.00139$  for the northbound direction on the Route 405 San Diego freeway.

A proportional share of cost for planned mainline improvements would be applied as an equitable share. The estimated equitable cost for mainline freeway improvements is calculated to be:  $0.0165$  (equitable share) x \$4.3 million per lane/mile x 5.29 miles = \$375,325 for southbound I-405 improvements [a]nd  $0.00139$  (equitable share) x 4.3 million/lane x 5.29 miles = \$31,618 for northbound I-405 improvements. Proposed Village at Playa Vista traffic mitigation projects for State highways may be applied towards the equitable cost for mitigation measures.

### **Response 13-2**

The comment suggests that the project participate in the funding of the high occupancy vehicle lanes on Interstate 405. As discussed in Response 13-1, above, the project does not have a significant impact on any freeway segment. In addition, the California Department of Transportation does not have any regionally approved transportation funding program in which all new projects participate.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 13-3**

The Project Report for the Lincoln Blvd. widening project from Fiji Way to Loyola Marymount Dr. used 2001 traffic volumes which anticipated the completion of the Lincoln Blvd./Culver Blvd. intersection improvement project. Some discrepancies were found between the Lincoln Blvd. widening Project Report and the Draft EIR. For northbound Lincoln Blvd., the Project report shows 2985 AM/2610 PM (2001 volumes) and the DEIR shows 1491 AM/621 PM (2010 volumes). For southbound Lincoln Blvd., the Project Report shows 2110 AM/3170 PM (2001 volumes) and the DEIR shows 1362 AM/1260 PM (2010 volumes). Compared to the Project Report, the DEIR 2010 volumes appears [*sic*] too [*sic*] be too low.

### **Response 13-3**

The comment questions the differences between 2001 traffic levels produced in the Lincoln Boulevard Project Report (prepared in 1999) to the projected 2010 traffic levels in the Draft EIR. The comment goes on to cite numbers comparing the Project Report traffic volumes to the Draft EIR traffic forecasts and asks why the Draft EIR numbers for 2010 appear to be less than the Project Report projections for the Year 2001.

The 2010 travel forecasts in the Draft EIR are not lower than the Project Report Year 2001 numbers. The attached table compares the commentor's referenced numbers from the 2001

Project Report to the 2010 travel forecasts found in the Draft EIR on Figures 3-6 and 3-7 of Appendix K-4, Intersection 33 data. As can be seen, the Draft EIR numbers are higher than the Project Report numbers.

The Project Report numbers for the Lincoln Boulevard widening project are based on 1997-1998 traffic counts plus traffic growth associated with an ambient growth factor and traffic growth associated with an assumed completion of a set of background related projects. The related projects that were included in the Caltrans Project Report included the full buildout of the Playa Vista First Phase Project plus the completion of a portion of the Playa Vista Master Plan buildout program as it was proposed at the time. The Playa Vista Master Plan program has been significantly reduced as a result of the sale of Area A and portions of Area B to the State of California, and relinquishment of rights to Area C. The Draft EIR provides a full analysis of trip generation through 2010, including the buildout of the Playa Vista First Phase Project and the Village at Playa Vista. It is unclear where the traffic numbers for Lincoln Boulevard as presented by the commentor were obtained. Table 13-3, below, provides a comparison of these numbers for Lincoln Boulevard between Jefferson and Culver Boulevards.

**Table 13-3**

**COMPARISON OF LINCOLN BOULEVARD VOLUMES  
BETWEEN JEFFERSON BOULEVARD AND CULVER BOULEVARD**

<b>Time</b>	<b>Direction</b>	<b>2001 Volumes Project Report</b>	<b>2010 Projected Volumes (Draft EIR <sup>a</sup>) with Playa Vista Drive Bridge</b>	<b>2010 Projected Volumes (Draft EIR <sup>a</sup>) Without Playa Vista Drive Bridge</b>	<b>Caltrans Comment Letter Numbers</b>
A.M.	NB	2,985	2,904	2,952	1,491
	SB	2,110	3,025	3,025	1,362
<b>Total</b>		<b>5,095</b>	<b>5,929</b>	<b>5,977</b>	<b>2,853</b>
P.M.	NB	2,610	3,579	3,852	621
	SB	3,170	3,185	3,185	1,260
<b>Total</b>		<b>5,780</b>	<b>6,764</b>	<b>7,037</b>	<b>1,881</b>

<sup>a</sup> Village at Playa Vista Draft EIR, Appendix K-4, Volumes for Intersection 33, 2010 with Project.

Source: Kaku Associates and Raju Associates, July 2003.

**Comment 13-4**

LINCOLN CORRIDOR TASK FORCE (LCTF) "If and when the agencies of the LCTF are successful in adopting a mutually agreeable set of transportation improvements for the Lincoln Boulevard corridor, the proposed Village at Playa Vista transportation improvements along the same corridor should be re-examined to explore the option of constructing some or all of LCTF improvements in lieu of the Project improvements if it is determined by DOT that (1) the LCTF improvements are regionally superior and (2) they are equivalent or superior in mitigating project-related traffic impact of the Project. If it is determined by DOT that the LCTF

improvements should supercede the Village at Playa Vista improvements, the Applicant shall make a fair-share contribution towards the implementation of the LCTF improvements...” from Jay Kim, INITIAL TRAFFIC IMPACT ASSESSMENT, Page 7.

**Response 13-4**

The above comment quotes the LADOT Assessment Letter located in Appendix K-1 of the Draft EIR.

**Comment 13-5**

A Caltrans Encroachment Permit will be needed for any traffic mitigation measures to be performed within the State Right-of-way including State Route 1 (Lincoln Blvd.), State Route 90 (Marina Freeway), I-405 (San Diego Freeway), I-105 (Century Freeway) and State Route 187 (Venice Blvd.). Traffic improvement projects which cost over \$1 million will need a Caltrans Project Study Report.

**Response 13-5**

An encroachment permit or a Project Report will be prepared as appropriate for any work that is done in a Caltrans right-of-way. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 13-6**

Lincoln Blvd. (State Route 1) and Venice Blvd. (State Route 187) are eligible for relinquishment from the State over to local agencies. We recommend that the City initiate the process to facilitate the relinquishment process.

**Response 13-6**

The issue of relinquishing the control of State Highways is beyond the scope of the Draft EIR. The technical analysis performed on the roadways in the study area is not sensitive to the ownership/operational control of the roadways. The traffic impact analysis and the required mitigation measures are the same regardless of jurisdiction.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 13-7**

Table 116 “Freeway Operating Conditions—Existing”: The document for the latest traffic volumes is much higher than the updated volumes being used. The table needs to be modified to reflect the higher traffic volumes.

**Response 13-7**

The comment states that new data recently published by Caltrans suggests that the existing conditions on the freeways and arterial streets show much more growth than is anticipated in the Year 2006 Traffic levels shown in Table 116 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR. The attached table compares the Caltrans traffic counts for the years 2000, 2001, and 2002 to the 2003 volumes reported in the Draft EIR. The data for 2000 and 2001 was available at the time of the preparation of the Draft EIR and therefore formed the basis for the projection of 2003 conditions. The 2003 conditions were forecast using Caltrans data from 2001 (the latest data available at the time of the analysis) using the hourly and directional factors recommended for each freeway segment. The 2002 data referred to in the comment was published after the completion of the Draft EIR analysis.

**Response 13-7****COMPARISON OF FREEWAY DAILY TRAFFIC VOLUMES**

<b>Freeway Route</b>	<b>Location</b>	<b>2000 Daily Volumes<sup>a</sup></b>	<b>2001 Daily Volumes<sup>b</sup></b>	<b>2002 Daily Volumes<sup>c</sup></b>	<b>2003 Daily Volumes<sup>d</sup></b>
I-405	s/o I-110 Fwy	261,000	263,000	265,000	265,900
I-405	at Redondo Beach Bl.	239,000	245,000	243,000	247,700
I-405	n/o La Tijera Bl.	275,000	293,000	294,000	298,000
I-405	n/o Venice Bl.	304,000	304,000	301,000	309,200
I-405	s/o Mulholland Dr.	270,000	270,000	276,000	274,600
SR 90	w/o I-405 Fwy	76,000	77,000	74,000	78,300
I-10	Lincoln Bl.	170,000	147,000	153,000	149,500
I-10	e/o Overland Av.	265,000	257,000	258,000	261,400
I-10	e/o La Brea Av.	276,000	290,000	293,000	294,900
I-105	e/o Sepulveda Bl.	90,000	82,000	82,000	83,400
I-105	e/o Crenshaw Bl.	242,000	242,000	243,000	246,100

<sup>a</sup> Source: 2000 Volumes on State Highways, Caltrans, 2001.

<sup>b</sup> Source: 2001 Volumes on State Highways, Caltrans, 2002.

<sup>c</sup> Source: 2002 Volumes on State Highways, Caltrans, 2003.

<sup>d</sup> Source: Village at Playa Vista Draft EIR 2003 projected volumes, based on application of growth factors applied to 2001 Caltrans volumes used to determine peak-hour volumes shown in Table 116 of the Draft EIR on page 822.

When comparing the recently published 2002 data to the Draft EIR 2003 numbers, only two of the 11 segments have 2003 numbers less than the new 2002 Caltrans data. These differences are

not material. Based on a review of the data and the normal fluctuations in daily traffic volumes from year to year (as shown in the Caltrans counts from 2000, 2001, and 2002), there is not a material difference in the data presented in the Draft EIR.

The conclusions of the traffic report do not change based on the 2002 existing traffic volumes because the incremental impacts of the Proposed Project are measured by comparing future conditions in Year 2010 with and without the Proposed Project. There would be no increase in significant impacts using the Caltrans data.

### **Comment 13-8**

List of Related Projects: The trip generation for each development needs to be modified using the ITE Trip Generation rates.

### **Response 13-8**

The comparison of the related projects traffic to the projected traffic growth within each Traffic Analysis Zone involved the calculation of the likely traffic generation of each related project using the ITE rates requested in the comment. The methodology used to test the traffic effects of the related background projects is described in Topical Response TR-3, Related Projects, on page 453.

### **Comment 13-9**

To assist us in evaluating the project's impact on the State transportation system, the following exhibits should be included:

- a. Updated traffic volumes for year 2003 to show traffic movements at intersections, highway segments, freeway segments, freeway interchanges and freeway ramps for all analyzed State transportation facilities.
- b. Forecasted Traffic volumes for year 2025 including related projects for intersections, highway segments, freeway segments, freeway interchanges and freeway ramps.
- c. The Village at Playa Vista project traffic volumes for intersections, highway segments, freeway segments, freeway interchanges and freeway ramps.
- d. Cumulative plus project traffic volumes for year 2025 for intersections, highway segments, freeway segments, freeway interchanges and freeway ramps.
- e. Existing 2003 geometric configurations to include intersection lane movements, highway segments with number of lanes, freeway segments with number of lanes including HOV lanes, and freeway ramps with number of lanes.



f. Regional Roadway Improvements for year 2010 for intersections, highway segments, freeway segments, freeway interchanges and freeway ramps.

g. Mitigation measures for roadway geometric improvements for intersections, highway segments, freeway segments, freeway interchanges and freeway ramps.

### **Response 13-9**

Response a. The comments regarding Existing Conditions traffic volumes are discussed in Response 13-7 above. The existing conditions numbers do not have to be updated or recalculated because: (1) they are consistent with Caltrans recent data; and (2) they do not affect the future travel projections on the freeways or other State Highways (because the future projections are based on the results of the travel model forecasts and not on a simple annual increase in existing conditions traffic levels).

Response b. The Project buildout year used in the Draft EIR is 2010. Year 2025 traffic volume projections are not needed for the transportation analysis methodology as presented in the Draft EIR. Year 2025 traffic projections are prepared as part of the necessary Project Report documents as part of the Caltrans project development process when improvements to the State Highway system estimated to cost over \$1 million are under consideration. No such improvements would be necessary as a result of the Proposed Project.

Response c. and d. The project traffic volumes are isolated on street segments and freeway segments as shown on Figures 4-5 and 4-6 on pages IV-7a through IV-7j in Appendix K-2 of the Draft EIR. The intersection volumes for analyzed state transportation facilities are also shown in Appendix K-3 of the Draft EIR. See also Section II.15, Corrections and Additions, of the Final EIR.

The project-only traffic volumes on most of the interchange ramps were an output of the model and are included in the traffic analysis and on the report figures. Based on the data presented in the Appendix figures referenced above, the attached table summarizes the morning and afternoon peak-hour volumes on each interchange ramp on I-405 and SR 90 in the study area.

Cumulative plus Project volumes on the interchange ramps are also shown on the attached table for Year 2010. As discussed under point b. above, year 2025 traffic volume projections are not needed for the transportation analysis methodology as presented in the Draft EIR.

Response e. Lane configurations for study intersections are shown in Appendix Volume 2B of Appendix K-4. Roadway improvement drawings are presented in the Draft EIR in Attachment G to Appendix K-1.

Response f. The regional improvements assumed for 2010 conditions are explained on pages 842 through 846 of Section IV.K, Transportation, of the Draft EIR and on pages III-8 and III-9 of Appendix K-2. See also Section II.15, Corrections and Additions, of the Final EIR.

Response 13-9C&D

Freeway Ramps Volumes

		Volumes P.M PK HOUR				Volumes A.M PK HOUR			
		Project only Direction		With Project Direction		Project only Direction		With Project Direction	
Freeway	Interchange	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B
I-405	Wilshire Bl								
	On-Ramp	0	1	1453	1394	4	1	1554	2049
	Off-Ramp	3	0	1923	1669	4	0	1401	1652
I-405	Santa Monica Bl								
	On-Ramp	0	4	1577	1138	0	1	630	422
	Off-Ramp	3	0	984	1228	5	0	1665	2067
I-405	National Bl								
	On-Ramp	0	2	N/A	359	1	0	75	N/A
	Off-Ramp	4	0	856	N/A	0	10	N/A	1240
I-405	Venice Bl								
	On-Ramp	0	1	512	613	0	0	416	597
	Off-Ramp	2	0	695	670	6	2	590	695
I-405	Culver Bl\ Braddock Dr								
	On-Ramp	3	2	743	502	0	1	231	870
	Off-Ramp	0	3	408	724	0	0	1346	652
I-405	Jefferson Bl								
	On-Ramp	12	12	1151	837	0	18	1004	672
	Off-Ramp	8	34	620	770	44	33	452	1056

Response 13-9C&D

Freeway Ramps Volumes

		Volumes P.M PK HOUR				Volumes A.M PK HOUR			
		Project only Direction		With Project Direction		Project only Direction		With Project Direction	
Freeway	Interchange	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B
I-405	Marina Fwy								
	On-Ramp	41	0	1266	1647	56	14	1184	1652
	Off-Ramp	0	10	1089	1096	0	9	932	1204
I-405	Howard Hughes Way								
	On-Ramp	0	82	710	712	0	45	41	441
	Off-Ramp	57	0	259	977	4	0	245	1262
I-405	La Tijera								
	On-Ramp	0	0	272	110	0	0	524	95
	Off-Ramp	1	2	502	596	0	1	414	727
I-405	Manchester Bl								
	On-Ramp	14	0	520	905	14	0	995	0
	Off-Ramp	0	3	809	675		4	0	639
I-405	Century Bl								
	On-Ramp	0	0						
	Off-Ramp	7		585	365	0	0	477	218
I-405	Century Bl2								
	On-Ramp				579				327
	Off-Ramp	0	4	649	214	0	0	0	479
SR-90	Culver Bl								
	On-Ramp	5	1	1180	253	3	0	1102	584
	Off-Ramp	1	3	175	1099	0	0	169	1085

**Response 13-9C&D**

**Freeway Ramps Volumes**

		Volumes P.M PK HOUR				Volumes A.M PK HOUR			
		Project only Direction		With Project Direction		Project only Direction		With Project Direction	
Freeway	Interchange	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B	N.B/E.B	S.B/W.B
SR-90	Centinela Ave								
	On-Ramp	44	0	781	24	84	0	703	14
	Off-Ramp	12	11	289	260	4	4	306	75
SR-90	I-405								
	On-Ramp	N/A	10	N/A	888	N/A	6	N/A	861
	Off-Ramp	0	0	2913	606	70	0	2231	505

*Source: Kaku Associates and Raju Associates, March 2004.*

Response g. Roadway improvements included in the mitigation program that involve any roadway widening are shown in Attachment G of the Draft EIR in Appendix K-1. No freeway ramp or segment improvements are proposed as part of the project mitigation program.

### **Comment 13-10**

We recommend that construction related truck trips on State highways be limited to off-peak commute periods. Transport of over-size or over-weight vehicles on State highways will need a Caltrans Transportation Permit.

### **Response 13-10**

As requested by the commentor, the Construction Management Plan discussed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 903 and 904 requires the Proposed Project to “schedule construction activities that affect traffic flow on public roadways to off-peak hours to the extent feasible. In addition, Project construction will be conducted in accordance with applicable Caltrans regulations, including Caltrans Transportation Permit Requirements. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 13-11**

The proposed project will need to conform with the National Pollution Discharge Elimination System (NPDES) requirements relating to construction activities and Post-Construction Storm Water Management. To the maximum extent practicable, Best Management Practices will need to be implemented to address storm water runoff from new development. The responsible water quality control agencies will need to review storm water runoff facilities and drainage plans.

### **Response 13-11**

As stated in Subsection 2.1.1.2 of Section IV.C.(2), Water Quality, of the Draft EIR starting on page 402, the State Water Resources Control Board issued the statewide NPDES general permit (known as the General Construction Permit) for stormwater discharges associated with construction activities. The General Construction Permit includes requirements to eliminate or reduce pollutant discharges through the Stormwater Pollution Prevention Plan (SWPPP), which describes the implementation and maintenance of Best Management Practices (BMPs) meeting the technology standards of Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology. To address potential water quality impacts during the construction phase, Subsection 4.0, page 519 of Section IV.C.(2), Water Quality, of the Draft EIR indicates that a proposed mitigation measure is implementation of BMPs under the SWPPP, which will incorporate the Proposed Project. In addition, the Performance Criteria applicable to the Proposed Project (Subsection 3.4.1.2.8, page 503 of Section IV.C.(2), Water Quality, of the Draft EIR) include requirements for a water quality certification issued by the Regional Water Quality Control Board for the Playa Vista development specifying requirements that must be

addressed in the SWPPP, including procedures for stabilizing denuded areas, identification and protection of sensitive areas, reducing gully and rill erosion, construction entrances and periodic street cleaning. (401 Certification at Appendix I (included in the reference library for the Draft EIR).) Additionally, subsection 4.0 of Section IV.C.(2), Water Quality, of the Draft EIR on page 519, lists typical erosion and sediment control BMPs to be required of the construction contractor as a mitigation measure for water quality impacts. As stated in Subsection 3.4.1.1 on page 462, the construction impacts for the Proposed Project will be addressed through revision and administration of the existing SWPPP formulated to provide comprehensive water quality control program for the adjacent Playa Vista First Phase Project construction activities to comply with the General Construction Permit as modified and updated to address Proposed Project construction (inclusive of the Urban Development Component and the Habitat Creation/Restoration Component). As the Proposed Project land uses and topography are similar to the adjacent Playa Vista First Phase Project, its construction activities would be similar to the adjacent Playa Vista First Phase Project and the SWPPP as amended for the Proposed Project would adequately address potential water quality impacts associated with general construction activities. For additional information on the NPDES Stormwater Permit requirements and the Proposed Project's compliance with those requirements, please see Section IV.C.(2), Water Quality, of the Draft EIR and Appendix F-1 of the Draft EIR. The Proposed Project contains numerous post-construction water quality BMPs in compliance with the county-wide public storm drain permit. These measures are discussed in the Draft EIR, Section IV.C.(2), Water Quality, Subsection 3.3.1, beginning on page 453. As discussed in Subsection 3.4.1.2.1 beginning on page 464 of Section IV.C.(2), Water Quality, of the Draft EIR, these BMPs comply with the public storm drain permit and its Standard Urban Stormwater Management Program.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 14**

CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION  
915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814

September 17, 2003

**Comment 14-1**

The Native American Heritage Commission (NAHC) continues to be contacted by local Native Americans and others concerned about the impacts caused by the West Bluff Development, Westchester/Playa del Rey, a related project near the proposed Village at Playa Vista. This project impacted sensitive Native American cultural resources, National Register eligible archaeological sites CA-LAN-63 and CA-LAN-64, as well as CA-LAN-206A. Native American burials were discovered on these sites during grading for this project. The NAHC was unaware of the impacts to the sensitive sites at the West Bluff project until burials were discovered there in June 2003, and the developer was required to comply with California Health Code section 7050.5 and Public Resources Code (PRC) section 5097-98. Before grading was completed on the West Bluff Project 14 different discoveries of Native American human remains were made.

**Response 14-1**

This comment regarding the West Bluff Development does not address the Proposed Project; rather, it is in reference to a separate and distinct project (Related Project No. 24 – West Bluffs) which is considered in the Draft EIR as a related project for purposes of cumulative impact analysis.

This comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 14-2**

There is every reason to believe that the Village at Playa Vista will encounter a significant number on Native American burials, based on past discoveries at CA-LAN-62 in the 1950s. Parts of CA-LAN-62 are within the Village at Play [sic] Vista's area of potential impact (APE). Along with CA-LAN-62, three other archaeological sites, CA-LAN-21 1/H, CA-LAN-1 932H, and CA-LAN-2769, are either within or overlap a portion of the project APE. CA-LAN-62 and CA-LAN-21 1/H have been recommended to be eligible for the National Register of Historic Places. These sites are also within the Ballona Lagoon Archaeological District, which has been determined eligible for the National Register and is listed on the California Register.

**Response 14-2**

Potential impacts to archaeological resources, including impacts on Native American burials, associated with the Proposed Project are addressed in Section IV.P.(2), Archaeological Resources, of the Draft EIR, beginning on page 1199. The Draft EIR identifies and discusses the potential impacts on CA-LAN-62, CA-LAN-211/H, CA-LAN-1932H, and CA-LAN-2769 and concludes, on page 1224, that implementation of the Programmatic Agreement (Appendix O-1 of the Draft EIR) and mitigation measures listed in the Draft EIR would reduce impacts on archaeological resources to a less-than-significant level. The details regarding the cultural resources encountered within the Proposed Project site and treatment plans to address those resources are presented in Appendix O-3 of the Draft EIR, as well as the 1991 Research Design and Data Recovery Plan for CA-Lan-62 and CA-Lan-211, which have been included in the Appendices of the Final EIR.

As reported in the 1991 Playa Vista Archaeological and Historical Project Research Design, archaeological excavations of the western portion of Area D in the 1940s and 1950s, uncovered Native American burials. The current archaeological activities in the western portion of Area D, which have uncovered Native American burials, are part of the First Phase Project. These activities were approved by the City as part of the First Phase Project in a separate EIR (EIR No. 90-0200-SUB(C) (CUZ) (CUB), State Clearinghouse No. 90010510, certified by the City in September 1993. These activities are in compliance with the Programmatic Agreement and the requirements of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.

The exact location of burials and other archaeological resources is not easily predicted, and there are instances where human remains and artifacts are found during construction. As identified in the mitigation measures included in Subsection 4.0 of Section IV.P.(2), Archaeological Resources, of the Draft EIR on pages 1222-1223, efforts will be made to avoid human remains and other archaeological resources. In cases where human remains are encountered, the Applicant shall comply with the Programmatic Agreement and the requirements of the California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. The Most Likely Descendant designated by the Native American Heritage Commission for Playa Vista has provided guidelines for the handling of human remains. These guidelines would be considered in connection with the handling of Native American remains discovered during construction of the Proposed Project.

**Comment 14-3**

A 404 permit from the Army Corp of Engineers (ACOE) has been required for this project. Consultation under Section 106 of the National Historic Preservation Act was required as part of the 404 process. It is interesting that the Programmatic Agreement created under Section 106 for this project dates from 1991. It expired in October 2001 and was extended to 2011, October 30, 2001, through a simple letter of notification. Apparently this was done without the benefit of consultation with the Native Americans that originally signed the agreement. The NAHC believes that it is inappropriate to use a 1991 agreement for a 2003 project. This assumes that



the landscape of Gabrielino/Tongva groups in Los Angeles County has remained the same for over a decade, which is not the case. This could be interpreted as circumventing the intent of the Section 106 process.

### **Response 14-3**

The National Historic Preservation Act requires the ACOE to consult with federally recognized Indian tribes. The Gabrielinos are not a federally recognized tribe. The ACOE went above and beyond the requirements of Section 106 of the National Historic Preservation Act in consulting with non-federally recognized Native Americans in entering into and subsequently extending the Programmatic Agreement.

The Programmatic Agreement was entered into by the ACOE, the State Historic Preservation Officer and the Advisory Council on Historic Preservation in 1991. In October 2001, as part of its consultation responsibilities under the Programmatic Agreement, the ACOE made a concerted effort to identify all Gabrielino organizations that may have had an interest in the Playa Vista project. On June 7, 2001, a letter regarding the proposed extension of the Programmatic Agreement was sent to five Gabrielino groups: the Gabrielino People (Vera Rocha, Chief), the Gabrielino/Tongva Tribal Council (Anthony Morales, Chief), the Gabrielino/Tongva Indians of California (Martin Alcala, Chief), the Coastal Gabrielino/Digueno Indian Band (Jim Velasquez, Chief), and the Gabrielino/Tongva Indians of California (Robert Dorame, Chief). Vera Rocha (Chief, Gabrielino People) and the Gabrielino/Tongva Tribal Council were concurring parties to the Programmatic Agreement in 1991. No objections to the extension of the Programmatic Agreement were received. The State Historic Preservation Officer concurred with the extension of the Programmatic Agreement on September 24, 2001. The ACOE formally extended the Programmatic Agreement on October 11, 2001, to October 22, 2011.

### **Comment 14-4**

Only archaeological sites CA-LAN-62 and CA-LAN-211/H were determined to be subject to CEQA. The Village at Playa Vista Project will impact portions of both of these sites. The project includes mitigation measures acceptable under the California Environmental Quality Act (CEQA), such as archaeological monitoring, and Native American monitoring during ground disturbing activities. Portions of both of these sites will also be preserved while other portions will be subjected to data recovery activities. It appears that a significant section of LAN-211/H will be impacted. While data recovery may be adequate under CEQA, in addressing the site's potential for scientific information, it is not adequate in terms of addressing the cultural impact to affiliated Native Americans. These sites are finite resources that are disappearing daily in the face of development. No amount of documentation can compensate for the loss of these sites, nor recreate them for the Native American Community, either physically or spiritually.

**Response 14-4**

The exact location of burials and other archaeological resources is not easily predicted, and there are instances where human remains and artifacts are found during construction. As identified in the mitigation measures included in Subsection 4.0 of Section IV.P.(2), Archaeological Resources, of the Draft EIR on pages 1222-1223, efforts will be made to avoid human remains and other archaeological resources. In cases where human remains are encountered, the Applicant shall comply with the Programmatic Agreement and the requirements of the California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. The Most Likely Descendant designated by the Native American Heritage Commission for Playa Vista has provided guidelines for the handling of human remains. These guidelines would be considered in connection with the handling of Native American remains discovered during construction of the Proposed Project. As the commentor notes, these mitigation measures are in compliance with CEQA.

This comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 14-5**

The nearby West Bluff Project is just one more example on an ever-growing list. In fact, the Draft EIR for the Village at Playa Vista states, on pages 1224 and 1225: “Although each project must develop adequate mitigation measures to substantially lessen or avoid impacts on an individual basis, the incidental loss of all project study area archaeological resources may constitute a significant cumulative impact.” We believe that there is a ‘cumulative impacts’ issue under CEQA caused by this project which has not been adequately addressed in the Draft EIR, when taking it into account all the past projects that have impacted archaeological deposits in the area, including the West Bluff Project.

**Response 14-5**

As the commentor notes, Section IV.P.(2), Archaeological Resources, of the Draft EIR concludes, on pages 1224-1225, that the loss of project-study area archaeological resources may constitute a significant cumulative impact. The Proposed Project would implement mitigation measures to lessen potential impacts of the Proposed Project on these resources. As the commentor has noted, these mitigation measures are in compliance with CEQA.

**Comment 14-6**

We believe the cumulative impacts to Native American cultural sites caused by past projects within the Ballona region, and potentially by the new Villages at Playa Vista Project, also raises an “Environmental Justice” issue. A central focus of Environmental Justice is whether or not development project alternatives have high and disproportionate adverse environmental effects on a low income population or a minority population. As such, impact equity should be

considered in close and sympathetic consultation with the affected communities. In that the Programmatic Agreement for project is over a decade old, whether “sympathetic consultation” has in fact occurred on this project can certainly be questioned.

#### **Response 14-6**

The environmental impacts of the Proposed Project on archaeological resources has been analyzed in the DEIR (See Section IV.P.(2), Archaeological Resources). See Response 14-3, above. The Most Likely Descendant designated by the Native American Heritage Commission for Playa Vista has provided guidelines for the handling of human remains. The guidelines would be considered in connection with the handling of Native American remains discovered during construction of the Proposed Project. (See Appendix of the Final EIR).

Please also see Responses 14-3 and 14-5.

This comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

#### **Comment 14-7**

CEQA states that preservation in place is the preferred manner of mitigating impacts, such as planning construction to avoid the site, incorporating sites in open-space, capping a site with a layer of soil, or placing it site in a conservation easement. While Native American human remains in of themselves may not be considered a “unique archaeological resource” under CEQA, they are extremely significant to their descendents and the same considerations of avoidance should also be afforded to inadvertent discoveries of Native American human remains. Once an Most Like Descendent (MLD) is designated under PRC section 5097.98, there should be a “good faith effort” by the landowner to explore with the MLD all feasible options for preserving remains in place.

#### **Response 14-7**

See Response 14-4, above. As the commentor notes, although CEQA may not consider Native American remains as a “unique archaeological resource,” the Proposed Project would implement measures to address all significant archaeological sites. The exact location of burials and other archaeological resources is not easily predicted and there are instances where remains and artifacts are found during construction. As stated in the Draft EIR, in cases where human remains are encountered, the Applicant shall comply with the Programmatic Agreement and the requirements of the California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98.

**Comment 14-8**

Mitigation measures proposed on pages 1222 and 1223 state that the curation of materials and records resulting from the implementation of the Programmatic Agreement are to be curated in accordance with 36 Code of Federal Regulations Part 79. The selection of a curatorial facility for materials not determined to be associated funerary objects under PRC section 5097.98 should be done in consultation with culturally affiliated Gabrielino / Tongva people. Furthermore, the “commemorative display center” described on page 1223 should be designed in consultation with culturally affiliated Gabrielino / Tongva people to ensure that materials are displayed in a culturally sensitive manner.

**Response 14-8**

As part of consultation pursuant to the Programmatic Agreement regarding curation, various Gabrielino groups requested that artifacts recovered from the archaeological sites at Playa Vista not leave Los Angeles County. The Fowler Museum at UCLA, which is the only museum in Los Angeles County that meets federal standards (36 Code Fed. Reg. 79), has agreed to curate the collections. Gabrielino groups were notified that the Fowler Museum would accept the material and made no objections. Further, Gabrielino groups will be consulted during the planning of any commemorative display center for Native American artifacts that may occur in the adjacent First Phase Project.

**Comment 14-9**

In summary, based on the above considerations, the NAHC requests the EIR for the Village at Playa Vista addresses the following:

1. Completion of meaningful documented good faith Native American consultation effort under Section 106 of the National Historic Preservation Act, as intended by the 404 process, and execution of a new Programmatic Agreement for the project.
2. Resolution of the “cumulative impacts” issues under CEQA.
3. Addition of a mitigation measure that addresses the possibility of preserving in situ Native American human remains inadvertently discovered during the project.
4. The curation and culturally sensitive treatment of recovered artifacts, not subject to PRC Section 5097.98.

Thank you for the opportunity to comment on the draft environmental impact report for the Village at Playa Vista, I look forward to your response regarding the above requests.

**Response 14-9**

See Responses 14-3, 14-4, 14-5, and 14-8, above.

**LETTER NO. 15**

California Regional Water Quality Control Board  
Los Angeles Region  
320 West Fourth Street, Suite 200  
Los Angeles, CA 90013

**Comment 15-1**

Los Angeles Regional Water Quality Control Board (Regional Board) staff has completed its review of the Draft Environmental Impact Report (Draft EIR) for the proposed Village at Playa Vista Project (Village Project). The City of Los Angeles (City) prepared the Draft EIR pursuant to the requirements of the California Environmental Quality Act (CEQA).

Regional Board is providing comments on the Draft EIR as a responsible agency who provides environmental oversight for the assessment, monitoring and cleanup activities of soil and groundwater impacted from the past industrial activities at Playa Vista Development Project (Playa Vista site), which includes Village Project. In addition, Regional Board is responsible for providing regulatory oversight for the storm water discharges from Playa Vista site.

**Response 15-1**

The comment provides background information on the letter submittal in light of the Agency's role as a responsible agency. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 15-2**

In December 1998, pursuant to California Water Code Section 13304, Regional Board issued Cleanup and Abatement Order (CAO) No. 98-125 (Copy attached) to Playa Capital Company, LLC (PCC). The CAO No. 98-125 required PCC to cleanup and abate discharges of contaminants into soil and groundwater from historical operations at the Playa Vista site, under Regional Board oversight.

Based on the historical operations, six primary areas located within Village Project are identified as potential source of contamination. Since 1983, multiple investigations have been conducted within the proposed Village Project. Based on the results of these investigations the soil and groundwater in the Village Project is found to be impacted with metals and volatile organic compounds (VOCs). In August 2003, Camp Dresser & McKee, Inc. (CDM) submitted a soil and groundwater investigation report, which is currently being reviewed by the Regional Board staff. In essence, the environmental investigation of the Village Project is currently ongoing.

Prior to granting site closure, Regional Board considers threat to human health as well as protection of water resources from the contaminants of potential concern at a site. According to Water Quality Control Plan, Los Angeles Region (Basin Plan) adopted in June 1994, the beneficial uses designated for groundwater in the Santa Monica basin underlying the Playa Vista site include municipal and domestic supply, agriculture supply, industrial process supply and industrial service supply.

### **Response 15-2**

The Applicant has complied and will continue to comply with the Cleanup and Abatement Order (CAO) No. 98-125. For a complete discussion of activities conducted pursuant to the CAO, please refer to Subsection 2.23 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, beginning on page 682.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 15-3**

Regional Board conditionally approved residential and commercial Health-based remediation Goals (HBRGs) in November 2002 (Copy attached). The HBRGs are concentrations of contaminants that may be left in place without being a threat to human health. Regional Board utilize services of Office of Environmental Health Hazard Assessment (OEHHA) in evaluation of threat to human health. In 2001, PCC proposed two sets of soil cleanup levels called Soil Remediation Triggers (SRTs). One set referred to as USRTs and the other set as LSRTs. The USRTs are used to assess potentially significant impacts from soil contamination to the Upper Bellflower Aquitard while the LSRTs are used to assess potentially significant impacts from soil contamination to the Lower Bellflower Aquitard. In November 2002, Regional Board conditionally approved the USRTs and rejected the LSRTs (Copy attached). Regional Board considers California Code of Regulations Title 22 Maximum Contaminant Levels (MCLs) as groundwater cleanup levels.

### **Response 15-3**

The commentor's letter identified four enclosures, including a Regional Board letter of November 1, 2002. The November 1, 2002 letter was not, however, attached to the commentor's letter. For a complete discussion of activities conducted pursuant to the CAO, please refer to Subsection 2.23 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, beginning on page 682.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 15-4**

The environmental assessment, monitoring and remediation of impacted soil and groundwater at Village Project is currently on going and may continue for an extended period of time into the future. The development of the Village Project may be completed before a comprehensive closure (soil and groundwater) is granted by the Regional Board. Therefore, it is essential that an economically viable entity is identified to carry out the environmental responsibilities until a comprehensive site closure is secured.

**Response 15-4**

The Project Applicant is responsible for compliance with the conditions of the CAO. In the event the development of the Proposed Project were completed before a comprehensive closure is granted by the RWQCB, an economically viable entity would be identified to carry out any remaining environmental responsibilities until site closure is secured.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 15-5**

This section of the letter discusses issues specific to storm water and urban runoff discharges from Playa Vista.

**Background**

Surface water from the existing site and the proposed development will flow via different drains and channels to the fresh water marsh and then to Ballona Creek Channel (and Ballona Creek Wetlands, with sufficient volume), and then to the Santa Monica Bay. The Jefferson Blvd storm drain which drains Jefferson Blvd and 221 acres offsite of the Playa Vista Development and 35 acres on. The Lincoln Drain South collects runoff from 91 acres above the Westchester bluffs east of Lincoln and south of Playa Vista property. The Central Drain drains 175 acres from non Playa Vista property, 109 acres from the Playa Vista Phase I and 66 acres from this proposed project. The Riparian Corridor drains 291 acres of non Playa Vista property, 156 acres of Playa Vista Phase I property, and 43 acres from the proposed project.

**Regulatory Framework**

Storm water discharges from Playa Vista are currently regulated by the Regional Board under the State General Construction Activities Storm Water Discharge Permit (State Construction Permit, NPDES No. CAS000002, WDID No. 419C314545). Storm water discharges from construction activity must meet water quality standards. The permit requirements include the implementation of a Storm Water Pollution Prevention Plan (SWPPP) which identifies pollution prevention practices being implemented on site during construction; erosion and sediment controls



measures; monitoring requirements; and post construction controls. The post-construction controls are intended to reduce pollutants in storm water discharges after construction phases have been completed. These must be consistent with all local agency post-construction storm water management requirements, policies, and guidelines.

Additionally, Playa Vista is regulated by the City of Los Angeles and requirements established via the County of Los Angeles Municipal NPDES Storm Water Discharge Permit (Municipal Storm Water Permit, NPDES Permit No. CAS614001). Under the Municipal Storm Water Permit, the City of Los Angeles must reduce pollutant discharges in storm water discharges from the storm drainage system to the maximum extent practicable (MEP standard) and also meet water quality standards. All non-storm water discharges to the municipal separate storm water system must be effectively prohibited.

In the Los Angeles Region, the Regional Board has adopted numerical BMP design standards for post-construction controls, which are expressed in Standard Urban Storm Water Mitigation Plans (SUSMPs). The SUSMP requirements apply to the Village at Playa Vista project (the addition, creation, or replacement) which involves the construction of ten or more homes. Post-construction treatment controls shall be designed to treat, infiltrate or filter storm water runoff from each storm event, up to and including the 85th percentile, 24-hour storm event for volume-based BMPs (Water Quality Volume--WQV), and/or the 85th percentile hourly rainfall intensity, with a safety factor of times 2, for flow-based BMPs (Water Quality Flow--WQF). For Playa Vista, this means, WQV is 1.2 inches of rainfall over a 24 hr period and the WQF is 0.2 inches per hour.

### **Response 15-5**

Subsection 4.0 of Section IV.C.(2), Water Quality, of the Draft EIR on page 519, lists typical erosion and sediment control BMPs to be required of the construction contractor as a mitigation measure for water quality impacts. As stated in Subsection 3.4.1.1 on page 462, the construction impacts for the Proposed Project will be addressed through revision and administration of the existing SWPPP formulated to provide comprehensive water quality control program for the adjacent Playa Vista First Phase Project construction activities to comply with the General Construction Permit as modified and updated to address Proposed Project construction (inclusive of the Urban Development Component and the Habitat Creation/Restoration Component). As the Proposed Project land uses and topography are similar to the adjacent Playa Vista First Phase Project, its construction activities would be similar to the adjacent Playa Vista First Phase Project and the SWPPP as amended for the Proposed Project would adequately address potential water quality impacts associated with general construction activities.

The SUSMP does not require a Water Quality Volume (WQV) of 1.2 inches be used for Playa Vista. Rather, the Final SUSMP, approved by RWQCB on March 8, 2000 states:

“Post-construction Structural or Treatment Control BMPs shall be designed to:

A. mitigate (infiltrate or treat) storm water runoff from either:

the 85<sup>th</sup> percentile 24-hour runoff event determined as the maximized capture storm water volume for the area, from the formula recommended in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998), or

the volume of annual runoff based on unit basin storage water quality volume, to achieve 80 percent or more volume treatment by the method recommended in California Stormwater Best Management Practices Handbook – Industrial/Commercial, (1993), or

the volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a storm water conveyance system, or

the volume of runoff produced from a historical-record based reference 24-hour rainfall criterion for “treatment” (0.75 inch average for the Los Angeles County area) that achieves approximately the same reduction in pollutant loads achieved by the 85<sup>th</sup> percentile 24-hour runoff event,

AND

B. Control peak flow discharge to provide stream channel and over bank flood protection, based on flow design criteria selected by the local agency.”

Therefore, the SUSMP explicitly states the runoff from a 0.75 inch storm event is a sufficient WQV. This WQV as was used in Section IV.C.(2), Water Quality, of the Draft EIR. The Proposed Project’s compliance with the Municipal Storm Water Permit and its SUSMP requirements are discussed in Subsection 3.4.1.2.1 of Section IV.C.(2), Water Quality, beginning on page 464. Table 3-22 of Appendix F-1 of the Draft EIR has a detailed discussion of SUSMP requirements and corresponding Playa Vista measures, including the post-construction structural or treatment control BMPs. The remaining comments are noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

## **Comment 15-6**

### Specific Comments for Storm Water and Urban Runoff

The specific issue that the Draft Environmental Impact Report (DEIR) needs to clarify is as follows:

(i) In the DEIR, Playa Vista indicates that a homeowners association would be funded in perpetuity and provide the necessary maintenance of the storm water best management practices (BMPs) that will be implemented prior to storm water flows entering the freshwater marsh. These BMPs include trash racks and screens, roof drain planter boxes, and vegetated swales. Playa Vista must select an entity that is capable of providing long term maintenance and/or replacement needs of the storm water and urban runoff BMPs already installed and those to be

installed. Homeowners associations are not well suited to undertake such a responsibility. Often issues arise because of a lack of BMP awareness, poor maintenance procedures, improper maintenance and non-monitoring of the treatment devices and structures to verify their effectiveness. Thus, the operation and maintenance of control practices after construction is completed must be clearly addressed, including short-term and long-term funding sources and the role of the responsible entity in assuring proper maintenance of post-construction BMPs.

### **Response 15-6**

While it may be true that traditional homeowners associations are not well suited to undertake the responsibility of providing long term maintenance and/or replacement of storm water and urban runoff BMPs, this is not the case with the Proposed Project. The Master Homeowner's Association for the Proposed Project will be the Playa Vista Parks and Landscape Corporation (PVPAL), which has been established and currently governs the adjacent First Phase Project at Playa Vista. PVPAL has the power and duty to maintain the Playa Vista common areas, including sewers and storm drains, BMPs, and the restored bluffs, in accordance with the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Playa Vista as well as the Covenants and Agreements associated with the vesting of the tract map (these items are located in the Reference Library for the Final EIR). Both of these documents "run with the land" and are binding against all successors. PVPAL is funded by homeowner assessments and builder assessments; upon project buildout, the PVPAL annual budget is expected to be approximately \$12 million per year. All sources of funds are expected to last in perpetuity based on the agreements outlined above.

The Ballona Wetlands Conservancy has the duty to maintain the Freshwater Marsh and Riparian Corridor in accordance with the Settlement Agreement entered into by the Friends of Ballona Wetlands, the Army Corps of Engineers, the City of Los Angeles, and Project Applicant's predecessor in interest. The Conservancy is funded in perpetuity independently of PVPAL, with funds from the commercial operations, as well as funds created upon the sale of residential units, in both the previously approved First Phase Project and the Proposed Project.

Subsection 4.0, Section IV.C(2), Water Quality, page 518 of the Draft EIR, includes mitigation measures requiring on-site operation and maintenance programs to minimize environmental impacts. The program includes a requirement that the Master Homeowner's Association (i.e., PVPAL) provide tenants/residents with information to encourage compliance with good housekeeping practices, such as proper disposal of household and office hazardous waste, encourage tenants/residents not to plant exotic grasses or other plants whose seeds may potentially migrate off their properties via wind, rain, or animals, and to inform residents of the potential impacts on receiving waters of excessive dry-weather runoff. In addition, Subsection 4.0, Section IV.C(1), Hydrology of the Draft EIR on page 395, includes mitigation measures requiring covenants and agreements to be prepared and recorded satisfactorily addressing the funding, operations and maintenance of the structural/treatment control BMPs.

**Comment 15-7**

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION

CLEANUP AND ABATEMENT ORDER NO. 98 125

REQUIRING PLAYA PHASE I.COMMERCIAL LAND COMPANY; LLC AND PLAYA CAPITAL COMPANY; LLC TO CLEANUP AND ABATE CONDITIONS OF SOIL AND GROUND WATER POLLUTION CAUSED BY THE RELEASE OF VOLATILE ORGANIC COMPOUNDS, METAL, AND PETROLEUM HYDROCARBON

(FILE NO. 98 192)

**INTRODUCTION**

Releases of contaminants have been documented at the Playa Vista Phase I project site located in Los Angeles, California. Waters of the State have been adversely impacted by these releases. Investigations have been conducted that document soil and groundwater contamination still present despite remediation measures put in place by the responsible parties.

The California Regional Water Quality Control Board, Los Angeles Region, finds:

1. Playa Phase I Commercial Land Company, LLC and Playa Capital Company, LLC (hereinafter called Playa) own a 1,087 acres site (Playa Vista property) located at 6775 Centinela Avenue in Los Angeles, California. The Playa Vista property is bounded by Vista del Mar Avenue and Marina del Rey on the west, Fiji Way and Jefferson Boulevard on the north; the 90 Expressway; Bay Street and Centinela Avenue on the east, and the Westchester Bluffs on the south:
2. The development project for the Playa Vista property is divided into two phases in four locations, Areas A, B, C, and D, as shown in Figure 1. Area A is to the north of Ballona Creek and west of Lincoln Boulevard. Area A is mostly vacant and contains several gas injection wells and a portion of a subsurface natural gas storage field operated by Southern California Gas Company (SCG). Area B is to the south of Ballona Creek and west of Lincoln Boulevard. Area E consists of mostly vacant land or wetland, and contains several natural gas injection wells and the natural gas storage field operated by SCG. Area C is to the north of Ballona Creek and east of Lincoln Boulevard, and is composed of open land and four baseball fields. Area D is to the south of Ballona Creek and Jefferson Boulevard and east of Lincoln Boulevard. Area D contains vacant land, Centinela Ditch and the former Hughes Aircraft manufacturing facility.

The Phase I project consists of mixed use development of Area D and part of B for a total of 280.5 acres, including residential (Vesting Tentative Tract Map No. 49104), commercial

(office, retail space, and 53 acres for the Dream Work project—Entertainment, Media, and Technology District (EMTD), which includes both Vesting Tentative Tract Map No. 49104 and Tentative Tract Map No. 52092), and 80 acres of open space/habitat areas (including 34.2 acres of freshwater marsh/upland/water control structures within Area B). The Phase II project would involve the restoration of a salt marsh, known as the Ballona wetlands, located in Area B, the development of a marina and a hotel within Area A, and developments in Areas C and D.

3. Prior to the early 1920s, the Playa Vista property consisted of undeveloped open land and wetlands. During the 1920s and 1930s, portions of the subject property were used for agricultural and residential purposes. Beginning in 1941, the eastern portion of the subject property was developed for industrial purposes, primarily aircraft production, and continued to expand during the 1950s and 1960s when the industrial plant was used for the development and manufacture of radar systems and helicopters. The facility was operated by Hughes Aircraft Corporation and Hughes Helicopters Corporation. From 1982 through 1994 the facility was operated by Hughes Aircraft, McDonnell Douglas Helicopters. Manufacturing operations ceased in 1994. Several of the larger buildings are currently used by various movie and television studios.
4. Hargis & Montgomery, Inc. conducted investigations at the 230 acre former Hughes facility (Hughes) in Area D from 1983 to 1986. Various petroleum hydrocarbons, volatile organic compounds (VOC), and metals were identified in soil and groundwater, resulting from the historical on site operations, as documented in *Phase I Investigation of Groundwater Quality and Hydrogeologic Conditions*, dated March 27, 1984, *Phase II Investigation of Groundwater Quality and Hydrogeologic Conditions*, dated January 15, 1985, *Phase III Investigation of Groundwater Quality and Hydrogeologic Conditions*, dated April 15, 1986, and *Investigation of Gasoline Contamination*, dated April 15, 1986. The results are summarized below:
  - (a) Concentrations of benzene at 80 mg/kg, toluene at 77 mg/kg, xylenes at 160 mg/kg, and trichloroethylene (TCE) at 3 mg/kg. were detected in soil.
  - (b) The Hughes site is underlain by the Bellflower aquitard, the Ballona aquifer and the Silverado aquifer. These three aquifers are hydraulically connected. Organic compounds have been detected in groundwater occurring in the Bellflower aquitard, the Ballona aquifer, and the upper portion of the Silverado aquifer. Concentrations of contaminants detected on site include trans 1,2 dichloroethylene (DCE) at 20,000 ug/L, TCE at 6,600 ug/L, 1,1 dichloroethane (DCA) at 3,320 ug/L, 1,1 DCE at 420 ug/L, and arsenic at 200 ug/L, in the upper portion merged Bellflower/Ballona Aquifer and trans-1,2 DCE at 51 ug/L, TCE at 13 ug/L, and toluene at 20 ug/L in the Silverado Aquifer.
  - (c) Based on data collected on June 5, 1985, a free gasoline plume, up to 2.02 feet thick, reportedly covers an area of approximately 0.3. acres [sic] west of Building 11. The

dissolved gasoline plume extends approximately 1,000 feet downgradient (east) of the free gasoline plume and is approximately 400 feet wide.

- (d) A VOC plume about 1,000 feet wide and 3,000 feet long, covering about 60 acres, is present in the eastern portion of the Hughes site.
5. During October 1986, ten underground storage tanks (UST) for various fuels, located south of Teale Street approximately one half mile east of Lincoln Blvd. in the Hughes site were removed. Soil samples collected after tank removal indicated localized spills resulting from surface spillage or tank overfill. No saturated soils resulting from tank leaks or standing product on top of groundwater were observed as reported in *Howard Hughes Properties Fuel Storage Area Closure Report*, dated December 31, 1986, prepared by McLaren Environmental Engineering (MEE).
6. In 1987, MEE recommended remedial measures based on the investigation of 21 potential sources of chemicals found in groundwater at the Hughes site resulting from approximately 60 years of agricultural activities and 35 years of industrial activities. The details are documented in *Site Investigation and Evaluation of Remedial Measures Report*, dated May 8, 1987 and summarized below:
- (a) The shallow groundwater beneath the site occurs at depths ranging from 6 feet to 25 feet. Groundwater flow directions are northwesterly to northerly on the western one third of the Hughes site and easterly to northeasterly on the eastern two third of the Hughes site.
- (b) Ten sites were identified as potential sources of chemicals to groundwater, including the Fire Training Burn Pit, the Salvage Yard Underground Sumps, the Former Drum Storage Area, the Storm Drain Discharge Area, the Building 12 Clarifier and Test Sump, the Building 15 Utility Trenches and Sump, the Building 14 Clarifiers, the Building 11 Tanks, the Building 35 Organics Sump, and the Underground Tank south of Building 5.
- (c) Eight sites with soil contamination do not appear to have a significant impact on groundwater quality. These include the Test Site 3 Drum Racks, the Test Site 2 Drum Racks, the Unpaved Temporary Drum Storage Areas, the Remote Test Site Bum Area, the Engine Cleaning Pits, the Building 32 Runoff Area, the Liquid Waste Neutralization Pit, and the Oil and Grease Pit.
- (d) Three sites require supplemental investigation to identify potential impacts on groundwater. These include the Purged Fuel Storage Area, the Underground Tanks north of Building 12, and the Clarifier south of Building 21.
- (e) The maximum concentrations detected in soil include TCE at 20,000  $\mu\text{g}/\text{kg}$ , PCE at 340,000  $\mu\text{g}/\text{kg}$ , carbon tetrachloride at 340,000  $\mu\text{g}/\text{kg}$ , TPH at 370,000  $\mu\text{g}/\text{kg}$ ,

benzo(a)pyrene at 1,600 µg/kg, pyrene at 1,000 µg/kg, copper at 7,000 mg/kg, 4,4'-DDE at 15 µg/kg, and PCBs at 29,000 µg/kg.

- (f) The maximum concentrations detected in groundwater include TCE at 10,000 µg/L, PCE at 10,000 µg/L, TCA at 400,000 µg/L, Trans-1,2-DCE at 20,000 µg/L, vinyl chloride at 5,000 µg/L, benzene at 6,000 µg/L, toluene at 60,000 µg/L, ethylbenzene at 30,000 µg/L, xylenes at 300,000 µg/L, methyl ethyl ketone (MEK) at 20,000 µg/L, TPH at 1,000 mg/L, lead at 30,000 µg/L, arsenic at 410 µg/L, cadmium at 30 µg/L, mercury at 170 µg/L, 4,4'-DDT at 0.31 µg/L and alpha-BHC at 0.65 µg/L.
- (g) This MEE report concludes that the gasoline plume west of Building 11 contained product thickness of up to 5.18 feet as of December 1986.
- (h) The proposed remedial measures included removal of sumps and soil containing chemicals and the design and construction of a groundwater pump and treat system.

On June 30, 1987, the Regional Board approved the proposed remedial measures with conditions of a detailed work plan with a timetable and removal of gasoline free product near Building 11.

7. From March 1987 to June 1987, the first phase of soils remedial excavation was performed on the western 120 acres of the Hughes site as documented in *Remediation Report First Phase—West Side Soils, Howard Hughes Properties*, dated October 1987, prepared by MEE. The soil remediation included (a) removal of four sumps and excavation of adjacent soils in the Salvage Yard Area; (b) removal of soils containing petroleum hydrocarbons at Test Site 3; (c) excavation of soils containing bum residue at the Remote Test Site; (d) excavation of soil containing petroleum hydrocarbons from the Temporary Drum Storage Area; and (e) excavation of soil containing industrial solvents from the Engine Cleaning Pits Area. Soil with concentration exceeding cleanup criteria was removed and followed by off site disposal or on site bioremediation.
8. In August 1988, Maguire Thomas Partners (MTP) obtained a Waste Discharge Requirements (WDR), Order No. 88-091 (NPDES Permit No. CA0060402), on August 22, 1998 for discharges up to 576,000 gallons per day of treated groundwater to surface waters resulting from a groundwater remediation at Hughes site. MTP sold Playa Vista property to Playa Capital Company, LLC on October 17, 1997.
9. On December 5, 1988, MEE submitted a report titled *Howard Hughes Properties Fire Training Burn Pit and Salvage Yard Soil Remediation by Bioreclamation Land Farming*, dated November 1988. The report indicated that approximately 1,815 and 1,001 cubic yards of soil containing VOCs and total petroleum hydrocarbons (TPH) were removed from the Fire Training Burn Pit and the Salvage Yard, respectively, for bioremediation on site. Soil was remediated to below 100 ppm TPH and used as street construction materials.

10. In April 1989, MEE submitted *Howard Hughes Properties Annual Update Report for Plantsite Remediation*, dated April 1989, which included remediation at the Former Drum Storage Area, Salvage Yard, Storm Drain Discharge Site, Building 12 Soils/Sumps, and Building 35 Soils/Sumps/Clarifiers.
11. In 1992, MTP proposed to reinject up to 612, 000 gallons per day of treated groundwater into a series of injection wells located upgradient of the contamination plume. The purpose was to raise the groundwater level so that it would prevent migration of the contamination plume from the Hughes site as a result of dewatering activities related to a nearby sewer project. The Regional Board Issued a WDK, Order No. 92-089 (NPDES Permit File No. 93-050, CI-7225), on December 7, 1992. This WDR was rescinded on May 9, 1994 when discharge was terminated.
12. In 1997, ENSR conducted additional site assessment in Playa Vista property and identified eight areas of significant potential environmental concern in addition to the 21 sites in Area D identified by MEE in 1987, except for item (f) below, which was included within the 21 sites. Results are detailed in *Data Review and Limited phase II Subsurface Site Assessment at Playa Vista Property*, dated October 1997 and are summarized as follows:
  - (a) Dredge Spoil Disposal Areas in Areas A and C: Approximately 230 acres received dredge spoil at an average thickness of 5 feet. Samples contained total and soluble lead concentrations up to 200 mg/kg and 11 mg/L, respectively.
  - (b) Centinela Ditch: Of the nine sediment samples collected from the 7,400 linear foot channel east of Lincoln Boulevard, samples contained total and soluble lead concentrations up to 210 mg/kg and 10 mg/L, respectively. This was likely due to historic traffic exhaust. One sample was near Lincoln Boulevard and the other sample was adjacent to an intersection with a stop sign.
  - (c) Building 5: The MEE 1987 assessment did not identify any areas of potential environmental concern due to limited accessibility. Additional assessment was recommended after building demolition.
  - (d) Building 6: The previous geophysical survey to locate the USTs was inconclusive. Any USTs and their appurtenant piping and associated soil contamination must be property removed when the building is demolished
  - (e) Building 12: Several areas with VOC contamination were identified. TCE and 1,2-DCE were detected in soil up to 480 µg/kg and 480 µg/kg, respectively.
  - (f) Building 14/15/16: Several areas with TPH and VOC contamination were identified. TPH, TCE and 1,2 DCE were detected in soil up to 6,300 mg/kg, 3,700 µg/kg and 1,500 µg/kg, respectively.



- (g) Building 35: The soil below virtually the entire eastern half of the building is contaminated with VOC. TCE and tetrachloroethene (PCE) were detected up to 1,200 µg/kg and 4,100 µg/kg, respectively.
- (h) Potential Methane Gas Issue: Eight out of 37 monitoring points exhibited elevated methane concentrations with two points exhibiting methane concentrations in excess of the lower explosive level (LEL) and two points just below the LEL. The portions of the Playa Vista property exhibiting elevated methane concentrations included the western portions of Areas D and De, east of Lincoln Boulevard south of Ballona Creek and on both sides of Jefferson Boulevard. The elevated methane area is within the area planned for residential and commercial development. Further delineation and source identification are recommended before commencement of any development in the affected areas.
13. In October 1998, Brown and Caldwell (BC) prepared the *Workplan for Supplemental Soil Assessment, Building 12, Playa Vista EMTD*, and *Supplemental Workplan for Soil Assessment, Buildings 6, 35, and 900, Playa Vista EMTD*, to conduct additional soil investigation. The Regional Board approved both workplans with conditions.
14. In November 1998, BC submitted *Site Evaluation and Mitigation Work Plan for Playa Vista Phase I EMTD—Various Demolition Sites* for review and approval. On November 24, 1998, the Regional Board required Playa to develop soil cleanup level based on current USEPA and state guidelines, and to obtain additional soil and groundwater data supporting site closure.
15. In December 1998, the Regional Board approved *Assessment Workplan for the Clarifier and Sump Areas, Northeast of Building 35, Supplemental Mitigation Workplan for Building 20, and Supplemental Assessment Workplan, Former Underground Storage Tanks, South of Building 5*, dated November 18, 1998, prepared by BC for additional soil and groundwater investigation. Former underground storage tanks located south of Building 5 were removed in November 1998.
16. Playa currently holds three WDRs issued by the Regional Board for different discharges related to the Phase I project, and a 401 Water Quality Certification (WQC) issued by the State Water Resources Control Board as listed below.
- (a) Order No. 97-046 (General NPDES Permit No. CAG834001) was issued on June 30, 1997 for treated groundwater discharge into Ballona Creek. This permit replaced Order No. 88-091 (NPDES Permit. No. CA0060402, C1-6839) issued on August 22, 1988.
- (b) Order No. 97-045 (General NPDES Permit No. CAG994001) was issued on June 30, 1997 for construction dewatering of the residential development project at Track 49104—North Jefferson, which discharges into Ballona Creek. This permit replaced Order No. 91-092 (NPDES Permit No. CAG994001, CI-7648) issued on March 20, 1996:

- (c) Order No. 90-148 (General WDR. CI 90-148-117) was issued on August 31, 1998 for land treatment of contaminated soil.
- (d) The 401 WQC was issued on July 3, 1995, for filling 15.85 acres of wetlands and drainage ditches for Phase I Playa Vista development project. A 51.1-acre on-site mitigation plan has been proposed for compensation of impacts to the wetlands and drainages resulting from the overall development project, of filling 28.08 acres of wetlands and drainage. This 401 WQC only addresses Phase I Playa Vista project.
17. The Regional Board adopted an amended *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan)* on June 13, 1994. The Basin Plan designates beneficial uses and establishes water quality objectives for inland surface waters, ground waters, coastal waters and wetlands.
18. Beneficial uses designated for Ballona Creek include, but are not limited to water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat. Beneficial uses designated for groundwater in the Santa Monica Basin underlying Playa Vista property include municipal and domestic supply, agricultural supply, industrial process supply, and industrial service supply.
19. The First Phase Project for Playa Vista Environment Impact Report (EIR No. 90-0200-SUB(C)(CUZ)(CUB), SCH No. 90010510) was issued in May 1993. An addendum to the EIR for the First Phase project for Playa Vista was issued August, 1995 and approved on December 8, 1995. A Mitigated Negative Declaration for the Playa Vista Plant Site (MND No. 95-0240(SUB)) was issued August 1995 and approved, on December 8, 1995. A Notice of Intent/Notice of Preparation for Phase II of the Playa Vista Project was issued on April 25, 1995. A draft EIR is expected to be released in mid 1999.
20. This Order is an action taken for the protection of the environment and, as such, is exempt from the provisions of the California Environmental Quality Act in accordance with California Code of Regulations. Title 14, Chapter 3, Section 15321.

IT IS HEREBY ORDERED, pursuant to California Water Code (CWC) Section 13304, that the Playa Phase I Commercial Land Company, LLC and Playa Capital Company, LLC shall comply with the following:

1. Cleanup and abate the condition of soil and ground water pollution and threatened pollution to surface water and ground water caused by the release of VOC, metals and petroleum hydrocarbon by implementing the following actions:
  - (a) Implement a quarterly groundwater monitoring program. A [*sic*] interim groundwater sampling and analysis plan for existing on-site wells shall be submitted for review and approval by January 15, 1999. Water samples shall be analyzed, at a minimum, for VOC, metals, petroleum hydrocarbons, benzene, toluene, ethylbenzene, xylenes, methyl

tert-butyl ether, metals, PCBs, and pesticides. Quarterly groundwater monitoring reports shall be submitted within 15 days after the quarter ends, with the first report submitted by April 15, 1999. A final groundwater sampling and analysis plan for side-wide [*sic*] ground water monitoring, including any additional wells, if appropriate, shall be submitted by June 1, 1999.

- (b) Quarterly gauging, sampling, and progress reports detailing all activities implemented and the results obtained during the previous quarter including product recovery as required by this Order, shall be submitted within 15 days after the quarter ends, with the first report beginning April 15, 1999. With justification, Playa may request a change in the frequency of reporting for the Executive Officer's approval. These reports must contain, at a minimum, the following information:
- (1) A summary of all ground water elevation measurements from mean sea level and depths to ground water from all site monitoring wells. Monitoring wells should be sounded for total depth at each gauging event. A list of all recovery wells actively remediating the site during the previous quarter, total volume of fluids, (hydrocarbon and water) recovered during each month of the previous quarter, cumulative volume of fluids recovered for the year, cumulative volume of fluids recovered since initiation of recovery. This information should be presented in tabular form to include well location (latitude/longitude) and on a plot plan depicting the location of the borings/wells with groundwater contours depicting ground water flow direction and gradient information. Also, include a free phase hydrocarbon isothickness map, and a dissolved phase contaminant isoconcentration contour map for contaminants of concern.
  - (2) Analyses of all ground water samples collected from selected site monitoring wells during the sampling period, as approved by the Executive Officer, together with an evaluation of all test results. Ground water sample collection procedures and analyses shall be performed according to an approved work plan.
  - (3) The above shall be submitted by hard copy in a report and if requested, electronically in a format acceptable to the Executive Officer.

Activities completed during the reporting period and a final compilation of the activity modifications proposed for the next reporting period. All workplan modifications must be approved by the Executive [O]fficer.

- (c) Initiate a phased cleanup and abatement program with the cleanup of any remaining soil and groundwater contamination and the abatement of threatened beneficial uses of water as highest priority.

Continue operation of the existing free product recovery system by bailing to the greatest extent possible. The following reports shall be submitted for review and approval during each phase of the product recovery and remediation effort

- (1) Propose soil and groundwater cleanup levels for the Dream Work project by June 1, 1999. The cleanup levels shall be developed based on current USEPA and state guidelines.
  - (2) Complete side-wide [*sic*] soil and groundwater assessment and remediation of contaminated areas to support site closure. A phased approach is acceptable due to the scale of the project. Soil and groundwater investigation workplans, including implementation schedule, for supplementing the data gap shall be submitted for review and approval according to the schedule listed in Attachment A.
  - (3) Soil remedial action plan, if necessary, shall be submitted within 75 days after completion of soil assessment in each phase and on or before the schedule specified in the Attachment A. The soil remediation shall be completed on or before the schedule specified in the Attachment A.
  - (4) Quarterly progress reports shall be submitted within 15 days after the quarter ends, with the first report submitted by April 15, 1999.
  - (5) Evaluate the effectiveness of the existing groundwater treatment system. An evaluation report, including any proposed modification to improve the effectiveness of groundwater remediation at the Hughes site, shall be submitted by December 15, 1999.
  - (6) A site-wide groundwater remedial action plan, if necessary, shall be submitted within 75 days after completion of site wide groundwater assessment.
- (d) The activities specified in Items a, b and c above shall be conducted, as necessary, according to the schedule of work shown in Attachment A, or as subsequently revised and approved by the Executive Officer.
  - (e) A final report describing any completed activities, as detailed in Attachment A, and results shall be submitted to this Board within 75 days of completion of any phase of the soil and ground water investigation and cleanup is completed.
  - (f) The investigation and cleanup program shall be directed and conducted by a Registered Civil Engineer or Geologist, or a Certified Engineering Geologist or Hydrogeologist:
2. Any investigation and cleanup and mitigation activities required by this Order, currently in progress or conducted in the past, shall be included and made a part of the cleanup program.
  3. Abandonment of any groundwater wells(s) at the site must be reported to the Executive Officer in advance. Any groundwater well removed must be replaced within three months at a location approved by the Executive Officer. With justification, the Executive Officer may approve of the abandonment of groundwater wells without replacement. When a well is

removed, all work shall be completed in accordance with all applicable well abandonment requirements. Recently, wells have been abandoned due to the demolition project. The replacements for these wells shall be evaluated during the same time frame as the groundwater sampling plan mentioned above.

4. Any non hazardous contaminated material disposed off site shall be at a legal point of disposal specifically approved by the Executive Officer, and in accordance with requirements established by a California Regional Water Quality Control Board.
5. Any excavated hazardous waste that Playa transports off site shall be transported to a legal point of disposal. For the purposes of this requirement, a legal point of disposal is one for which the requirements have been established by a California Regional Water Quality Control Board or the Department of Toxic Substances Control.
6. Neither the disposal nor any handling of waste on-site shall cause pollution at the site or unreasonable nuisance odor at the facility boundary:
7. The Regional Board s authorized representative shall be allowed:
  - (a) Entry upon premises where a regulated, facility or activity is located, conducted, or where records are kept, under the conditions of this Order;
  - (b) Access to copy any records that are kept under the conditions of this Order;
  - (c) Access to inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
  - (d) Access to photograph, sample, and monitor for the purpose of assuring compliance with this Order, or as otherwise authorized by the California Water Code.
8. This Order is not intended to permit or allow Playa to cease any work required by any other Order issued by this Regional Board, nor shall it be used as a reason to stop or redirect any Investigation or cleanup or remediation programs ordered by this Board or any other agency.
9. Playa shall provide to the Regional Board advance notice of any planned physical alterations to the facility or planned changes in the facility's activities that may affect compliance with this Order.
10. This Order does not exempt Playa from compliance with any other laws, regulations, or ordinances, which may be applicable, nor does it legalize these waste treatment and disposal facilities, and it leaves unaffected any further restraints on those facilities which may be contained in other statues or required by other agencies.

11. Playa shall provide to the Regional Board advance notice of any planned change in name, ownership, or control of the facility; provide notice to any succeeding owner or operator of the existence of Order by letter, forward a copy of such notification to the Regional Board.
12. This Order may be revised by the Regional Board through its Executive Officer as additional information on this site becomes available. The authority of the Regional Board, as contained in the CWC, to order investigation and cleanup additional to that described herein, is in no way limited by this Order:
13. This Order in no way limits the authority of the Regional Board as contained in the CWC, to require additional investigation and cleanup pertinent to this project. It is the intent of this Regional Board to issue Waste Discharge Requirements or other Orders pursuant to Sections 13260, 13304, and 13350 of the CWC when appropriate to facilitate this cleanup and abatement activity. Additionally, continued monitoring of the ground water quality beneath this facility after the completion of this cleanup and abatement activity may be required.
14. Pursuant to Section 13304 of the CWC, Playa shall reimburse the State Water Resources Control Board (SWRCB) for all reasonable costs incurred by the State Board and this Regional Board in overseeing the cleanup and abatement activities required by this Order.
15. Failure to comply with the terms or conditions of this Order may result in imposition of civil liabilities, either administratively by the Regional Board or judicially by the Superior Court in accordance with Section 13350 of the CWC, and/or referral to the Attorney General of the State of California for such action as he may deem appropriate.

Hereby ordered on December 22, 1998.

Ordered by  
 DENNIS A DICKERSON  
 Executive Officer

ATTACHMENT A

ACTION REQUIRED

COMPLIANCE DATE

A. FREE PRODUCT RECOVERY

1.	Submit quarterly progress report on January 15, April 15, July 15, and October 15, each year	Start April 15, 1999
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B. GROUNDWATER MONITORING

1.	Submit a Interim Groundwater Sampling and Analysis Plan	January 15, 1999
2.	Begin quarterly groundwater monitoring,	First quarter, 1999

3.	Submit quarterly monitoring report on January 15, April 15, July 15, and October 15, each year	Start April 15, 1999
4.	Submit a Final Groundwater Sampling and Analysis Plan	June 1, 1999

### C SOIL AND GROUNDWATER REMEDIATION

1.	Submit soil and groundwater cleanup levels	
	a. the Dream Work Project	June 1, 1999
	b. the overall project excluding the Dream Work project	To be determined
2.	Submit Soil and Groundwater Investigation Workplan	
	a. the Dream Work project	June 1, 1999
	b. Phase I project excluding the Dream Work project	September 1, 1999
	c. Phase II project	To be determined
3.	Submit Soil Remedial Action Plan	
	a. the Dream Work project	October 15, 1999
	b. Phase I project excluding the Dream Work project	January 15, 2000
	c. Phase II project	To be determined
4.	Complete soil remediation	
	a. the Dream Work project	October 15, 2002
	b. Phase I project excluding the Dream Work project	January 15, 2003
	c. Phase II project	To be determined
5.	Submit quarterly progress report on January 15. April 15.	Start April 15, 1999

#### Response 15-7

This attachment was submitted in support of comments stated in Comment 15-2. As such, comments related to this attachment are addressed in Response 15-2, above. It should be noted that the letter identifies as attachments Regional Board letter dated November 1, 2002, November 4, 2002, and November 19, 2002. This attachment is the November 4, 2002, letter; the November 19, 2002, letter follows. The November 1, 2002, letter was not included in the attachments to the letter.

#### Comment 15-8

**[This Comment attaches the full text of a November 4, 2002, letter sent from the CRWQCB.]**

November 4, 2002

Mr. David Nelson  
 Environmental Project Manager  
 Playa Capital Company, LLC  
 12555 West Jefferson Boulevard, Suite 300  
 Los Angeles, California 90066

APPROVAL OF ADDENDUM TO PHASE I COMMERCIAL HEALTH BASED  
REMEDATION GOALS PLAYA VISTA DEVELOPMENT PROJECT, 6775 CENTINELA  
AVENUE, LOS ANGELES, CALIFORNIA

(CAO NO. 98 125, FILE NO. 98 192, SLIC NO. 0773, SITE ID NO. 2043W00)

Dear Mr. Nelson:

Regional Water Quality Control Board (Regional Board) staff have received the “Addendum to Phase I Commercial Health Based Remediation Goals,” (Addendum to Commercial HBRGs) dated September 25, 2001, prepared by Integrated Environmental Services, Inc., on behalf of Playa Capital Company, LLC (Playa Capital). On October 2, 2001, copies of the Addendum to Commercial HBRGs were distributed to the U.S. Environmental Protection Agency (USEPA), the Department of Toxic Substances Control (DTSC), Glendale Office and the Office of Environmental Health Hazard Assessment (OEHHA), Integrated Risk Assessment Section for review and comment.

The Addendum to Commercial HBRGs proposes HBRGs in groundwater and soil gas for the commercial areas of the Playa Vista Development Project (Playa Vista). Development of these additional HBRGs follow the methodology approved in June 1999, by the Regional Board and OEHHA for soil HBRGs. On July 7, 2000, the Regional Board and OEHHA approved the soil HBRGs for the commercial areas of Playa Vista, these HBRGs are contained in the February 2000, “Health Based Remediation Goals; Los Angeles, California” document.

On November 5, 2001, DTSC provided a memorandum to the Regional Board, which contained general and specific comments regarding the Addendum to Commercial HBRGs (copy enclosed). On May 1, 2002, USEPA provided general comments to the Regional Board regarding risk assessment and risk based cleanup goals. On May 9, 2002, USEPA sent a second letter to the Regional Board, which provided clarification regarding their comments contained in the May 1, 2002 letter. All comments received have been reviewed and as appropriate incorporated into the Regional Board s response.

OEHHA evaluated the Addendum to Commercial HBRGs to determine the adequacy of the proposed HBRGs to protect human health. In a memorandum dated October 23, 2002, OEHHA concluded that:

“The overall approach used is based on actual data from all contaminants identified on site, and in order to develop predictable concentration levels, the procedures included widely used environmental migration models, exposure assessment practice, human exposure factors, regulatory toxicity criteria, and risk characterization methods. The approach proposed provides a level of conservatism expected to reasonably protect human health.”

Enclosed is a copy of the OEHHA s memorandum, which provides a detailed technical review of the Commercial HBRGs for soil gas and groundwater.



Regional Board and OEHHA staffs have reviewed the Addendum to Commercial HBRGs and Playa Capital is authorized to implement the proposed Commercial HBRGs for soil gas and groundwater, provided the following conditions are met:

1. OEHHA had additional comments regarding the Addendum to Commercial HBRGs. All of these comments are required to be addressed, the responses are to be incorporated as an Addendum, and some of the information may just be incorporated by reference. This is required to be completed and submitted to the Regional Board by November 29 2002.
2. Playa Capital is required to provide responses to DTSC s comments as contained in their November 5, 2001 and October 24, 2001 memoranda. This is required to be completed and submitted to the Regional Board by November 29, 2002. .
3. A HBRG for lead in soil is required to be developed for the onsite construction worker. This is required to be completed and submitted to the Regional Board by November 29, 2002.
4. A deed restriction will be required for all Lots that are not cleaned up to Residential HBRGs or lower, this includes the recreational, and community serving areas within Phase 1 Residential Development and commercial areas of Playa Vista.
5. Playa Capital will be required to conduct a post remediation risk assessment for all residual and cumulative chemical concentrations found in soil, soil gas and groundwater to verify that there is no significant risk to human health.

If you have any questions regarding this matter, please contact Mr. J. T. Liu, Site Cleanup Unit Chief, at (213) 576 6667, or Dr. Arthur Heath, Remediation Section Chief, at (213) 576 6725.  
Sincerely,

Dennis A. Dickerson Executive Officer

Enclosures

cc: see next page

cc: Ms. Celeste Cantu, State Water Resources Control Board  
Ms. Barbara Evoy, State Water Resources Control Board  
Dr. Julio Salinas, Office of Environmental Health Hazard Assessment  
Ms. Dorothy Rice, Department of Toxic Substances Control  
Mr. Norman Riley, Department of Toxic Substances Control  
Ms. Florence Gharibian, Department of Toxic Substances Control  
Ms. Kimiko Klein, Department of Toxic Substances Control  
Ms. Betsy Curnow, United States Environmental Protection Agency, Region IX  
Mr. John Kemmerer, United States Environmental Protection Agency, Region IX  
Mr. Raymond Chan, City of Los Angeles, Department of Building and Safety  
Mr. Colin Kumabe, City of Los Angeles, Department of Building and Safety  
Mr. David Hsu, City of Los Angeles, Department of Building and Safety

Mr. Dave Chamberlin, Camp Dresser & McKee Inc.  
Ms. Patricia McPherson, Grassroots Coalition  
Ms. Kathy Knight, Sprite of the Sage Council  
Ms. Sabrina Venkus, Ballona Wetlands Land Trust  
Mr. Steve Fleischli, Santa Monica BayKeeper  
Mr. Rex Frankel, Ballona Ecosystem Education Project  
Mr. John Davis, Sierra Club, Angeles Chapter, Airport Marina Group  
Ms. Marcia Hanscom, Wetland Action Network  
Mr. Bruce Robertson, Ballona Valley Preservation  
Mr. David Friedman, Beveridge & Diamond  
Mr. Mieke Solari  
Ms. Barbara Eisenberg  
Mr. Eugene Philip Jerome Krischer  
Ms. Sheila Bernard  
Ms. Carol Mattern  
Mr. Denis Wilson and Ms. Heather Green

Department of Toxic Substance Control

MEMORANDUM

TO: Arthur Heath, Chief  
Remediation Section Chief  
Los Angeles Regional Water Quality Control Board

FROM: Florence Gharibian, Chief  
Department of Toxic Substances Control  
Statewide Compliance Division Glendale

DATE: November 5, 2001

SUBJECT: ADDENDUM TO PHASE 1 COMMERCIAL HEALTH BASED REMEDIATION  
GOALS: PLAYA VISTA DEVELOPMENT, LOS ANGELES, CALIFORNIA

The Department of Toxic Substances Control (DTSC) has reviewed the “Addendum to Phase 1 Commercial Health Based Remediation Goals” for the Playa Vista Development Project, dated September 25, 2000, prepared by Integrated Environmental Services, Inc (Integrated). This document provides health based remediation goals (HBRGs) for the Phase I Commercial Area of the project that includes the former Hughes Aircraft facility.

This report is an addendum to the Health Based Remediation Goals, dated February 2000, also prepared by Integrated. DTSC provided comments to the February 2000 document in a letter to you [sic]agency dated May 29, 2001.

DTSC is providing comments to you with the recognition that the Los Angeles Regional Water Quality Control Board (LARWQCB) is the designated lead state agency overseeing this site. Attached are general and specific comments to the document. In addition, DTSC has attached comments from our Human and Ecological Risk Division (HERD). If you have any questions, please contact Nancy Carder at (818) 551 2869 or me at (818) 551 2925.

#### Attachment

Ms. Rachel Loftin  
Environmental Protection Agency 75 Hawthorne Street  
San Francisco, California 94105 3901

Mr. Matt Etuna  
Public Utilities Commission 320 West 4th Street  
Suite 500  
Los Angeles, California 90013

Dr. Kimiko Klein Staff Toxicologist  
Human and Ecological Risk Division Department of Toxic Substances Control 1001 1 Street  
Sacramento, California 95812 0806

#### ATTACHMENT 1

Addendum to Phase 1 Commercial HBRGs, dated September 25, 2001

#### General Comments:

1. DTSC recommends including a flow chart that references all the health risk assessment documents that contain associated health based remediation goals (HBRGs) or soil cleanup levels (SCLs) for compounds of potential concern (COPCs) in different media for the Playa Vista Project
2. DTSC strongly recommends recording a deed restriction for any property that has not been deemed safe for residential (unlimited) use. No mention of a deed restriction is made in this document. DTSC was informed in a conference call on October 17, 2001, that covenants, conditions, and restrictions (CC&Rs) would be the mechanism to restrict use on this property instead. The text of the HBRG Report, February 2000, states that deed restrictions “to be implemented at the site” are consistent with the assumed land use. Provide an explanation for the discrepancy between these two documents.
- 3) DTSC recommends that post remedial confirmation sampling and risk assessment be performed on the property before the onset of construction. The post remedial risk assessment should evaluate the indoor air risk of compounds such as hydrogen sulfide and vinyl chloride. This process can be done in phases to better facilitate development.

## Specific Comments

Section ES.4.1, Second Paragraph The following statement is made regarding the evaluation of exposure pathways “If any element is missing, no exposure will occur”. What safeguards will be in place to insure that these elements don t change, and what are the contingencies if they do?

Section 2, Third Paragraph In addition to including organic constituents as COPCs for development of soil gas HBRGs, DTSC recommends both organic and inorganic constituents to be included as COPCs for development of groundwater HBRGs that will be protective of the underlying Silverado Aquifer that is a regionally significant drinking water source.

Section 2, Fourth Paragraph DTSC recommends developing a soil HBRG for lead. This recommendation was made in DTSC s comments to Table 5 5 of the February 2000 HBRG Report, prepared by Integrated Environmental Services Inc., and has not yet been addressed.

Section 5.4, First Paragraph The text states that Playa Capital Company, LLC “was asked to develop SCLs that are protective of groundwater quality, based on potential for residual contaminants in soil to leach into groundwater. SCLs for 18 selected COPCs were developed and submitted in a letter report to the RWQCB on August 27, 2001.” The August 27, 2001 letter only addresses VOCs, and does not address the potential impacts from compounds such as hexavalent chromium. TSC recommends that SCLs be developed far metals such as hexavalent chromium since a plating shop was located at the former Hughes facility.

Section 6, Third Paragraph The text states “Actual risks associated with contamination at the site might not be sufficient, in some areas, to trigger clean up based on current regulatory policy. Nevertheless, all areas where contaminants exceed HBRGs will be addressed.” Specify how these areas will be addressed if they are not cleaned up.

Section 6.4.3, Fourth Paragraph The text states “...failure to meet HBRGs after remediation will not mean that public health is not protected.” Specify how this will be accomplished.

Table 2 1: Note HBRGs have not been developed for potential soil gas components such as hydrogen sulfide, toluene, ethyl benzene, and xylene. The notation in [T]able 2 1 states that certain pathway specific toxicity values are unavailable; therefore, HBRGs cannot be calculated for these constituents in those pathways. There are toxicity values for several of these compounds having this notation (attached comments from HERD). DTSC recommends that the table be updated, and changes made to the document accordingly. DTSC understands that the potential risks of these compounds are addressed in the Human Health Risk Assessment (HHRA) prepared by Kleinfelder Inc., February 6, 2001; however, DTSC s comments on the Kleinfelder HHRA have not yet been addressed as of this date. DTSC recommends that these comments be addressed.

## ATTACHMENT 2

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**MEMORANDUM**

**TO:** Nancy Carder  
Southern California Glendale Office  
Statewide Compliance Division  
1011 North Grandview Avenue  
Glendale CA 91201

**FROM:** A. Kimiko Klein, Ph.D  
Staff Toxicologist Human and Ecological Risk Division (HERD)

**DATE:** October 24, 2001

**SUBJECT:** PLAYA VISTA DEVELOPMENT PROJECT  
PCA: 36322      SITE: 301024 00

**Background**

The Playa Vista site covers about 1,087 acres of undeveloped land north of the Los Angeles airport and south of the Marina del Rey community. The site has been divided into four geographic areas. Areas A and B are areas of former wetlands, and Areas C and D are former upland areas. Material dredged from the creation of Marina del Rey and the Ballona Creek have been used as landfill material in Areas A and C to the depth of approximately five feet. Area D was used for industrial operations by Hughes Aircraft and McDonnell Douglas Helicopters from the 1930 s to 1994 and is the most contaminated of the four areas. Since the 1980s the site has been studied and remedial activities have been completed under the direction of the Los Angeles Regional Water Quality Control Board (LARWQCB). A phased redevelopment of the site is underway and includes residential units, offices, and retail spaces. The plan also includes a restored 350 acre natural habitat containing salt and fresh water wetlands, a riparian corridor and upland habitat. The Human and Ecological Risk Division (HERD) has been requested to provide technical support to the investigation of this site and reviewed several health risk assessment documents in a memorandum, dated May 22, 2001. A teleconference on the subject addendum was held on October 17, 2001.

**Document Reviewed**

“Addendum to Phase 1 Commercial Health Based Remediation Goals, Playa Vista Development Project, Los Angeles, California”. This document, dated September 25, 2001, was prepared by Integrated Environmental Services, Inc., for Playa Capital Company, LLC, and received by the HERD on October 15, 2001.

**General Comments**

The HERD assumes that the Office of Environmental Health Hazard Assessment (OEHHA) is reviewing this document in depth. Therefore, although the HERD read the entire document, its review is cursory and not intended to be comprehensive. The document is generally clearly written, and standard human health risk assessment guidance has been followed. However, the HERD has the following specific comments.

### Specific Comments

1. Page ES 1, Executive Summary: A) The text explains that health based remediation goals (HBRGs) for contaminated soils in the Phase 1 Commercial Area were approved in July 2000, and a document in preparation will address the development of HBRGs for the residential areas of Phase 1. However, there is no mention of other documents pertinent to the identification of all potential compounds of concern at this site. There is no mention of other documents describing the development of HBRGs for compounds in environmental media, exposure pathways or exposure scenarios not addressed in this document. There is no mention of required mitigation measures that might preclude the development of HBRGs for specific compounds, such as, components of natural gas. A summary description and citations for all documents related to HBRGs should be included in this executive summary. B) Other areas of the Phase 1 will be restored as a riparian corridor, fresh water wetlands, and upland bluffs. Therefore, the HERD recommends that appropriate ecological remediation goals be developed for those areas as previously stated in the HERD memorandum, dated May 22, 2001.

2. Page 1 4, Section 1.1 Site Location, History and Development Plan: A) The text states that seven localized areas of groundwater contamination have been identified, and some groundwater remediation activities have been performed. However, these contaminated areas are not depicted on any figure in this document. A figure should be included showing these areas, the sources of the contamination and the location of any treatment facilities. B) The text also states that groundwater remedial activities are scheduled, even though “the current extent of groundwater contamination is not fully delineated . The HERD believes that it is not possible to design and implement appropriate remediation systems without adequate knowledge of the nature and extent of groundwater contamination.

3. Page 1 6, Section 1.2 Geology and Hydrology: The subsurface of this site is described in this section. However, no mention is made of the characteristics of certain areas of the subsurface that have resulted in its use as a reservoir for natural gas. Also, no mention is made of the gases present in that reservoir. The natural gas reservoir and its contents should be described in this section.

4. Page 1 7, Section 1.3 Use of Health Based Remediation Goals in Site Remediation: A human health risk assessment is to be conducted after remedial activities are completed. The HERD stresses that a confirmation sampling and analysis plan should be submitted to and reviewed by a California Environmental Protection Agency (Cal/EPA) toxicologist to assure that the data will be adequate for the conduct of such an assessment. A similar plan should be developed for those areas earmarked for ecological restoration.

5. Page 2 2, Section 2 Toxicity Assessment; Table 2 1 Constituents of Potential Concern Playa Vista Site: A) The text states that Table 2 1 lists all the organic constituents of potential concern that have been detected in the Phase 1 Commercial Development Area. However, this table does not include those chemicals that have been found, both dissolved in groundwater and as free gases, constituting natural gas, such as n butane, ethane, methane, and propane. An additional table or sub section to Table 2 1 should be added that includes these chemicals. These chemicals may not display toxic characteristics but are of potential concern because of their flammability and/or ignitibility. B) A footnote to Table 2 1 states that pathway specific toxicity values for certain constituents are unavailable, making it impossible to calculate HBRGs. Several of the chemicals so identified, such as hydrogen sulfide and toluene, do have numeric toxicity criteria listed by the OEHHA and/or the US EPA. The HERD recommends that the entire table be reviewed and corrected as necessary. C) In previous site investigations and remedial actions, total petroleum hydrocarbons (TPHs) were identified as contaminants. Explain why TPHs are not mentioned in this table or discussed in the text.

6. Page 3 2, Section 3.1.1 Future Land [U]se and Associated Exposure Scenarios, and Figure 3 1 Conceptual Exposure Model for Commercial Development (CEM), Playa Vista Site: The use of underlying groundwater as a drinking water source has been excluded in this scenario. Although the HERD agrees that drinking water would most likely be supplied by the local municipality, it has been the policy of the DTSC to assume that any groundwater aquifer could be a potential drinking water source, unless the Regional Water Quality Control Board (RWOCB) has explicitly excluded that possibility. The HERD will defer to the LAWQCB with regard to whether or not ingestion of groundwater as tap water should be evaluated as a potential exposure pathway at this site. However, the HERD recommends that the drinking water exposure pathway be evaluated for the reasons given in specific comment 8 below.

7. Page 4 3, Section 4.1.1.2 Outdoor Air Attenuation Factors: A volatilization emission model is described in this section that calculates chemical and site specific ambient air attenuation factors for chemicals volatilizing from groundwater. This model is a series of spreadsheet models developed by Groundwater Services Inc. and published in the Risk Based Corrective Action (RBCA) Tool Kit (1998). Although this model and other methods developed under RBCA have not been approved for use by the DTSC, the HERD understands that the LARWQCB has reviewed and approved of the volatilization emission model for its applicability at this site for the stated purpose.

8. Page 5 1, Section 5 Development of Health Based Remediation Goals: The text states that vapor migration of volatile chemicals from aquifers beneath the Bellflower aquitard would not occur because of the intervening more shallow groundwater and tight overlying soils. Therefore, the HBRGs for groundwater will only apply to contaminants in the Bellflower aquitard. In addition, since the use of groundwater as a potential drinking water source is excluded (see specific comment 6 above), it appears that there will be no HBRGs to be applied to constituents found in the aquifers beneath the Bellflower aquitard, such as the Ballona aquifer. The Ballona aquifer is described in Section 1.2 as being in direct hydraulic communication with the Silverado aquifer, making it possible for contaminants to move from the Ballona to the Silverado aquifer.

The Silverado aquifer is described in Section 1.2 as a regionally significant drinking water aquifer. Therefore, the HERD recommends that HBRGs, such as Maximum Contaminant Level Goals (MCLGs) or Public Health Goals (PHGs), for groundwater beneath the Bellflower aquitard be proposed based on the use of such groundwater as a drinking water source.

9. Page 5 5, Section 5.4 Final Soil Matrix HBRGs and Soil Cleanup Levels for Groundwater Protection; and Appendix E: In Appendix E, Soil Cleanup Levels (SCLs) were calculated for 18 chemicals using the VLEACH model. These SCLs are soil matrix concentrations that are protective of groundwater quality. A) Provide the criteria and explain how these 18 chemicals were selected for these calculations. B) Explain how these SCLs differ from those SCLs calculated in the Health Based Remediation Goals document, dated February 2000, in which safe soil concentrations were back calculated from a “health protective groundwater concentration” using the SESOIL and AT123 models.

10. Tables 5 1 through 5 8: A) There are approximately 80 chemicals identified as representing all the chemicals detected in either soil or groundwater in the Phase 1 area. There are 20 chemicals representing all the chemicals detected only in groundwater in the Phase 1 area. For each suite, there are chemicals for which no HBRGs were calculated. These chemicals should be listed separately with a summary qualitative analysis addressing the potential risk or hazard that these chemicals may represent. B) If there are discrepancies between these lists and the list given in the Health Based Remediation Goals document, dated February, 2000, an explanation for the discrepancies should be included here. C) In Table 5 7, final HBRGs are presented in units of  $\text{Mg}/\text{M}^3$  and  $\text{mg}/\text{kg}$ . The HERD assumes that the units of  $\text{mg}/\text{kg}$  were converted from  $\text{mg}/\text{m}^3$ . Provide the conversion equation in a footnote to the table.

## Conclusions

The current document is incomplete because of deficiencies outlined above in the specific comments.

Reviewed by:

Charles D. Miller, DVM, Ph.D.  
Senior Toxicologist  
Human and Ecological Risk Division

cc: Richard Coffman  
Senior Geologist  
Geological Services Unit

## MEMORANDUM

To: Rebecca Nevarez  
California Regional Water Quality Control Board  
Los Angeles Region



320 West 4th Street, Suite 200  
Los Angeles, California 90013

Via: Jinn C. Carlisle, D.V.M., Chief  
Applied Risk Assessment Unit

From: Julio A. Salinas, Ph.D., Bioche  
Applied Risk Assessment Unit

DATE: October 23, 2002

SUBJECT.. REVIEW OF THE ADDENDUM TO PHASE I COMMERCIAL HEALTHBASED  
REMEDICATION GOALS; PLAYA VISTA DEVELOPMENT PROJECT, LOS ANGELES,  
CALIFORNIA

Upon the request of the Regional Water Quality Control Board, Los Angeles Region (RWQCB LA), I reviewed the document entitled “Addendum: to Phase I Commercial Health-Based Remediation Goals Playa Vista Development Project, Los Angeles California” (the “Report”). The Report was prepared by Integrated Environmental Services, Inc. (Integrated) for Playa Capital Company (Playa), and is dated September 25, 2001.

The Report condenses and reflects the activities and documents received for review from RWQCB LA since May 1999. The Integrated Risk Assessment Section (IRAS has provided scientific and technical assistance to RWQCB LA for the activities listed below, which are implicitly incorporated in the Report subject to final review:

1. Playa Vista Phase 1 Development Identification of Health based Remediation Goals (HBRGs) for Chromium, Cobalt, Copper, and Mercury in Soils. Memo from Playa Vista to Rebecca Nevarez, RWQCB LA, April 26, 2002.
2. Playa Vista presentation to IRAS/The Office of Environmental Health Hazard Assessment (OEHHA). California Environmental Protection Agency (Cal/EPA) Briefing, May 1, 2002.
3. Task Force Tour and Meeting at Playa Vista Site, November 28, 2001.
4. “Phase 1 Area Commercial and Residential Health Based Re mediation Goals.” Presentation to RWQCB LA, OEHHA, Department of Toxic Substances Control (DTSC), U.S. Environmental Protection Agency (U.S. EPA, October 17, 2001.
5. “Addendum to Phase 1 Commercial Health Based Remediation Goals.” Presentation by Integrated Environmental Services, Inc., to the RWQCB LA September 27, 2001.
6. “Addendum to Phase 1 Commercial Health Based Remediation Goals.” Prepared by Integrated Environmental Services, Inc., dated September 25, 2001.

- 7, "Approach and Working Assumptions for Health Based Remediation Goals for Residential Use." Presentation at RWQCB LA, July 24, 2001.
8. Approach and Working Assumptions for Health Based Remediation Goals Phase 1 Development, Playa Vista. Meeting with RWQCB LA and OEHHA, July 18, 2001.
9. "Human Health Risk Assessment, Playa Vista Development, Los Angeles, California", prepared by Kleinfelder, Inc., dated February 6, 2002, and "Playa Vista Risk Assessment Calculations" prepared by Kleinfelder, Inc. , dated April 3, 2001. Review by Hazardous Waste Toxicology Section (HWTS) submitted April 9, 2001.
10. "City Investigation of Potential Issues of Concern for Community Facilities District No. 4 Playa Vista Development Project" prepared by the City of Los Angeles Office of the Chief Legislative Analyst, March 2001.
11. "Health Based Remediation Goals; Playa Vista, Los Angeles, California." Prepared by Integrated Environmental Services, Inc., and dated February 2000. Review by HWTS submitted August 17, 2000.
12. "Methane Short Presentation," Playa Vista, February 2, 2000.
13. "Revised Exposure Parameters for Playa Vista Health Based Remediation Goal Calculations", prepared by Integrated Environmental Services, Inc., dated July 14, 1999.
14. "Draft Protocol for Health Based Remediation Goals, Playa Vista DreamWorks Parcels, Los Angeles, California." Prepared by Integrated Environmental Services, Inc., dated May 11, 1999. Two follow up clarification memos from HWTS/OEHHA to RWQCB LA, dated October 5, 1999, and December 10, 1999.
15. "Report Methane Management Recommendations Playa Vista First Phase." Prepared by Camp Dresser & McKee Inc., and dated October 14, 1998.

## Background

The Playa Vista Development Project is a 1,087 acre parcel over three miles long and one mile wide located to the west of the City of Los Angeles, three miles north of Los Angeles International Airport, four miles south of the City of Santa Monica, and just south and east to the Marina del Rey boat harbor. The Playa Vista site is bisected north to south by Lincoln Boulevard, and east to west by the Ballona Channel, which creates four quadrants referred to as Areas A, B, C, and D. Area D consists of 486 acres.

The area planned for commercial development (the Site is approximately: (a) the one third Eastern portion of Area D, limited by Jefferson and Centinela Boulevards to the north and the Ballona Bluffs to the south, Teale Street to the southeast, and Lincoln Boulevard to the

southwest; plus, (b) half of the area at the northern quadrant of the area between Jefferson and Lincoln Boulevards, and the Ballona Creek Channel.

The Site is located in a geologically old area of naturally deposited silty fine grained sand (5 to 10 feet thick), followed in depth by silt and organic rich clay with discontinuous lenses of the Bellflower aquitard (25 to 60 feet thick), and the sand and gravel Ballona aquifer (up to 50 feet thick, 50 feet below grade), strata which rests upon up to 500 feet thick poorly consolidated sands and silts of the Silverado aquifer. The relatively impermeable clays and silts of the Bellflower aquitard inhibit the vertical and lateral migration of contaminants that could be present in the surface and subsurface soil, with lateral movement only observed in deeper aquifers. The Bellflower aquitard and the Ballona aquifer form the hydraulically connected, hydrostratigraphic Lower Bellflower aquifer, with a northerly gradient under the Site. Shallow groundwater is found at 3 to 15 feet below ground surface (bgs) under pre development conditions.

Extensive oil and gas exploration occurred in the 1920s at this location. Industrial activities taking place in area D from the 1930s included the manufacture, research, development, and testing of aircraft components and other equipment. All industrial operations ceased in 1994, and a majority of site structures have been decommissioned. The site has been under phased redevelopment by its current owner, Playa Capital Company since 1998.

A number of hazardous chemicals used and released to the environment during past operations have been found in this Site, including volatile organic compounds (VOCs), semi volatile organic compounds (SVOCs), petroleum hydrocarbons (TPH), metals, pesticides, and polychlorinated biphenyls (PCBs).

#### Purpose and Approach of the Health Risk Assessment

On December 1998, RWQCB LA issued a Cleanup and Abatement Order for Playa Vista, requiring a complete site wide soil and groundwater assessment and remediation of impacted areas, to support site closure. The RWQCB LA requested a health risk assessment as partial requirement for evaluating the need for soil and/or groundwater remediation or cleanup of Area D. Existing surface soils were a concern due to their potential health effects to future site users, while groundwater was a concern because of its potential impact to the underlying aquifers and potential associated environmental and health effects.

Integrated combined risk assessment methods with the estimation of health based remedial goals (HBRGs) for soil, groundwater, and soil gas for the Phase I Commercial Area. The same approach is used for the Residential Area, subject of a separate report.

Integrated defined HBRGs as:

the maximum residual concentration of a chemical in a specific environmental medium (soil, groundwater, or soil gas) that would not pose a significant health impact to a target receptor for a specific land use scenario” (Report, Section 1.3).

Integrated describes the receptor and contaminant specific HBRGs as appropriate: (a) for identifying contaminated soils that need remediation, (b) verifying the completeness of the previous remedial work, and, (c) estimating the overall residual risk remaining on site after remediation. This means that future residential or commercial locations within Area D with contaminant concentrations higher than the residential or commercial respective HBRGs for any particular chemical, are subject to remediation to the HBRG levels or less..

Development of HBRGs included identification of chemicals of potential concern (COPCs) and their associated toxicity criteria, detailed site specific conceptual exposure scenarios, estimation of receptor specific multipathway unit risks, and estimation of source term concentrations associated with this risk. Upon completion of the site remediation, a health risk assessment will be conducted to estimate residual risk (page 1 7). Should this health risk exceed acceptable levels, additional remediation or mitigation activities will be implemented.

The approach used, limited to human health risk assessment, is scientifically sound, reasonably conservative, and designed to protect human health. The methodology used reflects the state-of-the-art in risk assessment practices.

#### Contaminants characterization

The Report cites extensive investigation for soil, groundwater, and soil gas, conducted on the Playa Vista site since 1983, with remediation activities under the direction of the RWQCB LA since the late 1980 s. The description of previous site investigations and remediation is succinct but appropriate. The Report provides detailed graphical description of the Playa Vista Site, and Phase I Development areas, but graphical information on the location of soil contamination including gas emissions and groundwater plumes, is not presented. We recommend that this critical be added to the Report.

Within the Phase I Commercial Area, eight areas of potential concern were identified:

- A former drum storage area, at the southeast end of the Site;
- Former fuel underground storage tanks and waste oil pit west of Building 11;
- Former underground tanks north of Building 12;
- Building 12 former plating shops and clarifier;
- Former storm drainage discharge site northwest of former Building 12;
- Building 14 clarifiers;
- Building 15 utility trenches, existing clarifier, and former vapor degreaser pit; and,
- Former clarifier and sump area adjacent to Building 35.

Although these are described as “Areas of Potential Concern,” the Report does not provide a description of the nature, severity, and extent of the contamination at each of these eight locations. The 79 Constituents of Potential Concern shown in Table 2-1, are only a list of the contaminants found at this site. It would be appropriate to provide in a tabular form, their location, range of concentrations, number of samples analyzed for, number of positive identification, detection limits, and analytical method used. It would also be appropriate to show the location of soil and groundwater sampling, soil contamination, and location of methane

emissions. For a project of this magnitude, it is important to provide a level of transparency on the evidence and activities conducted on this Site.

Some buildings located in the Commercial portion of Area D have been designated historic structures (e.g., Buildings 14 and 15), and the implication is that they will be preserved. There is no description for the characterization of subsurface soil and groundwater contamination at these locations. Over the years of operation, they could have been the primary source of area contamination. Please provide evidence of this characterization.

Soil contamination. Development of the eastern portion of Area D required substantial importation of fill and grading, up to 11 feet thick of clean soil. The imported soil was selected to ensure that is free of hazardous contaminants and acceptable to the residential risk assessment scenario. I suggested previously to have included a short summary of soil analysis results for the clean soil fill, and I recommend again to include this critical information.

Groundwater contamination. According to the Report (page 1-4), seven areas of groundwater contamination were identified in the Phase 1 Commercial Area. The largest plume was described as located in the eastern portion of Area D beneath the former manufacturing facility, extending approximately 3,200 feet from west to east.

- Please clarify the inconsistencies in page 1-4, where it can be found that “some groundwater remediation (pump and treat) has been performed.” “The current extent of groundwater contamination in all areas of concern is not fully delineated” and “groundwater remedial activities for these areas are scheduled for implementation following RWQCB LA approval of a remediation plan that is currently being prepared by Playa Capital.”
- The Report does not provide clear identification on the location of the plumes and contaminant(s) identified and concentrations in each. Activities related to the soil and groundwater remediation of these areas are limited to a succinct description in Table 1 2, but the type of groundwater remediation being conducted, is not explained. Please provide this information or provide a reference to a report where this information can be found.
- The report does not explain whether the proposed Commercial HBRGs play any role in this remediation. Since development of HBRGs and remedial activities are related, the Report should provide graphical information on the location of the plumes, identification of contaminants in each, and the remedial activities related to these. Please explain what has been done and what remains to be done.

#### Selection of the Contaminants of Potential Concern

A total of 79 contaminants were selected as COPCs at the Area D Site. These include: for soil and groundwater, all contaminants (VOCs, SVOCs, and pesticides), and for soil gas, all VOCs detected in groundwater during last eight quarterly groundwater monitoring events.

The approach used allowed for the development of HBRGs for use throughout Area D Commercial Development Area. According to the Report, “If additional constituents are detected on site in the future, HBRGs will be developed for them as well,” but the mechanism or decision that would trigger the sampling and analysis for suspected contaminants is not explained. Please expand.

Upon completion of the site remediation, a health risk assessment will be conducted to estimate residual risk. This will be done based on a revised final list of COPCs for the site which will be developed during post remediation confirmation sampling.:

The Report does not mention the detected methane emissions at this site. Its presence should not be a health concern to people living or working in this area. Unless methane is present in an enclosed volume (e.g., room, tank) in which case it displaces oxygen and becomes an asphyxiant, methane is not a biologically hazardous gas, but is an explosion hazard. We suggest that some information and references be provided in the Report to indicate how Playa is addressing this issue.

#### Conceptual Exposure Model

The Conceptual Exposure Model (CEM) shown in Figure 3 1 is succinct, but supported. The CEM takes in consideration that portions of the commercial development will be built on top of at least 11 feet of clean import soil. This makes unlikely any direct contact with contaminated soil or groundwater. It is recommended to provide analytical data for the clean import fill that shows it is below soil HBRGs for direct contact.

Important conservative assumptions in the CEM include:

- (a) groundwater (i.e., the distance between receptor and groundwater) is at a minimum of 14 feet bgs;
- (b) the clean fill layer is a minimum of 11 feet (although the depth is closer to 20 feet);
- (c) asphalt and concrete will not impede vapor migration;
- (d) groundwater will not be used for drinking purposes (the water quality, TSD > 2000 mg/L makes it not acceptable), but groundwater still will be a source of volatile COPCs;
- (e) inhalation of resuspended contaminated soil particles in air, although the soil will be clean soil;
- (f) dermal contact with contaminated soil and incidental ingestion of contaminated soil are considered complete exposure pathways.

I suggest verification that local and/or covenants, code and restrictions (CC&Rs) explicitly include a prohibition of drilling on site private wells that may tap into contaminated

groundwater. I do not have any particular concern regarding unlimited landscaping, in particular if plants are not be edible and are irrigated with municipal tap water.

### Exposure Assessment

The exposure assessment considers three on site exposure scenarios for the proposed commercial use of the land. Exposure pathways and receptors considered for development of commercial HBRGs at Area D Phase 1 Development at the Playa Vista Site are shown in Table 1, below, and include:

Construction workers. Inhalation of outdoor air with VOCs from groundwater is the single exposure pathway considered complete and significant. Direct dermal contact with groundwater is well below normal excavation depth and was not considered, which is reasonable. However, inhalation of VOCs and resuspended particulates from soil, incidental soil ingestion and direct dermal contact with soil were not considered complete exposure pathways for workers during construction activities. The Report should explain the basis for not considering these complete pathways.

Operations/office personnel. The receptors of potential concern include office employees, production support personnel, maintenance workers, and security personnel. Outdoor inhalation of VOCs (from ground water), and indoor inhalation of subsurface vapor intrusion into building (from groundwater and soil gas), were evaluated as complete pathways.

Children in daycare. The receptors of potential concern are the children in the on site daycare center. Outdoor inhalation of VOCs (from groundwater), and indoor inhalation of subsurface vapor intrusion into building (from groundwater and soil gas) were evaluated as complete pathways.

The receptors of potential concern are appropriately selected in this approach, as well as each respective exposure scenario. Residential and recreational adults and children are assessed under the Residential HBRGs in a separate report. No off site receptors were considered in this approach, which is reasonable, since there is no evidence for off site migration of COPCs detected on site. Receptors of potential concern as well as the selected human exposure factors are appropriately characterized.

Exposure pathways such as contaminated water ingestion, or homegrown produce and animal products, are unlikely and therefore not evaluated in the risk assessment. The Report however does not make sufficiently clear on the reasons for considering groundwater but not soil as the source for VOCs. Soil gas measurements taken from soil at relatively near ground level maybe more representative of all subsurface VOCs volatilization and would include that from groundwater.

Input values and assumptions for human exposure factors such as exposure frequency, respiration rates, and exposure frequency and duration are reasonable and supported.

The method used for estimation of attenuation factors for indirect exposure is scientifically supported and appropriate. Use of the current version of the Johnson and Ettinger model for estimating soil to air (outdoors and indoors) and groundwater to air (outdoors and indoors) attenuation factors, is an appropriate and conservative approach:

Exposure algorithms used in the exposure assessment are standard and therefore appropriate.

Table 1. Hypothetical receptors and exposure pathways used to estimate commercial HBRGs at Area D Phase 1 Development at the Playa, Vista Site.

On-site activity	Receptor	Exposure pathway	Point of contact
Construction worker	Adult	Soil and subsurface soil	Outdoor inhalation of VOCs and PM10 [ <i>sic</i> ] Dermal contact Incidental Ingestion
		Groundwater	Outdoor inhalation of VOCs
		Soil gas	Outdoor inhalation of VOCs
Operations/ office personnel	Adult	Soil	
		Groundwater	Outdoor inhalation of VOCs Indoor inhalation of vapor intrusion into building
		Soil gas	Indoor inhalation of vapor intrusion into building Outdoor inhalation of VOCs
Child daycare	Child	Soil	
		Groundwater	Outdoors inhalation of VOCs Indoors inhalation of vapor intrusion into building
		Soil gas	Indoors inhalation of vapor intrusion into building

Complete exposure pathway considered in the Report—Insufficiently addressed in the Report.

#### Contaminants migration and point of contact

Estimation of COPC concentrations in soil or groundwater and respective concentrations in outdoor or indoor air was conducted by modeling migration of vapors from underlying groundwater or soil gas into outdoors or indoor spaces. The selected Johnson and Ettinger model is widely used, and it is an appropriate model for this purpose. Values selected for the input variables are reasonable and expected to result in conservative HBRG estimates.

#### Toxicity Assessment

A total of 79 contaminants that include VOCs and pesticides were selected as COPCs for the Commercial Area D Site. These include all contaminants detected in soil gas and groundwater with the potential for volatilizing from the subsurface. Their chemical toxicity values are listed in Table 2-2.



- No inorganic contaminants were considered because no complete or significant exposure pathway were identified for operations/office personnel and children in daycare, but workers would be exposed to resuspended soil particulates and to direct soil contact containing inorganics and, SVOCs. Please address this issue:
- Only chemicals for which toxicity criteria are available for the inhalation route were considered. The Report does not mention whether any chemical was not considered on this basis.
- The exposure assessment for workers during construction activities did not include ingestion of resuspended soil particles nor direct dermal contact with soil. These two exposure pathways would require oral toxicity criteria which could have been produced by using across route conversion factors. Please explain the rationale for not adopting a surrogate route to route extrapolation for the toxicity criteria:
- Although the Report states that “If additional constituents are detected on site in the future, HBRGs will be developed for them as well,” the event that would trigger the development of an additional HBRG is not described.
- To make a stronger case on the conservatism of the cancer risk assessment, I suggest to list the Carcinogenic Weight of Evidence for each COPC, and mention that all Class A and Class B carcinogens identified on site have been included.

I did not verify the accuracy of the toxicity criteria for Reference Doses and for Cancer Slope Factors, and I assume that they are correct. Use of Toxicity Equivalence Factors for PAHs is appropriate.

#### Risk characterization

The proposed cumulative target cancer risk (TCR) level. of  $1 \times 10^{-6}$  and the proposed cumulative target hazard index (THI) of 0.2, are both health protective for potentially exposed receptors.

- A lifetime extra cancer risk (LECR) of  $1 \times 10^{-6}$  (i.e.,  $1:10^6$ ) is the probability of contracting cancer (either treatable or lethal) over a lifetime of exposure to the carcinogenic chemical. That is, up to one person out of one million exposed would contract cancer.
- A hazard index is the sum of more than one hazard quotient for multiple chemicals and/or multiple exposure pathways. If the overall HI is greater than 1.0, then the chemicals are segregated according to their contributing hazard to similar toxic endpoints.

The exposure assessment used to develop the HBRGs is designed and expected to accomplish the human health protection purpose of the selected target risk level, since they consider all likely exposure pathways, contaminants and receptors.

#### Development of Health Based Remediation Goals

The scientific and technical basis for the HBRGs are described in Section 5. HBRGs are developed for organic contaminants in groundwater and in soil gas. This is based on the potential migration of VOC vapors from groundwater or soil to air, which is unlikely for inorganics. The approach assumes that migration of VOCs is applicable to the Bellflower aquitard, located above the Ballona aquifer, where the contaminants occur.

The proposed development of HBRGs is equivalent to a “forward” risk assessment, in which the overall health risk is estimated assuming exposure to all detected COPCs under the defined exposure scenarios, and followed by a “backwards” risk assessment, in which the cancer risk and hazard index are set at a target level, and the concentration of each COPC under the exposure scenario that satisfies the target level, are estimated. This is a common approach used in remediation of contaminated sites:

Playa proposes the use of an overall cancer target risk level of  $1 \times 10^{-6}$ , and an overall chronic hazard index of 0.2. These target levels are conservative and appropriate.

The estimation of Commercial HBRGs was conducted in a two step process:

(a) Calculation of Initial HBRGs. Initial HBRGs were calculated for each contaminant occurring in groundwater and soil gas, for each receptor and exposure scenario under consideration, as follows:

- For organic contaminants: the lowest of either a cancer risk associated HBRG, hazard index-associated HBRG, or the soil saturation limit.
- Inorganics. These are not considered COPCs for the Commercial Area, and therefore no HBRGs are developed.

(b) Selection, of Final HBRGs. From the initial list of HBRGs, the final HBRGs for organic COPCs were selected as follows:

- Groundwater HBRGs. All groundwater COPC HBRGs for different receptors and chemical specific groundwater saturation limits were compared, and for the lowest value (most conservative) of the construction worker HBRG, the operations/office HBRG, the daycare child HBRG, or the groundwater saturation limit, was selected as the final HBRG.
- Soil gas HBRGs: The lowest of the initial soil gas HBRG for the operations/office personnel and daycare child was selected as final soil gas HBRG for each chemical.

This complex procedure allows for the prediction of the levels of the contaminants detected on the Playa Vista Area D site that would be associated with health risks considered below biological significance, therefore protective of human health.

The proposed final HBRGs are presented in tables 5 6 for the COPCs in groundwater, and in Table 5 7 for COPCs in soil gas. In order to facilitate analysis and discussion, I recommend that a summary list of proposed final HBRGs be presented separately in a tabular form in Section 7 Conclusions, and provide a brief explanation on how these will be implemented in the field.

I suggest that the overall HBRG approach be verified for accuracy, which can be achieved using the same approach (input values, algorithms and software) used to develop the HBRGs. This can be achieved by conducting a health risk assessment using the proposed final HBRG as input for on site concentrations for soil, groundwater, and soil gas, and the same exposure factors, exposure pathways, and exposure scenarios used for developing the HBRGs. Please provide output results of overall cancer risk and hazard index. As designed, the overall lifetime extra cancer risk should be  $1E-06$  or less, and the overall hazard index should be 0.2 or less. The additivity of risk or hazard for multiple contaminants and exposure pathways is expected to somewhat compensate the conservatism introduced in selection process, of the HBRGs.

### Uncertainty Analysis

This section is very well documented, and describes the most important considerations and assumptions that could lead to over or underestimation of exposures and risk.

Lack of toxicity criteria or changes to existing values for some contaminants identified at the Site constitute a source of uncertainty but also reflects the current understanding of regulatory agencies.

As I also mentioned in the residential HBRG review, there is a confusion on the concept of 95 percent upper confidence limit of the mean (95 percent UCL), and the 95 th percentile of a population distribution (page 6 6). In selecting certain human exposure factors, the authors correctly selected a 95th percentile, that is the percentile that defines the 95 percent area under the population distribution. The range 95 99th percentile is considered the high end of a population distribution, not a 95 percent UCL. The 95 percent UCL of the mean refers to the upper range of uncertainty for the true value of the population mean, and is a central tendency estimate. Please correct.

I conducted a spot check of some algorithms, input values, and output results, and found them be numerically correct. Because of the massive number of calculations, and because files :and/or software were not provided with the Report, I was not able to verify complete sequence of calculations. I can only rely on the accuracy of the information provided by Integrated and Playa.

### Conclusions and Recommendations

I recommend including aspects such as presenting in a tabular and text forms the recommended HRBGs [sic] for the Playa Vista site, how the HBRGs will be implemented, and what approach will be used to identify location of hot spots or areas of high levels of hazardous contaminants:

### SUMMARY

This is a very complex, thorough, and sound health risk assessment approach. The authors propose a methodology that exceeds current standards and practices in health risk assessment used and recommended by OEHHA and U.S. EPA. I commend the Integrated and Playa Team for their meticulous work, attention to detail, and this superb, workproduct:

The overall approach. used is based on actual data from all contaminants identified on site, and in order to develop predictable concentration levels, the procedures included widely used environmental migration models, exposure assessment practice, human exposure factors, regulatory toxicity criteria, and risk characterization methods. The approach proposed provides a level of conservatism expected to reasonably protect human health.

There is no need to revise the Report, but response to the above comments is expected to be incorporated into the Report in the form of an Addendum, and some information may be just incorporated by reference.

We appreciate the opportunity to comment on this report and look forward to assist the RWQCB LA in other projects.

### **Response 15-8**

This attachment was submitted in support of comments stated in Comment 15-3. As such, comments related to this attachment are addressed in Response 15-3, above.

### **Comment 15-9**

**[This comment attaches the full text of a November 19, 2002 letter sent from the CRWQCB.]**

November 19, 2002

Mr. David Nelson  
Environmental Project Manager  
Playa Capital Company, LLC  
12555 West Jefferson Boulevard, Suite 300  
Los Angeles, CA 90066

APPROVAL OF SOIL REMEDIATION TRIGGERS (SRTs); CAMPUS AREA PLAYA VISTA DEVELOPMENT PROJECT, 6775 CENTINELA AVENUE, LOS ANGELES, CALIFORNIA (CAO NO. 98 125, FILE NO. 98 192, SLIC NO. 0773, SITE ID NO. 2043W 00)

Dear Mr. Nelson:

Regional Water Quality Control Board (Regional Board) staff have received the "Soil Remediation Triggers (SRTs); Campus Area," letter dated November 14, 2001, prepared on

behalf of Playa Capital Company, LLC (Playa Capital) by Integrated Environment Services, Inc. The November 14, 2001 letter provides responses to the Regional Board's letter dated October 12, 2001 (attached) and October 1, 2001 memorandum (attached), which contained general and specific comments on the soil cleanup levels proposed by Playa Capital. The SRTs will be used to help identify areas in which active soil and/or groundwater remediation may be necessary. Two sets of SRTs were developed. One set is used to assess potentially significant impacts from soil contamination to the Upper Bellflower Aquitard, referred to as USRTs. The other set addresses potentially significant impacts to the Lower Bellflower Aquitard, referred to as LSRTs.

The Regional Board's primary responsibility is the protection of ground and surface water quality for all beneficial uses within the Coastal Watersheds of Los Angeles and Ventura Counties. Therefore, the Regional Board requires that first encountered groundwater be remediated as necessary to protect all designated beneficial uses and the underlying groundwater aquifers. According to the "Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties," the groundwater underlying the Playa Vista Development Project (Playa Vista) has a beneficial use designation of municipal and domestic supply (MUN). Water designated as MUN shall not contain concentrations of chemical constituents in excess of the Maximum Contaminant Levels specified in Title 22 of the California Code of Regulations.

Regional Board staff have reviewed the SRTs and Playa Capital is authorized to implement the proposed USRTs, provided the following conditions are met:

1. Conduct sensitivity analysis model runs under the conditions of changing input parameter values;
2. Verify the calculations or model runs, as appropriate, for the USRTs generated for ethylbenzene, styrene and xylenes, since these numbers are an order of magnitude or more greater than the other USRTs; and
3. Playa Capital is not authorized to implement the LSRTs since these numbers will not be protective of the Upper Bellflower Aquitard, which is the first encountered groundwater underlying the site.

Playa Capital is required to submit the sensitivity analysis and verification of USRTs for ethylbenzene, styrene and xylenes to the Regional Board by December 20, 2002.

If you have any questions regarding this matter, please contact Mr. J. T. Liu, Site Cleanup Unit Chief, at (213) 576 6667, or Dr. Arthur Heath, Remediation Section Chief, at (213) 576 6725.

Sincerely,

Dennis A. Dickerson Executive Officer

Attachment: 1) Regional Board Letter dated October 12, 2001  
2) Regional Board Memorandum dated October 1, 2001

cc: Ms. Celeste Caritu, State Water Resources Control Board (w/out attachment)  
Ms. Barbara Evoy, State Water Resources Control Board (w/out attachment)  
Ms. Dorothy Rice, Department of Toxic Substances Control (w/out attachment)  
Mr. Norman Riley, Department of Toxic Substances Control (w/out attachment)  
Ms.. Florence Gharibian, Department of Toxic Substances Control (w/out attachment)  
Ms. Betsy Curnow, United States Environmental Protection Agency, Region IX (w/out attachment)  
Mr. John Kemmerer, United States Environmental Protection Agency, Region IX (w/out attachment)  
Mr. Raymond Chan, City of Los Angeles, Department of Building and Safety (w/out attachment)  
Mr. Colin Kumabe, City of Los Angeles, Department of Building and Safety (w/out attachment)  
Mr. David Hsu, City of Los Angeles, Department of Building and Safety (w/out attachment)  
Mr. Dave Chamberlin, Camp Dresser & McKee Inc. (w/out attachment)  
Ms. Patricia McPherson, Grassroots Coalition (w/out attachment)  
Ms. Kathy Knight, Sprite of the Sage Council (w/out attachment)  
Ms. Sabrina Venkus, Ballona Wetlands Land Trust (w/out attachment)  
Mr. Steve Fleischli, Santa Monica BayKeeper (w/out attachment)  
Mr. Rex Frankel, Ballona Ecosystem Education Project (w/out attachment)  
Mr. John Davis, Sierra Club, Angeles Chapter, Airport Marina Group (w/out attachment) –  
Ms. Marina Hanscom, Wetland Action Network (w/out attachment)  
Mr. Bruce Robertson, Ballona Valley Preservation (w/out attachment)  
Mr. David Friedman, Beveridge & Diamond (w/out attachment)  
Mr. Mieke Solari (w/out attachment)  
Ms. Barbara Eisenberg (w/out attachment)  
Mr. Eugene Philip Jerome Krischer (w/out attachment)  
Ms. Sheila Bernard (w/out attachment)  
Ms. Carol Mattem (w/out attachment)  
Mr. Denis Wilson and Ms. Heather Green (w/out attachment)

October 12, 2001  
David Chernik  
Environmental Project Manager  
Playa Capital Company  
12555 West Jefferson Boulevard, Suite 300  
Los Angeles, CA 90066

SOIL CLEANUP LEVELS FOR GROUNDWATER PROTECTION, CAMPUS AREA  
PLAYA VISTA, 6775 CENTINELA AVENUE, LOS ANGELES  
(CAO NO. 98 125, FILE NO. 98 192, SLIC NO. 0773)

Dear Mr. Chernik:

Regional Water Quality Control Board (Regional Board) staff have received the “Soil Cleanup Levels for Groundwater Protection, Campus Area,” report dated August 27, 2001, prepared by Integrated Environment Services, Inc. The report proposes soil cleanup levels for the commercial development in the eastern portion of Area D, referred to as the “Campus Area.” Two scenarios were presented: one, where the ground surface is hardscaped (capped); and the other, where the ground surface is landscaped (uncapped). Regional Board staff have reviewed the report and find that many of the modeling conclusions were not supported by site specific data. For example, the field soil data must support the conceptual model presented in Figure 3, namely that contaminants were not detected deeper than 5 feet below ground surface. In addition, the conceptual model did not take into consideration the existing contaminant concentrations detected in the groundwater underlying the site. Regional Board staff have concluded that without site specific data to support the soil cleanup levels derived in the modeling approach the proposed soil cleanup levels are not acceptable. Please find attached a memorandum containing general and specific comments on the report by Dr. Yue Rong.

The Regional Water Quality Control Board's primary responsibility is the protection of ground and surface water quality for all beneficial uses within the Coastal Watersheds of Los Angeles and Ventura Counties. As such, we are the lead regulatory agency for overseeing corrective action and cleanup of discharges of contaminants into the soil that may affect groundwater quality. Ideally, this entails the cleanup of soil and groundwater contamination to “non detect” or background levels. This approach stems from and [sic] interpretation of the “Statement of Policy with Respect to Maintaining High Quality of Waters in California” commonly referred to as the antidegradation policy. The approach also follows recommendations in the “Policies and Procedures for Investigation and Cleanup and Abatement of Discharges under Cleanup and Abatement of Discharges under Water Code Section 13304.” In practice, the Regional Board will afford the highest possible and practical level of protection to all sources, depending upon their use. Therefore, final soil cleanup levels should be based on the best available technology and its performance. Regional Board staff understand that the cost of the available technology will also be a deciding factor. At this stage of the assessment and cleanup process, Regional Board staff will accept applicable soil cleanup objectives based upon the May 1996 “Interim Site Assessment & Cleanup Guidebook,” and/or consider other scientifically defensible fate and transport modeling approaches.

Responses to the attached comments are due to this Regional Board by October 29, 2001. If you have any questions, please contact Rebecca Nevarez at (213) 576 6795 or Dr. Yue Rong at (213) 576 6710.

Sincerely,

Blythe Ponak Bacharowski, Unit Chief  
Senior Engineering Geologist  
Site Cleanup II Unit

Attachment

cc: Rachel Loftin, United States Environmental Protection Agency

David Hsu, City of Los Angeles, Department of Building and Safety  
Derrick Willis, Integrated Environmental Services, Inc.

MEMORANDUM

TO: Rebecca Nevarez

FROM: Yue Rong  
Senior Environmental Scientist

DATE: October 1, 2001

SUBJECT: SOIL CLEANUP LEVEL FOR PLAYA VISTA PROJECT

Re: Document entitled "Soil Cleanup Levels for Groundwater Protection, Campus Area, Playa Vista Property, Los Angeles, California (August 27, 2001)" by Integrated Environmental Services: Inc

General:

1. The modeling approach used in the subject document did not utilize site specific data to derive soil cleanup levels. The site specific data include soil physical properties (porosity, soil moisture contents, etc.) and analytical results of COPCs (lateral and vertical distribution of concentrations in soil). Any modeling conclusion must be supported by site specific data. For example, field soil data should support the conceptual model presented in Figure 3, i.e., no detections of any COPCs are deeper than 5 feet below land surface across the site. Another example is that Vleach model is not able to simulate NAPL case. Is there NAPL at the site? For a project of this scale, short of using site specific data is not acceptable.

2. The document (pages 2 and 3) argued that the approach is conservative because (a) the model used (Vleach) is only one dimensional while the reality would allow volatile contaminants to escape in three dimensions, and (b) the capillary fringe zone can be a somewhat barrier to leaching contaminants due to the "slow" liquid phase diffusion.

The above arguments are only partially correct. The argument (a) only applies to vapor phase migration. Contaminants in liquid dissolved phase probably would not migrate upward, and do laterally only when encountering a less permeable layer; even with the lateral movement case, the total mass of the contaminants will not reduce at the source site. The argument (b) also only applies to vapor transport case. If the contaminants in dissolved phase come down with the infiltrating water, the capillary fringe may not serve as a "barrier," and maybe a "facilitator" to downward migration.

In addition, most importantly, the Vleach model is not able to simulate the downward preferential pathways. This significant factor along probably will offset all "conservative" assumptions presented in the document.



3. I do not agree the assumption that leaching only occurs in the uncapped scenario (page 3). According to EPA document (1992), even under the urban area, the runoff can be as high as 95%, which implies maybe a 5% infiltration water going downward through asphalt cover (table copy attached).
4. I do not agree the assumption that not considering non aqueous phase liquids (NAPL) is conservative (page 3). Why is it conservative? If one wants to evaluate a worst case scenario, include NAPL as the worst case.
5. Under the section of “Summary of Conservative Assumptions” (page 3), it is not very clear to me why the primary contaminant transport of vapor phase diffusion (bullet #2) is “conservative.” If one wants to evaluate a worst case scenario, include liquid phase advection, which has been built in the model.
6. A sensitivity analysis must be done in terms of model output under the conditions of changing input parameter values, especially to those dimensional parameters (e.g., why the source area is 20 by 30 feet).

Specific:

7. Table 3. We found large discrepancies in values of Koc between Table 3 and EPA Region 9 PRG document. Please reconcile the numbers and propose a way to take into account both numbers in modeling process (e.g., use of both runs, or use of average, etc.). Please also check discrepancies in the free air diffusion coefficient for 1,2 DCA, VC, and Xylenes. (See attached copy of table).
8. Attachment A. Page 2. Equation 1 must use site specific data for Cuz and Csz. It is not clear to me why Csz set to value 0 is “conservative” (page 2). If one wants to evaluate the worst case scenario, equation 1 indicates that the higher Csz, the higher Cgw(output). So, setting Csz higher value is more conservative.
9. Attachment A. Page 4, line 1. Please explain why the source area is estimated as 20 by 30 feet. More importantly, the dimension of 30 feet was used to calculate Asz in equation 3 (page 6). Note that higher Asz results in lower Cgw. Why not use 20 feet in calculation if one wants to be more conservative? Recommend all dimensional variations be studied in sensitivity analysis.
10. Attachment A. Page 4, “Soil Parameters.” All soil physical property parameters must be obtained from site specific data, including porosity, bulk density, soil moisture contents, and foc. I am not sure if the 90 percent saturation in the vadose zone soil is supported by the field data. Note that the degree of saturation will affect the space for vapor transport. If the intention is to have vapor transport as a primary transport mechanism as proposed in the document, this is not a conservative assumption.
11. Attachment A. Page 4, “Soil Parameters.” As indicated in term #3 above, not considering infiltrating water at all under the capped condition is not a conservative assumption. In addition,

to estimate the quantity of infiltrating water based on precipitation, one must estimate a range of runoff. Please refer to the attached Table (EPA 1992) for a range of relevant runoff coefficients to calculate a range of infiltrating water (see Rong and Wang 2000).

12. Attachment A. Page 5, “Boundary Conditions for Vapors.” To assume no vapor phase diffusion under the capped condition is not a conservative proposal.

13. Attachment A. Page 6, “Summers Model Input Parameters.” As indicated in items #6 and #9 above, the cross sectional area of 20 by 30 feet seems somewhat arbitrary. Again, if it is arbitrary, why use 30 feet in calculation instead of 20 feet, which is more conservative. Data for hydraulic conductivity and gradient must be supported by site-specific data.  $K=27$  ft/day seems little to high. All of these parameters must be included in sensitivity analysis.

#### Recommendations:

Without site specific data to support, soil cleanup levels derived in the modeling approach are not acceptable. All above comments must be addressed and model must be re run accordingly.

#### Attachments

Cc: B. Poniek Bacharowski, David Bacharowski

[Additional attachments to this letter begin on page 779.]

#### **Response 15-9**

This attachment was submitted in support of comments stated in Comment 15-3. As such, comments related to this attachment are addressed in Response 15-3, above.

EXHIBIT B-13: TYPICAL COEFFICIENTS FOR 5- TO 10-YEAR FREQUENCY DESIGN STORMS	
Description of Area	Runoff Coefficients
Business	
• Downtown areas	0.70-0.95
• Neighborhood areas	0.50-0.70
Residential	
• Single-family areas	0.30-0.50
• Multiunits (detached)	0.40-0.60
• Multiunits (attached)	0.60-0.75
Residential (suburban)	0.25-0.40
Apartment dwelling areas	0.50-0.70
Industrial	
• Light areas	0.50-0.80
• Heavy areas	0.60-0.90
Parks and cemeteries	0.10-0.25
Playgrounds	0.20-0.35
Railroad yard areas	0.20-0.40
Unimproved areas	0.10-0.30
Streets	
• Asphalt	0.70-0.95
• Concrete	0.80-0.95
• Brick	0.70-0.85
Drives and walks	0.75-0.85
Roofs	0.75-0.95
Lawns - coarse textured soil (greater than 85 percent sand)	
• Slope: Flat (2 percent)	0.05-0.10
• Slope: Average (2-7 percent)	0.10-0.15
• Slope: Steep (7 percent)	0.15-0.20
Lawns - fine textured soil (greater than 40 percent clay)	
• Slope: Flat (2 percent)	0.13-0.17
• Slope: Average (2-7 percent)	0.18-0.22
• Slope: Steep (7 percent)	0.25-0.35
Source: <i>Design and Construction of Sanitary and Storm Sewers</i> , with permission from the publisher, American Society of Civil Engineers, <i>Manual of Practice</i> , page 37, New York, 1960.	

Table 3. Chemical-specific Parameters Used as Input to VLEACH

Compound	Organic Carbon Partition Coefficient (K <sub>oc</sub> , in cm <sup>3</sup> /g)	Henry's Constant (K <sub>a</sub> , dimensionless)	Aqueous Solubility (S, in mg/L)	Free Air Diffusion Coefficient (D <sub>a</sub> , in m <sup>2</sup> /d)
1,1,1-Trichloroethane (1,1,1-TCA)	110 140	0.705 0.710	1,330 1,300	0.674 0.674
1,1,2-Trichloroethane (1,1,2-TCA)	50.1 75	0.0374 0.037	4,420 4,400	0.674 0.674
1,1-Dichloroethane (1,1-DCA)	31.6 53	0.230 0.230	5,060 5,100	0.639 0.639
1,1-Dichloroethene (1,1-DCE)	58.9 65	1.07 1.1	2,250 2,300	0.778 0.778
1,2-Dichloroethane (1,2-DCA)	17.4 38	0.0401 0.04	8,520 8,500	0.899 0.864
1,4-Dichlorobenzene (1,4-DCB)	817 620	0.0996 0.1	74 74	0.596 0.511
Benzene	58.9 6.2	0.228 0.23	1,750 1,500	0.760 0.760
Chlorobenzene	219 220	0.152 0.150	472 470	0.631 0.631
cis-1,2-Dichloroethene (c-1,2-DCE)	35.5 36	0.167 0.170	3,500 3,500	0.636 0.637
Ethylbenzene	363 200	0.323 0.320	169 170	0.648 0.645
Methylene Chloride	117 10	0.0898 0.090	13,000 13,000	0.873 0.864
Styrene	776 910	0.113 0.110	310 310	0.613 0.613
Tetrachloroethene (PCE)	155 270	0.754 0.750	200 200	0.622 0.622
Toluene	182 140	0.272 0.270	526 530	0.752 0.752
trans-1,2-Dichloroethene (t-1,2-DCE)	52.5 38	0.385 0.380	6,300 6,300	0.611 0.613
Trichloroethene (TCE)	166 94	0.422 0.420	1,100 1,100	0.683 0.683
Vinyl Chloride (VC)	18.6 19	1.11 1.1	2,760 2,500	0.916 0.950
Xylenes <sup>11)</sup>	389 200	0.301 0.30	178 160	0.664 0.605

Source: U.S. Environmental Protection Agency, 1996, Soil Screening Guidance (User's Guide), Table C-1, EPA 540/R-96/018, April

Notes:

<sup>11)</sup> The values shown are the mid-range values listed for the three xylene isomers (m-Xylene, o-Xylene, and p-Xylene).

cm<sup>3</sup>/g = cubic centimeters per gram

mg/L = milligrams per liter

m<sup>2</sup>/d = meters squared per day

## Monte Carlo Vadose Zone Model for Soil Remedial Criteria

Yue Rong<sup>1</sup> and Rueen Fang Wang

<sup>1</sup> California Regional Water Quality Control Board, Los Angeles Region, 320 West 4<sup>th</sup> Street, Suite 200, Los Angeles, CA 90013, tel: (213)576-6710; fax: (213) 576-6700; e-mail: yrong@rb4.swrcb.ca.gov

uncertainties associated with model input parameters. This article presents a modified model combining a one-dimensional vadose-zone transport model and a simple groundwater mixing model with a function of Monte Carlo simulation (MCS). The modified model is applied to determine soil remedial concentrations for methyl tertiary butyl ether (MTBE). The modified model generates a distribution of MTBE groundwater concentrations at the point of compliance. This distribution can be used to estimate the risk of exceeding groundwater quality standard given soil remedial concentrations. In a case study, soil remedial concentration for MTBE is established to be 5 µg/kg, with a 95% and 10 µg/kg with a 50% probability that groundwater concentration will not exceed the water quality objective of 13 µg/L. Furthermore, this study uses MCS to investigate uncertainties of model input parameter hydraulic conductivity (K). One set of data (K1) is based on the results of hydraulic conductivity laboratory tests, and the other (K2) is based on the results of slug tests conducted in the field. As expected, the laboratory data show smaller K values than the field data. The comparison of the MCS results obtained from the two sets of K data indicates that the MTBE groundwater concentrations calculated based on K1 are generally 160 to 625% greater than those calculated based on K2 at the same percentiles of the MCS distribution. A higher soil remedial concentration of 9 µg/kg is then calculated based on the MCS results from K2 at 95%ile and 19 µg/kg at 50%ile.

Many vadose zone models are available for environmental remediation, but few offer the procedures for verifying model predictions with field data and for dealing with

**KEY WORDS:** Monte Carlo Simulation (MCS), vadose zone transport model, VLEACH, soil remediation, MTBE, sensitivity analysis, uncertainty analysis.

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## INTRODUCTION

Recently, more and more vadose zone models have been applied to environmental assessment and remediation. Model applications in the real environmental cases however, have often been hampered by difficulties in verifying the model predictions with field-measured data due to uncertainties associated with contaminants release time and quantities, soil heterogeneity, and laboratory analytical procedures (Rong 1999). To deal with uncertainties of this type, one avenue may be to use Monte Carlo simulation (MCS) for mathematical models using a range of values instead of a single value for each input parameter. MCS has a wide range of applications in the fields of human and ecological risk assessment (HERA, 1996). Rubin *et al.* (1994) provided a framework for using MCS in the field of environmental assessment. Despite all the work to date, few vadose zone transport models commercially available have the capability to run MCS routinely. This article introduces a Monte Carlo vadose zone model based on existing vadose zone transport model VLEACH and a simple groundwater mixing model. The modified Monte Carlo vadose zone model can accommodate value ranges and distributions for input parameters and a time series run for seeking a maximum model output at each Monte Carlo run. The time series run feature in this article is usually difficult for finite differential equations with numerical solutions because the simulation time can be a variable to the maximum concentrations of model output. The Monte Carlo vadose zone model is then used in a case study to determine soil remedial concentration for methyl tertiary butyl ether (MTBE) in the Charnock investigation area in Santa Monica, California.

The shutdown of the Charnock water supply well field in Santa Monica, California, has drawn national attention to groundwater contamination problems by MTBE. MTBE is a gasoline oxygenating additive that is used to enhance automobile combustion and consequently to reduce air pollution. However, due to its high water solubility and mobility in the subsurface environment, MTBE has become a major contaminant in soil and groundwater and poses a significant threat to groundwater quality. In order to protect groundwater quality, it is more effective to clean up MTBE in soil before it leaches into groundwater. Therefore, it is essential for regulatory agencies to establish adequate soil remedial standards for MTBE. This article presents a modeling approach to determine soil remedial concentration for MTBE.

In this study, Monte Carlo simulation (MCS) method combined with an integrated vadose zone and groundwater transport model generates a statistical distribution of MTBE concentrations in groundwater at a point of compliance. Decision makers can use this distribution to estimate the probability for MTBE groundwater concentrations exceeding certain applicable water quality standards in the process of determining soil remedial concentrations. In addition, MCS has been used to investigate uncertainties with model input parameter hydraulic conductivity to

further demonstrate the importance of uncertainty analysis for the modeling approach.

## TRANSPORT MODELS

### VLEACH

VLEACH is a one-dimensional finite difference vadose zone transport model. The model simulating processes include liquid phase advection, vapor phase diffusion, and adsorption onto solid surface. A detailed description of mathematics and numerical solutions of the model and model assumptions can be seen in Rosenbloom *et al.* (1993) and Rong (1999). Model descriptions are briefly given as follows.

Liquid phase advection governing equation is

$$\frac{\partial C_l}{\partial t} = -\frac{q}{\theta} \cdot \frac{\partial C_l}{\partial z} \quad (1)$$

where  $C_l$  is the liquid phase concentration (mg/l),  $q$  is the infiltration water rate (ft/yr),  $\theta$  is water-filled porosity of soil by volume (dimensionless),  $t$  is the time (yr),  $z$  is the vertical dimension (ft).

Gaseous diffusion governing equation is

$$\frac{\partial C_g}{\partial t} = -D_e \cdot \frac{\partial^2 C_g}{\partial z^2} \quad (2)$$

where  $C_g$  is the gaseous phase concentration (mg/l),  $D_e$  is the effective diffusion coefficient (ft<sup>2</sup>/yr).

Adsorption governing equation is

$$C_s = K_{oc} f_{oc} \cdot C_l \quad (3)$$

where  $C_s$  is the adsorbed phase concentration ( $\mu\text{g}/\text{kg}$ ),  $K_{oc}$  is the organic carbon partition coefficient (ml/g),  $f_{oc}$  is the soil organic carbon content (dimensionless).

The equilibration governing equation at each vertical dimensional simulation cell is

$$C_T = \theta \cdot C_l + (\phi - \theta) \cdot C_g + \rho_b \cdot C_s \quad (4)$$

where  $C_T$  is the total concentrations for all three phases at equilibrium,  $\phi$  is the soil porosity (dimensionless),  $\rho_b$  is soil bulk density (g/ml).

### Groundwater Mixing Model

The groundwater mixing model calculates a groundwater concentration at the point of compliance based on the assumption that the total mass discharged from the vadose zone is completely mixed within a box containing the total volume of the aquifer impacted by the entering contaminant mass. A detailed description of the model and model assumptions is given in Rong *et al.* (1998). The mathematical expression is presented in the following equations (USEPA, 1996):

$$C_w = M_T / (Q_p + Q_A) \quad (5)$$

where  $C_w$  is the groundwater concentration at the point of compliance ( $\mu\text{g/l}$ );  $M_T$  is the total mass released to groundwater per unit time ( $\mu\text{g/yr}$ );  $Q_p$  is the vertical percolation flow rate ( $\text{l/yr}$ ); and  $Q_A$  is the longitudinal groundwater flow rate through the mixing zone ( $\text{l/yr}$ ).

Here, 
$$Q_p = q \cdot A \quad (6)$$

$$Q_A = W \cdot d \cdot K \cdot (\Delta h / \Delta L) \quad (7)$$

where  $q$  is the average infiltration rate ( $\text{ft/yr}$ );  $A$  is area of the source ( $\text{ft}^2$ );  $W$  is the width of the source area perpendicular to the direction of groundwater flow ( $\text{ft}$ );  $d$  is depth of mixing zone in the aquifer ( $\text{ft}$ );  $K$  is hydraulic conductivity in the aquifer ( $\text{ft/yr}$ ); and  $\Delta h / \Delta L$  is the hydraulic gradient ( $\text{ft/ft}$ ).

The depth of mixing zone,  $d$ , is calculated by Equation (8) (USEPA 1996):

$$d = (2 \cdot \alpha_v \cdot L)^{1/2} + Z_a [1 - \exp(-(L \cdot q) / (Z_a \cdot v_1 \cdot \phi))] \quad (8)$$

where  $\alpha_v$  is the vertical dispersivity ( $\text{ft}$ );  $L$  is a distance from the source to the point of compliance ( $\text{ft}$ );  $Z_a$  is the thickness of aquifer ( $\text{ft}$ );  $v_1$  is the longitudinal seepage velocity ( $\text{ft/yr}$ ) =  $K \cdot (\Delta h / \Delta L) / \phi$ ; and  $\phi$  is effective porosity (dimensionless).

The second term in Equation (8),  $Z_a [1 - \exp(-(L \cdot q) / (Z_a \cdot v_1 \cdot \phi))]$ , is the estimate of mixing depth due to the downward velocity of infiltrating water. The first term in Equation (8),  $(2 \cdot \alpha_v \cdot L)^{1/2}$ , is an estimate of the mixing depth due to the vertical dispersivity related to the length of groundwater travel ( $L$ ). Because  $\alpha_v = x \cdot L$  and  $\alpha_v = z \cdot \alpha_L$ , where  $\alpha_L$  is the longitudinal dispersivity and  $x$  and  $z$  are scaling factors (Gelhar *et al.*, 1992), we can combine the  $x$  and  $z$  factors into one scaling factor  $\alpha = x \cdot z$ . Therefore, the  $\alpha_v$  can be estimated using the following empirical equation:

$$\alpha_v = \alpha \cdot L \quad (9)$$

The  $\alpha$  is a scaling factor (dimensionless) that we call coefficient of dispersivity hereafter.



## MODIFICATIONS OF THE TRANSPORT MODELS

The VLEACH program (Version 2.1) (Ravi and Johnson, 1994) has been modified to incorporate the groundwater mixing model into the code. The version 2.1 is selected because it has been verified by both field data (Rosenbloom *et al.*, 1993) and laboratory data (Duke *et al.*, 1998). Verification of the groundwater mixing model with field data was discussed in Brusseau (1996).

The modified model calculates the maximum concentration at a time at a point of compliance. For each set of input parameters in MCS, VLEACH first simulates the vadose zone transport processes and calculates MTBE mass-releasing rates (mass/time) to groundwater as a function of time. The groundwater mixing model then takes the time series of MTBE mass-releasing rates as the input and calculates groundwater concentrations at a point of compliance as a function of time. The maximum concentration is often used because the regulatory goal is to set the limit that will ensure groundwater concentration does not exceed an acceptable level at any time. To do so, this modified model compares the calculated groundwater concentrations in time series and identifies the maximum concentration at a time. The program determines the maximum concentration as follows:

$$C(\max) = C(t_p) \geq C(t_i) \text{ for any } i = [1, 2, \dots, p \dots T] \quad (10)$$

where  $C(\max)$  is the maximum concentration in model output,  $t_p$  is the peak time at which the maximum concentration is obtained,  $T$  is model input simulation time.

The model continues to run until  $C(t_{i+1}) < C(t_i)$ , then  $C(t_i) = C(\max)$  is the maximum concentration at time  $t_i$ . If  $C(t_T) > C(t_{T-1})$ , the maximum concentration is beyond the simulation time  $T$  that we input. In this case, model identifies the case and reruns it for a longer simulation time  $T$  until the maximum concentration at a peak time is established. It is realized that the peak time for the maximum concentration may be different for each MCS run. The structure of the modified model is established in a way that the model result of the maximum concentration at a peak time is generated for each individual MCS run and the model is continued to run for each input data set without the user's intervention.

## METHODOLOGY TO DETERMINE SOIL REMEDIAL CONCENTRATION

Acceptable soil remedial concentrations are determined to be the residual soil concentrations that will not result in groundwater concentration exceeding an applicable water quality standard in the future. Monte Carlo vadose zone model is applied to predict the downward transport of residual MTBE in soil and dilution of MTBE in groundwater from the point beneath the source area to a downgradient point of compliance. The conceptual model is presented in Figure 1. In this study, MTBE residual soil concentration is chosen to be the soil remedial level that does

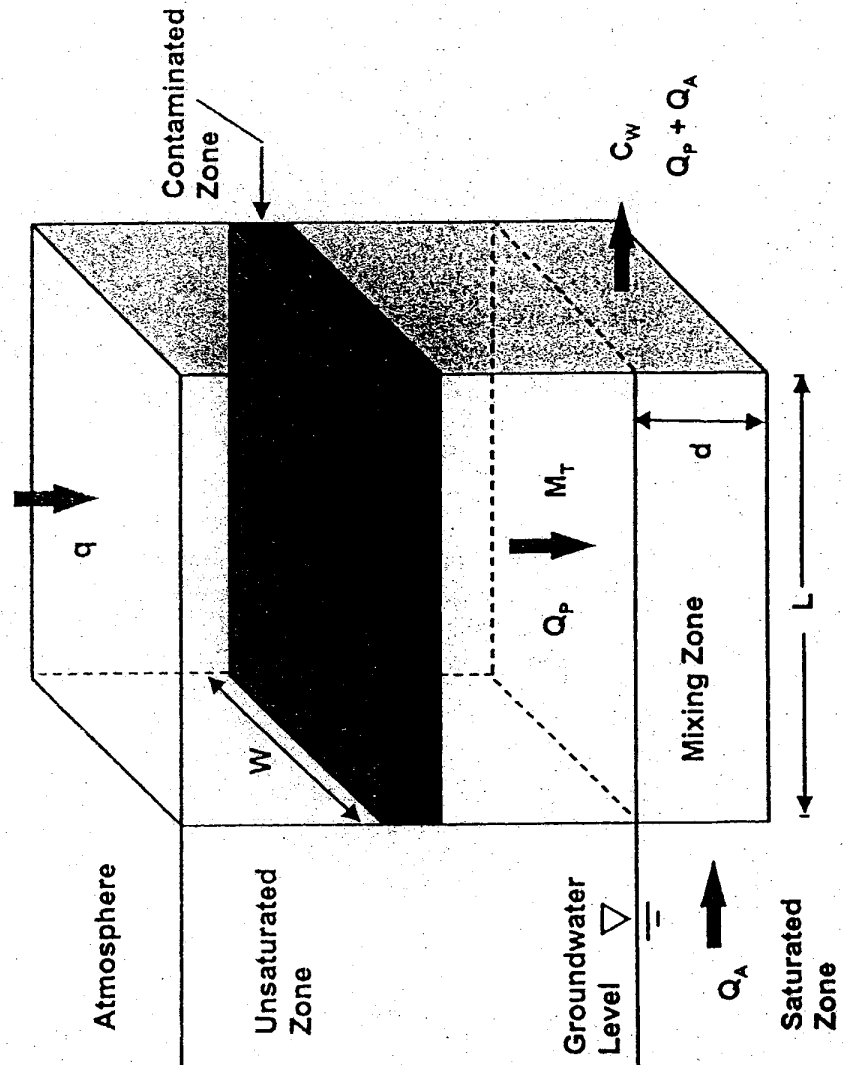


FIGURE 1

not result in MTBE groundwater concentration above 13 µg/L (the California primary maximum contaminant level (MCL) for MTBE). The study area is located within the Chamock Sub-Basin investigation area in Santa Monica, California, where soil physical and hydrogeological data are readily available at 20 individual sites.

This study also evaluates the sensitivity of model outputs with respect to variation of input parameters. The sensitivity analysis is conducted by changing values of the input parameters within reasonable ranges that are either established in published literatures or determined by the site-specific data. Based on the result of sensitivity analysis, this study uses MCS to conduct uncertainty analysis for the Monte Carlo vadose zone model parameters. MCS is a methodology for analyzing and quantifying uncertainties in model outputs resulting from the uncertainties associated with input parameters.

#### INPUT PARAMETERS FOR MONTE CARLO VADOSE ZONE MODEL IN BASELINE CASE

Table 1 shows a summary of the statistics of soil physical parameters based on the field data collected at 20 sites within the study area. The values of input parameters for the Monte Carlo vadose zone model are listed in Table 2. Because the depth to groundwater within the study area varies at the 20 sites, we selected a site with the highest MTBE soil contamination to prepare hydrogeological input data for model simulation. The depth to groundwater is approximately 75 ft based on the groundwater gauging data at the selected site (Wayne Perry, 1998). Therefore, the model

**TABLE 1**  
**Physical Parameters at Study Sites, Los Angeles, California**

	Bulk density $\rho_b$ (g/ml)	Porosity $\phi$ (—)	Soil water content $\theta$ (—)	Soil organic carbon content $f_{oc}$ (—)	Hydraulic conductivity K (ft/yr)	Rainfall (ft/yr)
No. of case	289	289	251	93	278	120
Minimum	1.19	0.07	0.047	0.00013	0.017	0.34
Maximum	1.91	0.551	0.5	0.0194	6278	3.36
Mean	1.511	0.41	0.266	0.0032	518	1.25
Medium	1.5	0.422	0.281	0.0016	74	1.25
SD <sup>1</sup>	0.144	0.081	0.128	0.00397	977	0.57
Distribution	Normal	Normal	Normal	Log-N <sup>2</sup>	Log-N <sup>2</sup>	Normal

<sup>1</sup>SD=Standard Deviation    <sup>2</sup>Log-N=Log-normal

**TABLE 2**  
**Model Input Data at Study Sites, Los Angeles, California**

Simulation Data	MTBE	Reference
Number of Polygon	1	Assumption
Timestep ( $\Delta t$ ) (yr)	0.01	Rong 1999
Simulation Time (T) (yr)	Varies	As needed
$K_{oc}$ (ml/g)	24	Calculated
$K_H$ (dimensionless)	0.018	Davidson 1996
S (mg/L)	42000	Kerfoot & Rong 1998
$D_e$ ( $m^2/day$ )	0.682	Kerfoot & Rong 1998
<b>Soil Data (VLEAVH)</b>		
Area (A) ( $ft^2$ )	1600	Assumption
Vertical Cell Dimension ( $\Delta z$ ) (ft)	1	Rong 1999
Infiltration Rate (q) (ft/yr)	0.125	Rong 1995
Bulk Density ( $\rho_b$ ) ( $g/cm^3$ )	1.511	Table 1
Effective Porosity ( $\phi$ ) (dimensionless)	0.41	Table 1
Volumetric Water Content ( $\theta$ ) (dimensionless)	0.266	Table 1
Soil Organic Carbon content ( $f_{oc}$ ) (dimensionless)	0.0016	Table 1
Lower Boundary Condition (mg/L)	0	Rong 1999
Cell Number	75	Wayne Perry 1998
Initial Input MTBE Concentration in Cells ( $\mu g/kg$ )		Assumption
	1-10 ft	0
	11-20 ft	15
	21-75 ft	0
<b>Groundwater Mixing Data</b>		
Width of source perpendicular to flow (W) (ft)	40	Assumption
Hydraulic conductivity (K) (ft/yr)	74	Table 1
Hydraulic gradient ( $\Delta h/\Delta L$ ) (ft/ft)	0.002	Wayne Perry 1998
Length to the point of compliance (L) (ft)	40	Assumption
Thickness of aquifer ( $Z_a$ ) (ft)	50	Wayne Perry 1998
Effective porosity ( $\phi$ ) (dimensionless)	0.41	Table 1
Coefficient of dispersivity ( $\alpha$ ) (dimensionless)	0.0056	Gelhar/Axness 1981

simulation polygon is assumed to be 75 ft deep and divided into 75 cells. The source area is assumed to be 40 ft by 40 ft. It is equivalent to an area of four typical underground tanks or a standard set of a gasoline dispenser area. It is assumed that the leaking underground tanks at the site have been removed and the contaminated soil underneath the tanks has been excavated to a depth of 10 ft below the ground surface. Therefore, the initial concentrations of MTBE in soil are assumed to be the residual concentration, uniformly distributed throughout a soil column defined by the contamination source area and the vertical interval from 10 to 20 ft below the surface. Concentrations at other places within the soil column are assumed to be zero. Initially, only the cells at a depth between 11 and 20 ft have a MTBE concentration of 15  $\mu g/kg$ , and the remaining cells contain no MTBE concentrations.

For soil physical parameters bulk density ( $\rho_b$ ), porosity ( $\phi$ ), soil water content ( $\theta$ ), and soil organic carbon content ( $f_{oc}$ ), the mean is used as the input value for the baseline case if the parameter is normally distributed, and the median is used if the parameter follows a log-normal distribution. The organic carbon partition coefficient ( $K_{oc}$ ) for MTBE is estimated based on two empirical equations relating  $K_{oc}$  to  $K_{ow}$  (Fetter, 1993):  $K_{oc} = 0.63 K_{ow}$  and  $\log K_{oc} = 0.72 \log K_{ow} + 0.49$ . These two equations give a range of  $K_{oc}$  from 11 to 24 ml/g based on a  $K_{ow}$  value of 17 ml/g. Another empirical equation used by Kerfoot and Rong (1998) is  $\log K_{oc} = -0.557 \log S + 0.44$ , where  $S$  is the water solubility in mole fraction. We calculate  $K_{oc}$  to be 38 ml/g based on a  $S$  value of 0.009 in mole fraction. The average value of 24 ml/g from the two calculations thus is used as the input for the baseline case, and the range between 11 to 38 ml/g is used during the sensitive analysis.

Rong (1995) proposed that the infiltration rate  $q$  could be estimated using the following equation:

$$q = TRY - c \times TRY = (1-c) \times TRY \quad (11)$$

where  $TRY$  is the total rainfall per year (ft/yr) and  $c$  is the runoff coefficient (dimensionless), that is, the volumetric fraction of rainfall that becomes surface runoff. Duke *et al.* (1998) concluded that any more sophisticated models probably would not have worked better than this simplistic equation because of the stochastic nature of rainfall events and the subject nature of choosing the runoff coefficient by individual modelers. The statistics of rainfall in Table 1 is based on the annual precipitation records between 1878 and 1997 in the Los Angeles metropolitan area (L.A. Times, 1998). USEPA (1992) estimates that the runoff coefficient  $c$  ranges from 0.5 to 0.95 for most industrial and paved-street areas, and further suggests a typical  $c$  value of 0.9 for heavy industrial areas. Given the above range of  $c$  and the rainfall data in Table 1, the range of infiltration rate  $q$  is estimated as follows:

$$\begin{aligned} q_{\max} &= (1-0.5) \times 3.36 = 1.68 \text{ (ft/yr)} \\ q_{\min} &= (1-0.95) \times 0.34 = 0.017 \text{ (ft/yr)} \\ q_{\text{avg}} &= (1-0.9) \times 1.25 = 0.125 \text{ (ft/yr)} \end{aligned}$$

The average  $q_{\text{avg}}$  thus is used as the input parameter for the baseline scenario.

Hydraulic conductivity ( $K$ ) is based on the results of laboratory hydraulic conductivity tests for soil samples collected at 20 sites within the study area. Because the statistical plot of these data for  $K$  indicates a log-normal distribution, the median (50 percentile), instead of the mean, is chosen as the input value for the baseline case. The coefficient of dispersivity ( $\alpha$ ), a scaling factor that relates to the vertical dispersivity to the travel distance  $L$  is set at 0.0056 on the recommendation of Gelhar and Axness (1981). To be on the conservative side, we set the point of compliance at the down gradient boundary of the contamination source (Figure 1). Therefore,  $L$  is 40 ft and the volume of the "mixing box" is the source area (40 ft

× 40 ft) multiplied by the vertical mixing depth (d), which is calculated by Equation (8).

#### SENSITIVITY ANALYSIS

Sensitivity analysis is conducted by changing values of model input parameters, one at a time, within the ranges either determined by field data or established in the literature. The parameters analyzed include  $K_{oc}$ ,  $K_H$ ,  $q$ ,  $\rho_b$ ,  $\phi$ ,  $\theta$ ,  $f_{oc}$ ,  $\alpha$ ,  $\Delta h/\Delta L$ ,  $K$ ,  $L$ , and  $Z_s$ . The model outputs from the sensitivity analysis are compared with those from the baseline case with input parameters shown in Table 2. Table 3 presents the results of sensitivity analysis along with the range of each input parameter. The ranges for  $K_{oc}$  and  $q$  have been discussed in the previous section. The range for  $K_H$  is established with the data from Kerfoot and Rong (1998) and Davidson (1996). The ranges for  $\rho_b$ ,  $\phi$ ,  $\theta$ ,  $f_{oc}$ , and  $K$  are determined by the field data shown in Table 1. It should be noted that  $\rho_b$ ,  $\phi$ , and  $\theta$  are related to each other and treated as a group during sensitivity analysis. We consider the  $\alpha$  value of 0.0056 used in the baseline case as a middle point and assume that  $\alpha$  can extend one order of magnitude in each direction, that is, from 0.0001 to 0.01, as supported by various field studies (Gelhar *et al.*, 1992). The range of  $\Delta h/\Delta L$  is derived based on the data from the site assessment report by Wayne Perry (1998).

Compared with the baseline case (denoted as "base" in Table 3), the model output is affected more by  $q$ ,  $\rho_b$ ,  $f_{oc}$ ,  $K$ , and  $L$  than by  $\alpha$ ,  $\Delta h/\Delta L$ ,  $K_{oc}$ ,  $K_H$ , and  $Z_s$ . The percentage change of the model output with respect to the baseline case varies from 2 to 114%. The peak time seems only to be affected by the vadose zone model parameters.

#### MONTE CARLO SIMULATION (MCS)

##### Range and Distribution of Input Parameters

MCS is used to conduct uncertainty analysis for model input parameters. In principle, MCS allows multiple input parameters to randomly change values within their defined ranges for each simulation. The ranges of individual parameters have been discussed in previous sections and given in Tables 1 and 3. Based on the results of sensitivity analysis, uncertainty analysis is performed for all "sensitive" input parameters that affect model output greatly except for  $L$ . This is because  $L$  is a deterministic parameter without the stochastic nature. Two less-sensitive parameters,  $\alpha$  and  $\Delta h/\Delta L$ , were selected for the analysis because they are closely related to hydraulic conductivity  $K$ , to which model outputs are highly sensitive. Parameters  $K_{oc}$  and  $K_H$  are also included because these two chemical property parameters are often reported in literature in

**TABLE 3**  
**Sensitivity Analysis Results**

Input Parameter	Maximum groundwater concentration $C_w$ ( $\mu\text{g/L}$ )	Peak Time(year)
$K_{oc}$ ( $\text{cm}^3/\text{g}$ ) 11 24 (base) 38	14.9 10% 12.2 13.5 -10%	136 -10% 151 167 10%
$K_H$ (dimensionless) 0.018 (base) 0.023	13.5 12.7 -6%	151 150 -0.7%
$q$ (ft/yr) 0.017 0.125 (base) 0.62 1.68	4.9 -63% 13.5 23.6 75% 28.9 114%	936 520% 151 31 -79% 12 -92%
$\rho_b$ (g/ml), $\phi$ (--), $\theta$ (--) $\rho_b=1.19$ , $\phi=0.55$ , $\theta=0.266$ $\rho_b=1.51$ , $\phi=0.41$ , $\theta=0.266$ (base) $\rho_b=1.91$ , $\phi=0.27$ , $\theta=0.047$ $\rho_b=1.51$ , $\phi=0.41$ , $\theta=0.047$	5.5 -59% 13.5 20.0 48% 16.1 19%	113 -25% 151 39 -74% 15 -90%
$f_{oc}$ (--) 0.00013 0.0016 (base) 0.0194	16.1 19% 13.5 4.5 -67%	126 -17% 151 449 197%
$\alpha$ (--) 0.0001 0.0056 (base) 0.01	14.3 6% 13.5 13.2 -2%	151 0% 151 151 0%
$\Delta h/\Delta L$ (ft/ft) 0.00152 0.002 (base) 0.00247	14.2 6% 13.5 13.0 -2%	151 0% 151 151 0%
$K$ (ft/yr) 0.017 74 (base) 6278	24.9 84% 13.5 2.0 -85%	151 0% 151 151 0%
$L$ (ft) 40 (base) 100	13.5 10.0 -26%	151 151 0%
$Z_s$ (ft) 50 (base) 100	13.5 12.6 -6%	151 151 0%

different values. Table 4 presents the ranges and distributions for all the 10 parameters selected for MCS. The  $q_{max}$  is not used here as the upper bound value. Rather,  $q = (1-0.5) \times 1.25 = 0.62$  more realistically represents the conditions at the modeled site and is used to generate the random numbers for MCS. The uncertainties associated with  $q$  are discussed in the later section. The field data of  $\rho_b$ ,  $\phi$ , and  $\theta$  show a normal distribution and of  $f_{oc}$  and  $K$  show a log-normal distribution, respectively. As  $q$  is derived from the long-term precipitation data that show a normal distribution over the last 120 years, we assume  $q$  to be also normally distributed. For parameters  $K_{oc}$ ,  $K_H$ ,  $\alpha$ , and  $\Delta h/\Delta L$ , a uniform distribution is assumed, respectively, due to lack of sufficient distribution data.

#### Random Number Generation

A set of 6000 random numbers for all 10 parameters were generated based on the ranges and distributions in Table 4, using a statistics software package, Systat, Version 5.0 (1992). Among these parameters, the soil moisture content ( $\theta$ ) and porosity ( $\phi$ ) are not completely independent, that is,  $\theta$  must be less than  $\phi$  for each random number set. To meet this condition, a constraint (if  $\theta \geq \phi - 0.07$ , then  $\theta = \phi - 0.07$  (0.07 is the minimum porosity in field data)) was applied to screen the random numbers. In addition, because the porosity  $\phi$  is directly related to the bulk density  $\rho_b$ , the values of  $\phi$  is calculated using the equation  $\phi = 1 - (\rho_b / \rho_s)$ , where  $\rho_s$  is the soil density and equal to 2.62 g/cc, the average value of 251 soil samples obtained from the study area. To ensure that the random numbers are within the field data range, the 6000 random numbers were screened per the range. If a random number is outside field data range, then the number is re-assigned as either the minimum or the maximum of the field data range.

**TABLE 4**  
Parameter Range and Distribution for Monte Carlo Simulation

Parameter	Range	Distribution	Reference
$K_{oc}$ (cm <sup>3</sup> /g)	11 - 38	Uniform	Kerfoot & Rong 1998
$K_H$ (-)	0.018 - 0.023	Uniform	Kerfoot & Rong 1998
$q$ (ft/yr)	0.017 - 0.62	Normal	Rong 1995
$\rho_b$ (g/ml)	1.19 - 1.91	Normal	Table 1
$\phi$ (-)	0.07 - 0.55	Normal	Table 1
$\theta$ (-)	0.047 - 0.55	Normal	Table 1
$f_{oc}$ (-)	0.00013 - 0.0194	Log-normal	Table 1
$\alpha$ (-)	0.0001 - 0.01	Uniform	Assumption
$\Delta h/\Delta L$ (ft/ft)	0.00152 - 0.00247	Uniform	Wayne Perry 1998
$K$ (ft/yr)	0.017 - 6278	Log-normal	Table 1



## Results from MCS

MCS was run with different sets of random numbers of 500, 1000, 2000, 3000, 4000, 5000, and 6000, respectively. Results of these MCS are presented in Table 5. Based on percentile distribution, MCS results seem to converge at level of 3000 random numbers because the MCS results look extremely close from random numbers of 3000 and up. Therefore, we choose random numbers of 3000 to conduct MCS for this study. Table 6 shows correlation coefficients of these 3000 random numbers between parameters. As expected, the random numbers of input parameters for MCS have almost no correlation.

The maximum MTBE groundwater concentrations ( $C_w$ ) generated from 3000 MCS runs are plotted on a normal-distribution probability paper, as shown in Figure 2. The resultant data points basically follow a straight line, which implies a normal distribution with a mean  $\mu = 20.35 \mu\text{g/L}$  and a standard deviation  $\sigma = 12 \mu\text{g/L}$ . Based on this distribution, we can calculate  $C_w(50\%ile)$  to be  $20 \mu\text{g/L}$ ,  $C_w(75\%ile)$  to be  $28 \mu\text{g/L}$ , and  $C_w(95\%ile)$  to be  $40 \mu\text{g/L}$ . The results imply that given soil residual concentration of

**TABLE 5**  
Result Comparison of Different MCS Runs

No. of MCS	Mean	SD	10%ile	25%ile	50%ile	75%ile	90%ile	95%ile	99%ile
500	25.38	12.80	10.20	15.65	24.45	31.22	41.32	48.96	71.90
1000	22.44	11.76	8.08	13.49	21.54	29.45	37.06	43.01	57.29
2000	23.30	12.17	8.93	14.03	22.29	30.18	38.39	44.95	60.82
3000	20.35	12.04	6.39	11.42	18.83	27.45	34.68	41.20	54.42
4000	20.40	11.72	6.53	11.74	19.06	27.34	34.83	41.02	53.29
5000	19.91	11.75	6.18	11.06	18.52	26.92	34.52	40.50	53.43
6000	20.00	11.85	5.96	11.10	18.70	27.10	34.64	40.81	53.55

**TABLE 6**  
Correlation Coefficients among MCS Input Random Numbers

	Koc	Kh	Q	Pb	theta	foc	Alpha	l	K
Koc	1	-0.0136	0.0175	0.00032	-0.0093	-0.005	-0.0016	0.0087	0.0079
Kh		1	-0.0166	0.0507	0.01387	-0.0038	-0.015	0.0191	0.0052
Q			1	0.0036	-0.0214	0.0224	-0.0018	0.0533	-0.0083
Pb				1	-0.1342	0.0076	-0.0005	0.0377	0.019
theta					1	0.0051	-0.0052	-0.025	0.0289
foc						1	0.0008	-0.0244	-0.0061
alpha							1	-0.0123	0.0272
l								1	-0.017
K									1

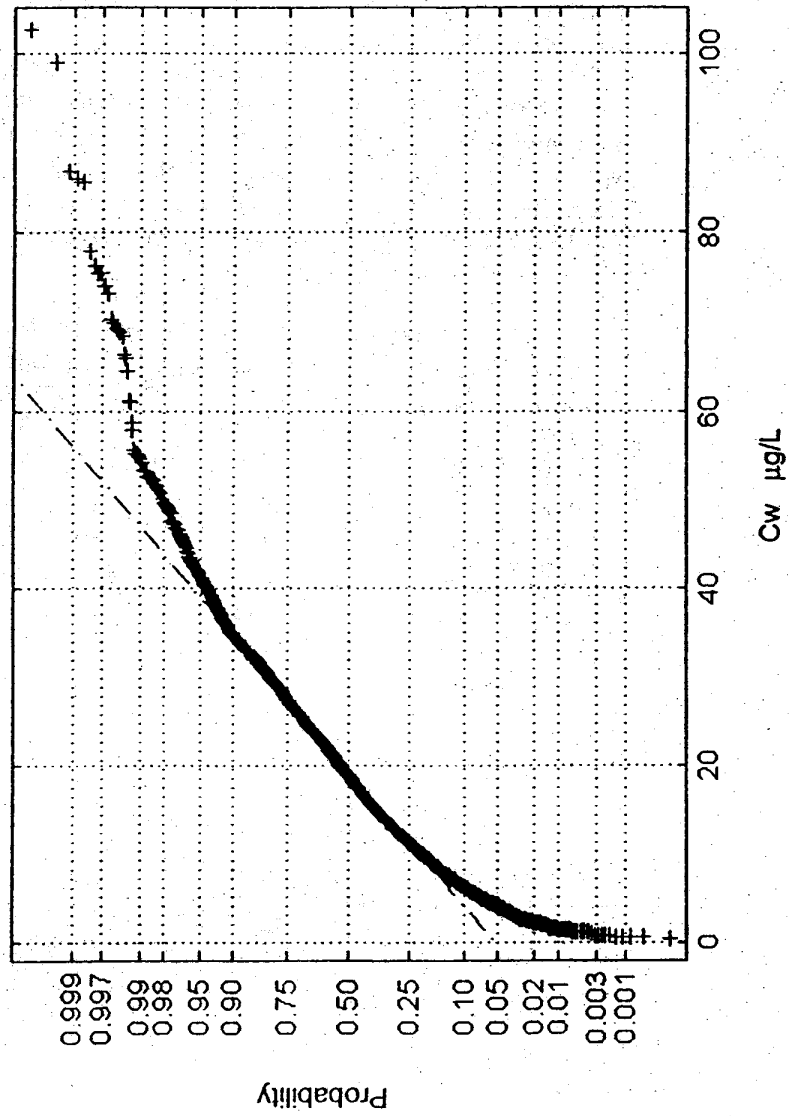


FIGURE 2

15  $\mu\text{g}/\text{kg}$  (the initial input concentration in the soil column), there is a 95% probability that MTBE groundwater concentration at the point of compliance is less than or equal to 40  $\mu\text{g}/\text{L}$  (i.e.,  $\text{Pr}(C_w \leq 40 \mu\text{g}/\text{L}) = 95\%$ ). Similarly, the probability for the groundwater concentration not to exceed 20  $\mu\text{g}/\text{L}$  and 28  $\mu\text{g}/\text{L}$  is 50 and 75%, respectively.

For this case, we could select a high confidence level of 95% ( $C_w(95\%ile) = 40 \mu\text{g}/\text{L}$ ) as the basis to determine the soil remedial level. Because 40  $\mu\text{g}/\text{L}$  exceeds the 13  $\mu\text{g}/\text{L}$  standard for MTBE, soil remedial concentration should be lower than the initial input soil concentration of 15  $\mu\text{g}/\text{kg}$ . Because the relationship between the input soil concentration and the resulting groundwater concentration is linear, as mathematically demonstrated by the model and true within the field data ranges in this case study, the soil concentration should be reduced by a factor of 3 ( $=40/13$ ). Therefore, the soil remedial concentration should be approximately 5  $\mu\text{g}/\text{kg}$ . Similarly, if a decision maker would like to take a 50/50 chance, the soil remedial concentration could be 10  $\mu\text{g}/\text{kg}$  based on  $C_w(50\%ile) = 20 \mu\text{g}/\text{L}$ .

#### UNCERTAINTY ANALYSIS OF q AND K

The result from sensitivity analysis indicates that the model output is highly sensitive to q and K. Therefore, it is expected that the selection of ranges for these two parameters would have greater impacts on the MCS results than that for other parameters. Infiltration rate can be slow if the site has adequate surface coverage that is in good physical condition, but can be fast if the surface condition is not good and if there is a driving force, such as liquid material leaking from underground tanks. As mentioned above, the maximum rainfall of 3.36 ft/yr as shown in Table 1 was not used to define the upper bound for q in MCS. This may result in an underestimate of MTBE mass loading to groundwater, and consequently the maximum groundwater concentration as suggested by the result of sensitivity analysis (see Table 3). On the other hand, the range of K was determined primarily based on the results from laboratory hydraulic conductivity tests of soil samples. In general, K values measured in the laboratory are smaller than those obtained through aquifer pumping or slug tests. It is because the laboratory tests usually measure hydraulic conductivity in the vertical direction, while pumping or slug tests measure hydraulic conductivity in the lateral direction. Due to the layered soil structure prevailing in the natural environment, the lateral hydraulic conductivity is commonly greater than the vertical one (Rong *et al.*, 1998). Because higher hydraulic conductivity leads to greater groundwater mixing, and consequently lower contaminant concentrations, we expect that underestimated K values likely result in overestimate of MTBE concentrations in groundwater. Therefore, the underestimation due to q may be partially offset by the overestimation due to K in this study. We need further to quantify the uncertainties associated with q and K, respectively.

However, quantification of  $q$  relies more on subjective judgements to determine the runoff coefficient  $c$  than quantification of any other input parameters in VLEACH (Duke *et al.*, 1998). This subjective nature would likely introduce additional uncertainties in its quantification. For this reason, we leave this parameter for future study and focus on uncertainties associated with hydraulic conductivity in this article. At the end of uncertainty analysis for  $K$ , we compare the magnitude of the effect on model output due to uncertainty of  $K$  with that due to  $q_{\max} = 1.68$  ft/yr.

#### MONTE CARLO SIMULATION WITH HYDRAULIC CONDUCTIVITY $K$ FROM SLUG TEST DATA

This section further studies the impact of difference in  $K$  values derived from laboratory and from pumping or slug tests on model results. We used the hydraulic conductivity data obtained from laboratory hydraulic conductivity tests for 278 soil samples, denoted as  $K1$ . The  $K2$  is denoted for the second data set derived from 24 slug tests in the field.

The data set  $K1$  is the input data used to generate random numbers for MCS above (Table 4). In order to study the effects on MCS results from different  $K$ , a second set of random numbers was generated in the same fashion based on  $K2$  and used as input to produce the second set of MCS results for comparison purpose. The results of sensitivity analysis (Table 3) suggest that the model output decrease with increasing  $K$ . Therefore, the larger the  $K$  value is, the lower is the  $C_w$ . As expected, MCS results based on  $K2$  are generally smaller than those based on  $K1$  as shown in Table 7. Table 7 summarizes the maximum groundwater concentrations at certain percentiles for both MCS results. Apparently, the two different sets of  $K$  can result in 160 to 625% differences in model outputs. Because it is derived from the maximum groundwater concentration, soil remedial concentration based on  $K2$  would be 9  $\mu\text{g}/\text{kg}$  at 95% confidence level (increased by 80% from 5  $\mu\text{g}/$

**TABLE 7**  
Model Result Comparison between Different  $K$

$C_w$ ( $\mu\text{g}/\text{L}$ )	$C_wK1(\text{Lab})$	$C_wK2(\text{Slug})$	$C_{w,k1}/C_{w,k2}$
10%ile	5	0.8	6.25
20%ile	10.4	4.4	2.36
50%ile	20.6	11.4	1.81
75%ile	28.8	16.9	1.7
90%ile	36.2	22	1.65
95%ile	40.6	25	1.62
99%ile	48.9	30.6	1.6

kg) and 19  $\mu\text{g}/\text{kg}$  at 50% confidence level (increased by 90% from 10  $\mu\text{g}/\text{kg}$ ). In addition, the magnitude of the variation in model outputs (160 to 625%) due to K is greater than that due to  $q_{\text{max}} = 1.68 \text{ ft}/\text{yr}$ , which results in 114% variation in model output (Table 3).

### CONCLUSIONS

As illustrated in this article, the Monte Carlo vadose zone model can serve as a useful tool to assist in determining soil remedial criteria that are designed to protect groundwater quality. The model includes a vadose zone transport model and a groundwater mixing model with a function of Monte Carlo simulation (MCS). The model fills in a gap on current vadose zone transport models that lack the ability to verify model results with field data and to deal with a range of input data values. The model produces a distribution of the maximum groundwater concentration resulting from residual contaminant in soil at a chosen point of compliance. This distribution can then be used to estimate the risk of exceeding an applicable water quality standard given the determined soil remedial concentration. This study concludes MTBE soil remedial concentration of 5 to 9  $\mu\text{g}/\text{kg}$  with 95% confidence to meet groundwater standard, while 10 to 19  $\mu\text{g}/\text{kg}$  with 50% confidence.

This study also uses MCS to investigate uncertainties associated with model input parameter hydraulic conductivity K. The K data obtained from laboratory testing and field slug testing, respectively, support that hydraulic conductivity values obtained from laboratory tests are usually smaller than those derived from slug tests in the field. The MCS results based on these two sets of hydraulic conductivity provide the magnitude of uncertainties from 160 to 625% due to the two different methods used to obtain the values of hydraulic conductivity. In addition, the magnitude of the effects on model output due to uncertainties of K is greater than that due to uncertainties of infiltration rate q in this case study. This observation that the sensitivity analysis fails to reveal is the advantage of MCS.

### ACKNOWLEDGMENTS

The authors would like to thank two anonymous reviewers for comments on the manuscript and Dr. Arthur Robson for his editorial review.

### REFERENCES

- Brusseau, M. L. 1996. Evaluation of simple methods for estimating contaminant removal by flushing. *Ground Water* 34(1), 19-22.
- Davidson, J. M. 1996. MTBE in ground water. Alpine Environmental, Inc. 2278 Clydesdale Dr., Fort Collins, CO 80526.

- Duke, L. D., Rong, Y., and Harmon, T. C. 1998. Parameter-induced uncertainty in modeling vadose zone transport of VOCs. *J. Environ. Eng.* 124(5), 441-448.
- Fetter, C. W. 1993. *Contaminant Hydrogeology*. Macmillan Publishing Company, New York.
- Gelhar, L. W. and Axness, C. J. 1981. Stochastic analysis of macro-dispersion in three-dimensionally heterogeneous aquifers. Report No. H-8. Hydraulic Research Program. New Mexico Institute of Mining and Technology, Socorro, NM.
- Gelhar, L. W., Welty, C., and Rehfeldt, K. R. 1992. A critical review of data on field-scale dispersion in aquifers. *Water Res. Res.* 28(7), 1955-1974.
- Human and Ecological Risk Assessment (HERA) 1996. An International Journal, Vol 2 No. 4 (Calabrese, E. J., et al., Editor) Amherst Scientific Publishers, Amherst, MA.
- Kerfoot, H. B. and Rong, Y. 1998. Methyl tertiary butyl ether contamination of soil and groundwater. *Environ. Geosci.* 5(2), 79-86.
- Los Angeles Times (L.A. Times) 1998. Nature Reigns, Metro section (January). Times Mirror Square, Los Angeles, CA 90053. (<http://www.latimes.com>).
- Ravi, V. and Johnson, J. A. 1994. VLEACH (Version 2.1) Center for Subsurface Modeling Support, Robert Kerr Environmental Research Laboratory, P.O. Box 1198, Ada, OK.
- Rong, Y. 1995. Uncertainty analyses of a vadose zone transport model for soil remediation criteria of volatile organic compounds. Ph.D. dissertation, UCLA School of Public Health, Los Angeles, CA 90095.
- Rong, Y., Wang, R. F., and Chou, R. 1998. Monte Carlo simulation for a groundwater mixing model in soil remediation of tetrachloroethylene. *J. Soil Contamin.* 7(1), 87-102.
- Rong, Y. 1999. A Study of Vadose Zone Transport Model VLEACH. *J. Soil Contamin.* 8(2), 217-229.
- Rosenbloom, J., Mock, P., Lawson, P., Brown, J., and Turin, H. J. 1993. Application of VLEACH to vadose zone transport of VOCs at an Arizona Superfund site. *Groundwater Monitor. Remed.* 13(3), 159-169.
- Rubin, Y., Cushey, M. A., and Bellin, A. 1994. Modeling of transport in groundwater for environmental risk assessment. *Stochastic Hydrol. Hydraulics* 8(1), 57-78.
- Perry, W. 1998. Site Assessment Report (June 15) Submitted to RWQCB, Los Angeles Region, Monterey Park, California.
- Systat 1992. (Version 5), Systat, Inc. Evanston, IL 60201. (<http://www.systat.com>).
- USEPA 1992. NPDES storm water sampling guidance document. EPA 833-B-92-001 (July).
- USEPA 1996. Soil Screening Guidance: Technical Background Document (May). EPA/540/R-95/128, PB96-963502.

**LETTER NO. 16**

Governor's Office of Planning and Research  
California State Clearinghouse  
Terry Roberts  
Director  
1400 Tenth Street  
P.O. Box 3044  
Sacramento, CA 95812-3004

**Comment 16-1**

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 22, 2003, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

**Response 16-1**

These comments acknowledge compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision makers. (It may be noted that several State agencies submitted comments directly to the Lead Agency. These include the California Coastal Commission (Letter 9), the California Regional Water Quality Control Board (Letter 15), Department of Toxic Substances Control (Letter 12), Department of Transportation (Letter 13) and Native American Heritage Commission (Letter 14).)

**Comment 16-2**

The enclosed comment(s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on December 22, 2003. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your

final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2002111065) when contacting this office.

**Response 16-2**

The letter provided a late submittal from the California Department of Transportation. That letter is included in the Final EIR, with responses, as Letter 13.



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**LETTER NO. 17**

Los Angeles Unified School District  
Patrick A. Schanen, Deputy Director (Acting)  
Office of Environmental Health and Safety  
333 S. Beaudry Avenue, 20th Floor  
Los Angeles, California 90017

**Comment 17-1**

The Los Angeles Unified School District (District) has evaluated the adequacy of the Draft Environmental Impact Report (DEIR) for the proposed Village at Playa Vista project. We have three general comments on the proposed project relating to; potential impacts affecting the existing Playa Del Rey School; project's generation of additional students; and the need for additional District facilities to serve students generated by the project.

**Response 17-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. Specific responses to the points summarized in this comment are provided below.

**Comment 17-2****1. Project related impacts affecting Playa Del Rey School****a. Air quality**

The District appreciates the DEIR's assessment of localized impacts associated with project construction. As such, results of the analysis reported that "localized impacts to sensitive receptors during construction would be less than significant." As noted in the DEIR this determination reflects conditions anticipated to occur at the existing elementary school campus.

Nevertheless, the District is cognizant that this determination is predicated on the implementation of identified mitigation measures to control pollutant generation. Therefore, the District requests all relevant and appropriate assurance that these and related measures be utilized to ensure localized pollutant concentrations are within acceptable limits.

**Response 17-2**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. Implementation of all of the mitigation measures identified in the Draft EIR

will occur pursuant to the provisions of the Proposed Project's Mitigation Monitoring and Reporting Program, a draft of which was provided as Appendix C to the Draft EIR.

### **Comment 17-3**

#### **b. Noise**

Noise generated during construction activities are reported to impact the existing elementary school. These construction activities include grading, earth moving, hauling and use of heavy on and off-road equipment. The California Environmental Quality Act requires that such impacts be identified and eliminated or reduced to a level of insignificance.

To ensure that effective mitigation measures are employed to reduce construction noise impacts on the students and staff attending Playa Del Rey School, the District requests that the following language be included in the mitigation measures for noise.

If the proposed mitigation measures do not reduce noise impacts to a level of insignificance, the project applicant shall develop new and appropriate measures to effectively mitigate construction related noise at -Playa Del Rey School. Provisions shall be made to allow the school and/or designated representative(s) to notify the project applicant when such measures are warranted.

To ensure the comfort and repose of students and staff and minimize the potential adverse impacts to the learning environment, the District has established maximum allowable noise levels to protect students and staff from noise impacts generated in terms of Leq. These standards were established based on regulations set forth by the California Department of Transportation and the City of Los Angeles. The District's exterior noise standard is 67 dBA Leq. A noise level increase of 3 dBA or more over ambient noise levels is considered significant for existing schools and would require mitigation to achieve levels within 2 dBA of pre-project levels. For indoor learning environments, the American National Standards Institute (ANSI) suggests a noise level in the range of 35-40 dBA as optimal for learning.

### **Response 17-3**

The construction noise impact at Playa del Rey School as described in the Draft EIR (i.e., 79.1 dBA  $L_{eq}$ ) is the result of a conservative analysis that assumed a construction activity noise level of 96 dBA  $L_{eq}$  at a 50-foot reference distance, adjusted for 370 feet of sound-distance attenuation over a hard surface propagation path. When compared to a more typical construction noise level of 86 dBA, the 96 dBA noise level used to perform this analysis is very conservative.<sup>1</sup> In addition, the 370-foot distance represents the minimum distance between the southwest corner of the Playa del Rey School site and the northeast corner of the Proposed Project site boundaries. Since virtually all construction activity would occur at a distance greater than 370 feet (e.g., 420

<sup>1</sup> The 86 dBA  $L_{eq}$  noise level at a reference distance of 50 feet is based on data published by the USEPA and presented in the City CEQA Thresholds Guide, Exhibit I.1-2 on page I.1-9.

to more than 2,000 feet), the 370-foot distance used in this analysis is also very conservative. Further, this conservative analysis did not consider barrier insertion loss to account for the presence of intervening structures that partially break the line-of-sight between the noise source (i.e., construction activity) and receiver location (i.e., Playa del Rey Elementary School).

In response to this comment, a further analysis of construction impacts at the school using typical and more realistic assumptions has been conducted. Only two of the various assumptions comprising the noise analysis were modified in conducting this analysis. The two modified assumptions are as follows: (1) a construction activity noise level of 86 dBA at 50-foot reference distance,<sup>2</sup> and (2) consideration of barrier insertion loss to account for the presence of structures that break the line-of-sight between the Proposed Project site and Playa del Rey School. This analysis still remains conservative in that it incorporates the minimum distance between the Project site and Playa del Rey School, when in actuality the magnitude and duration of construction activities at this minimum distance would be very limited. Based on these modeling assumptions, the outdoor ambient noise level at Playa del Rey School would increase by approximately 4.0 dBA, from 61.9 dBA to 65.9 dBA. Based on this more likely set of assumptions, the noise level increase would be less than the City of Los Angeles' 5-dBA significance criterion, and the absolute noise level would remain below the LAUSD exterior noise standard of 67 dBA. As such, no additional mitigation measures to reduce construction-period noise impacts at the Playa del Rey Elementary School are needed or required. Notwithstanding this additional analysis, an additional mitigation measure has been added addressing the potential for an impact. Notwithstanding, as shown in Table 75 on page 571 of the Draft EIR, construction of the Proposed Project would result in a significant construction noise impact at Playa del Rey Elementary School.

Please refer to Section II.8, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

#### **Comment 17-4**

##### **c. School Traffic and Pedestrian Routes**

The following presents the District's standard approach to address potential environmental impacts affecting school traffic, pedestrian routes and transportation safety.

- School buses must have access to Playa Del Rey School.
- During the construction phase, truck traffic and construction vehicles may cause traffic delays for our transported students. Construction vehicles may encounter school buses using the red flashing lights and must stop.

<sup>2</sup> *The 86 dBA  $L_{eq}$  noise level at a reference distance of 50 feet is based on data published by the USEPA and presented in the City CEQA Thresholds Guide, Exhibit I.1-2 on page I.1-9.*

- The Project Manager or designee should notify the District’s Transportation Branch at (323) 342-1400 regarding the expected start and ending dates for various portions of the project that may affect traffic through the project area.

In addition, the developer and its contractors should ensure that safe and convenient pedestrian routes to Playa Del Rey School are maintained. We have included a map entitled “Pedestrian Routes to Playa Del Rey School for your review and consideration. Other measures to ensure student safety include, but are not limited to the following:

- Contractors must maintain ongoing communication with the local school administrator by providing sufficient notice to inform students and parents when existing pedestrian and vehicular routes will be impacted.
- Appropriate traffic controls (i.e., signs and signals) must be installed, as necessary, to ensure pedestrian and vehicular safety.
- No staging or parking of construction vehicles; including vehicles to transport workers on streets adjacent to Playa Del Rey School.
- Barriers must be constructed, as necessary, to minimize trespassing, vandalism and short-cut attractions which contribute to an attractive nuisance.
- Fencing should be installed to secure construction equipment to minimize trespassing, vandalism and short-cut attractions.

#### **Response 17-4**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As with all standard construction practices, Proposed Project construction sites would be secured so as to preclude trespassing, vandalism and short-cut attractions. With regard to pedestrian routes, Proposed Project construction is not anticipated to interfere with the pedestrian routes identified on the map provided by the LAUSD as none of these locations directly interface the Proposed Project site. In addition, a provision would be incorporated into the Project’s construction traffic management plan directing construction vehicle traffic to avoid travel on Centinela Avenue in proximity to Playa del Rey School during regular school hours for Playa del Rey Elementary School. As no impact is anticipated, no further mitigation measures involving pedestrian routes to Playa del Rey School are required. Notwithstanding, mitigation measures have been added to address communication between the Applicant and the LAUSD and the staging of equipment during Proposed Project construction. Also, to further promote student/pedestrian safety, the pedestrian route map provided by the LAUSD (see Comment 17-9, below) will be incorporated into the Project’s Construction Traffic Management Plan. Please refer to Section II.20, Corrections and Additions, of the Final EIR.

Please refer to Section II.15, Corrections and Additions, of the Final EIR for revisions to the Draft EIR, regarding the above comments.

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**Comment 17-5****2. Student generation associated with project development:**

In September of 1999, LAUSD Master Planning and Demographics Unit (MPD) reviewed the draft of the student generation study for the Playa Vista Development (as it was conceived of at that time) and provided comments on the study's findings. While the study was believed to be well thought out in its approach to estimating the number of new students that will result from this development, MPD assessment was that RPM Consulting had underestimated the number of students that the development would produce. MPD worked with representatives from RPM Consulting to develop an estimate of the number of students likely to be generated by the project.

The Schools Technical Appendix prepared for the draft EIR of the Village at the Playa Vista Development is an update on the Student Generation Study, addressing the revisions to the Project that was described in 1999. This study is the basis for the impact analysis section on schools. The following comments are made relative to the updated study and the impact analysis. The comments are directed at the Student Generation Study, how the District evaluates the need for additional school facilities, and how the District develops plans to address need for additional school facilities.

In the Student Generation Study, the consultant details the Integrated Multivariate Household (IMH) model that was used to calculate the estimated number of students the development would produce. In this model, census data was used to derive the number of students per household for different classifications of housing types. The data set used represented a 1% weighted sample of the 2000 Census person records for the State of California. The individual student generation factors (SGFs) for each housing type are not consistent with expectations. The outcome of the study indicates that an estimated 554 K-12 students will be generated from the 2,600 new housing units. This would be equivalent to an SGF of 0.213 per unit. This factor appears to be very low in comparison to the District as a whole and in comparison to neighboring communities. According to the 2000 Census, there were approximately 1,515,000 occupied housing units within the District. With a K-12 enrollment of 723,000 in the 2000-01 school year, the average SGF in 2000 was 0.477.

A sampling of the same data for the Venice High School area and the Westchester High School area produced average SGFs per housing unit of 0.246 and 0.288, respectively. At these higher rates, the estimated number of students to be generated from this project range from 85 to 195 students or higher. This discrepancy from actual averages and those produced in the Student Generation Study requires further review.

**Response 17-5**

The LAUSD letter referenced in this comment requested an adjustment in the distribution of students in the K-5 and 6-12 grade levels; the letter accepted the Proposed Project model's estimate of the total number of students generated by the Proposed Project. (The letter has been included as an Appendix to the Final EIR.) In response to this request, the distribution of K-5

and 6-12 students was adjusted to reflect LAUSD averages. As shown in Table 142 on pages 1011 through 1013 of the Draft EIR, the Proposed Project is forecasted to generate a total of 616 K-12 students, not the 554 students identified in the comment. Based on this total, the student generation factor for the Proposed Project is 0.237, or 3.7 percent lower than LAUSD's data for the Venice High School area. Even if the higher student generation factor of 0.288 is used, the conclusions of the Draft EIR with regard to the ability of the local school facilities to accommodate the public school children generated by the Proposed Project would be unchanged.

As stated in Subsection 4.0, Section IV.L.(3), Schools, of the Draft EIR, on page 1015, under the provisions of SB50, a project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees, established pursuant to Government Code Section 65995.

### **Comment 17-6**

The impact analysis on schools speaks to the current capacity of the schools now serving the Project area. Classroom size as it relates to State funding for K-3 class size reduction is addressed but there is no mention of the District's long-range facilities goals for a return to smaller class sizes in grades 4-12. Additionally, the analysis of school capacity assumes that a new school has already been built in Playa Vista.

### **Response 17-6**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers with regard to class size reduction in grades 4-12. The Draft EIR analysis of potential Project impacts incorporates LAUSD's current policies and programs relative to classroom size (i.e. 25 students per class for grades K-3 and 35 students per class for grades 4-12). LAUSD's long-range goal for class size reduction for grades 4-12 is noted. An addition has been added to the Setting Subsection of Section IV.L.(3), Schools acknowledging the goal for grades 4-12. Please refer to Section II.20, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

The Draft EIR schools analysis considers Project impacts both with and without the availability of a school located within the Playa Vista site. For the purposes of the Draft EIR, it was assumed that the Playa Vista school would be an elementary school (i.e., K-5 facility) and that only that portion of the school's capacity that would not be used by the Playa Vista First Phase Project would be available to the Proposed Project.

### **Comment 17-7**

As such, the mitigation proposals offered at all levels do not align with the District's process for evaluating the need for additional school facilities in the context of regional plans to address all attendance needs. The proposals offered are generally characterized as 'single relief' plans that may not be in the best interest of the students and community.



**Response 17-7**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

However, the provisions of Senate Bill 50 (SB 50) are clear in that the payment of fees pursuant to California Government Code Section 65995 constitute adequate mitigation for CEQA purposes. Furthermore, Section IV.L.(3) Schools, of the Draft EIR, on page 999 states “[t]his specific provision of SB 50 has been codified in Government Code Section 65995(h) which states, ‘[T]he payment of a fee ... pursuant to Section 65995 ... are hereby deemed to be full and complete mitigation of the impacts of ... development of real property.’” Therefore, additional mitigation beyond the payment of fees pursuant to Government Code Section 65995 cannot be required of the Proposed Project.

**Comment 17-8****3. Dedication of available land for a new school facility associated with project development.**

The Playa Vista Development has previously committed to the dedication of an approximate 4 acre parcel to the District suitable for construction of a new school facility.

As of today, the offer of dedication and LAUSD acceptance (following State Department of Toxic Substance Control and California Department of Education approval) of a proposed site has not occurred.

In addition, based upon District New Construction priorities established by the District, no funding sources have been identified for the development of a school within the Playa Vista Development. Specifically, Development Impact Fees (including those generated by the proposed Playa Vista Development) have been committed through the year 2009 to other District priority new construction projects.

The District requests that the Playa Vista Developer propose a plan that would mitigate the student generation impacts for the proposed development. This plan must take into consideration that no funding is identified for the construction of a new school on the 4 acre site previously committed to LAUSD by the Playa Vista developers.

The District’s mission is to ensure the health and safety of students and staff and the integrity of the learning environment. We thank you for your consideration and await your response to our comments. I can be reached at (213) 241-3199 should you have any questions or require additional information.

**Response 17-8**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Applicant is continuing to work with the LAUSD regarding the conveyance of a school site within the Playa Vista development to the LAUSD. As stated in Response 17-7, the payment of fees pursuant to California Government Code Section 65995 constitute full and complete mitigation of the impacts of development of real property. The decision of where and how to spend the school fees mandated by law for the Project is entirely within the control of the commentor (i.e., LAUSD).

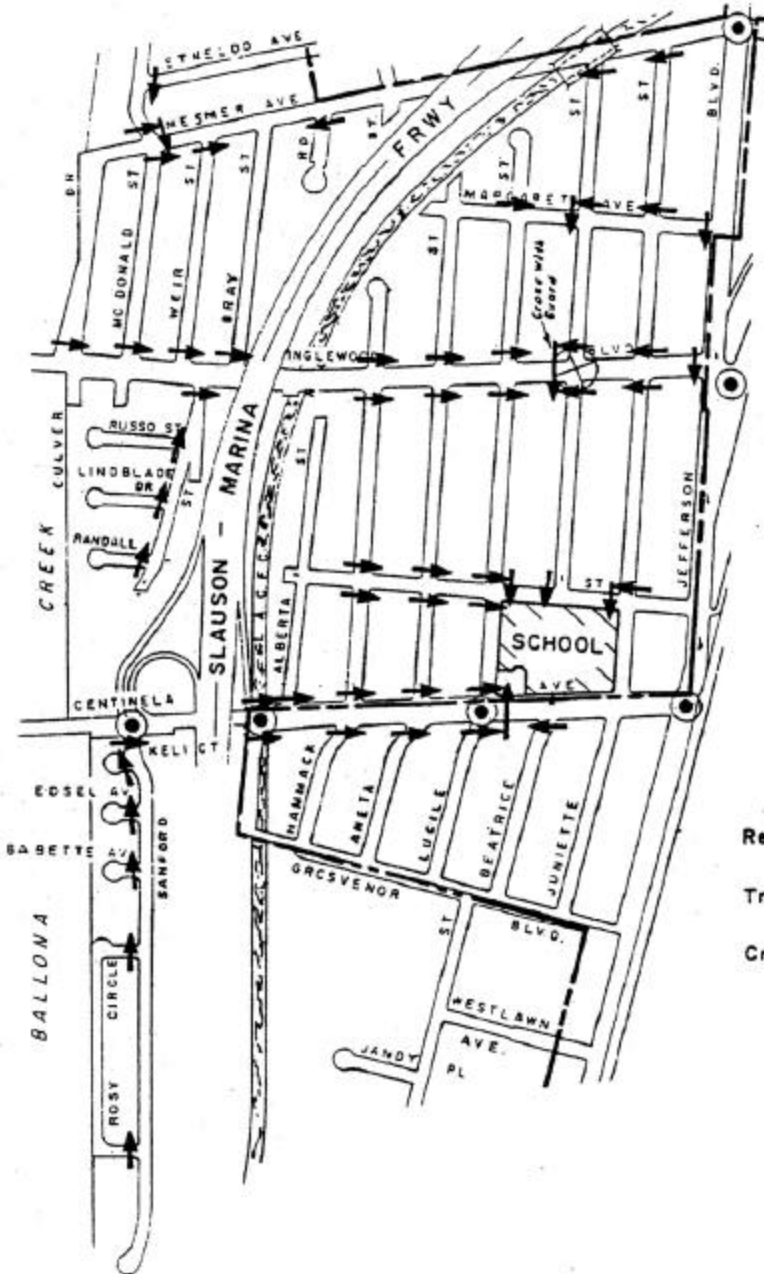
**Comment 17-9**

Figure “Pedestrian Routes to Playa del Rey School” is provided on the following page.

**Response 17-9**

This attachment provides the pedestrian routes to Playa del Rey School and supports statements made in Comment 17-4. As such, this comment is addressed in Response 17-4, above.

# PEDESTRIAN ROUTES To PLAYA DEL REY SCHOOL



**Parents:**  
This map shows the recommended crossings to be used from each block in your school service area. Following the arrows, select the best route from your home to the school and mark it with a colored pencil or crayon. This is the route your child should take.

Instruct your child to use this route and to cross streets only at locations shown. You and your child should become familiar with the route by walking it together. Observe marked crosswalks, stop signs, traffic signals and other traffic controls. Crossing points have been located at these controls wherever possible, even though a longer walk may sometimes be necessary.

- Legend**
- Recommended Crossing ----->
  - Traffic Signal ----- (⊙)
  - Crossing Guard ----- (⊗)



City of Los Angeles  
DEPARTMENT OF TRANSPORTATION  
S. Edwin Rowe, Gen. Mgr.  
COUNCIL DISTRICT NO. 6  
Rev. 7/93

**LETTER NO. 18**

South Coast Air Quality Management District  
Planning, Rule Development & Area Sources  
Steve Smith  
Program Supervisor, CEQA Section  
21865 East Copley Drive  
Diamond Bar, CA 91765-4182  
909-396-2000  
www.aqmd.gov

**Comment 18-1**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Environmental Impact Report.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the certification of the Final Environmental Impact Report. The AQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Charles Blankson, Ph.D., Air Quality Specialist—CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

**Response 18-1**

The comment is noted and will be incorporated into the Final EIR to be provided for the review and consideration of the decision-makers.

**Comment 18-2**

1. General Comments: Review of the DEIR indicates that, with a few minor exceptions identified below, the methodologies used to analyze construction and operational air quality impacts are consistent with the methodologies identified in the SCAQMD's CEQA Air Quality Handbook or advocated for use by the SCAQMD. In addition, the SCAQMD commends the lead agency for voluntarily including a localized air quality analysis consistent with the localized significance threshold methodology adopted by the SCAQMD's Governing Board at its October 3, 2003 public hearing. The analysis indicates that the proposed project is not expected to generate significant adverse localized air quality impacts. Specific comments on the air quality analysis are provided in the following items.

**Response 18-2**

The comment is noted and will be incorporated into the Final EIR to be provided for the review and consideration of the decision-makers prior to any approval action on the Project. This comment provides an introduction to the more specific comments provided in the balance of the letter. These more detailed comments are addressed below in Responses 18-3 through 18-5.

**Comment 18-3**

2. Table 14 and ISCST Model Output: The air quality construction impacts are presented in Table 14 on page 303 of Volume I Book 1 of the DEIR. The lead agency used EPA ISCST (version 02035) with the appropriate model options, the correct source parameters, an adequate receptor grid and West Los Angeles meteorological data to estimate the maximum concentration for NO<sub>2</sub>, CO and PM<sub>10</sub>. However, there are some discrepancies between the values listed in Table 14 and the ISCST model output in Appendix E-2b. Please check the numbers and present the correct values in the Final EIR.

**Response 18-3**

The comment is noted and will be incorporated into the Final EIR to be provided for the review and consideration of the decision makers prior to any approval action on the Project. As discussed with the SCAQMD on October 30, 2004, an updated dispersion calculation spreadsheet for Appendix E-2a (Construction Localized Worksheets) was inadvertently not included in the Air Quality Technical Report, Appendix E of the Draft EIR. This revised spreadsheet, which was forwarded to the SCAQMD for their review of the Draft EIR, provided the required documentation to support the values listed in Table 14 of the Draft EIR. The updated spreadsheet has been included in the Appendices of the Final EIR: "Updated Construction Air Quality Dispersion Calculation Concentrations."

**Comment 18-4**

3. EPA CALINE4 Model: The lead agency used the EPA CALINE4 model to estimate the CO concentrations in the CO "hotspots" analysis. The CALINE4 model output is presented in Appendix E-4. The surface roughness of 321 cm was used as an input parameter to CALINE4 model. The lead agency needs to justify the use of this value instead of the 100 cm for urban setting which is recommended by Caltrans. If the surface roughness value is revised, then the model should be rerun and the revised results included in the Final EIR.

**Response 18-4**

The local carbon monoxide (CO) hotspot analysis in the Draft EIR incorporated a 321 cm surface roughness coefficient (SRC), which can be used for an urban environment. According to the *Transportation Project-Level Carbon Monoxide Protocol* recommended by the SCAQMD,

“Caline4 is not very sensitive to surface roughness and therefore slightly different values do not produce considerably different results.” In addition, PCR reanalyzed several of the intersections to examine the effects of an SRC of 100 cm. (The analysis “Local Carbon Monoxide Modeling Sensitivity Analysis,” is included in the Appendices to the Final EIR.) Results indicated that concentrations would increase or decrease by no more than 0.1 ppm depending upon the wind angle. The predicted CO concentrations presented in Tables 17 through 20 on pages 312 through 315 of Volume 1 of the Draft EIR show that the maximum predicted CO concentrations were 8.1 ppm less than 1-hr significance threshold and 2.2 ppm less than the 8-hr significance threshold. Therefore, a potential difference of 0.1 ppm would not result in a change in the conclusions in the Draft EIR and the Proposed Project would not result in a significant localized CO impact.

#### **Comment 18-5**

4. Mitigation Measures: Review of the DEIR indicates that the lead agency has continued to identify mitigation measures as part of a Playa Vista AQMP, a concept originally developed in the EIR for the first phase of the Playa Vista Project. Consistent with the practice of updating mitigation measures in the Playa Vista AQMP, it is recommended that the lead agency consider refining the list of mitigation measures on pages 332 - 340 of Volume I Book 1 of the DEIR to include the following:

- The lead agency is proposing to use low emission equipment and technologies where possible. The SCAQMD recommends that where diesel equipment has to be used, the lead agency use particulate filters, oxidation catalysts and low sulfur diesel as defined in SCAQMD Rule 431.2, i.e., with less than 15 ppm sulfur content.
- For all trucks hauling dirt, sand, gravel, soil or other loose materials to and from the -project site, the lead agency is proposing to either cover them fully or maintain at least two feet of freeboard. The SCAQMD recommends that trucks should be covered to ensure maximum reduction in fugitive dust being blown around during transportation.
- To reduce VOC emissions from architectural coatings, the lead agency is proposing to comply with all applicable SCAQMD rules and regulations. The applicable rule, SCAQMD Rule 1113, limits the level of VOC in paint to 100 grams per liter or 0.8 pounds per gallon. SCAQMD recommends that the lead agency propose paints that have less than the level required by Rule 1113.

#### **Response 18-5**

The SCAQMD in this comment suggests refinements to three of the air quality mitigation measures presented in the Draft EIR. Modifications to the mitigation measures referenced in the first and third bullets of this comment have been made and are incorporated as a Correction and Addition to the Draft EIR. The Draft EIR concludes that Project impacts relative to the emission source targeted by the second bullet (i.e., construction PM<sub>10</sub> emissions) are less than significant (see Table 13 on page 300 of Volume 1 of the Draft EIR). As such, the proposed modification to

the corresponding Draft EIR mitigation measure is not required. However, the measure has been revised to require trucks hauling materials to be covered, to the maximum extent feasible.

Please refer to Section II.4, Corrections and Additions of the Final EIR for revisions to the Draft EIR regarding the above comments.

**LETTER NO. 19**

Southern California Association of Governments  
Jeffrey M. Smith, AICP  
Senior Regional Planner  
Intergovernmental Review  
818 West Seventh Street, 12th Floor  
Los Angeles, CA 90017-3435  
213-236-1800  
213-236-1825 fax  
www.scag.ca.gov

**Comment 19-1**

Thank you for submitting the Draft Environmental Impact Report for the Village at Playa Vista to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

It is recognized that the proposed Project considers the development of 2,600 dwelling units, 175,000 square feet of office space, 150,000 square feet of retail space, and 40,000 square feet of community serving uses. The proposed Project will be developed on 111-acre site with approximately 99-acres for development and approximately 12-acres of passive open space and habitat restoration. The proposed Project is located in the Westside area of the City of Los Angeles.

SCAG staff has evaluated the Draft Environmental Impact Report for the Village at Playa Vista for consistency with the Regional Comprehensive Plan and Guide and Regional Transportation Plan. The Draft EIR includes a discussion on the proposed Projects' [sic] consistency with SCAG policies and applicable regional plans, which were outlined in our January 14, 2003 letter on the Notice of Preparation (NOP) for this Draft EIR.

The Draft EIR, in Section IV.J, Population, Housing and Employment, cited SCAG policies and addressed the manner in which the proposed Project is consistent with applicable core policies and supportive of applicable ancillary policies. The Draft EIR incorporated a side-by-side comparison of SCAG policies with a discussion of the consistency or support of the applicable policies with the proposed Project. This approach to discussing consistency or support of SCAG policies is commendable and we appreciate your efforts. It should be noted that on page 745 of the Draft EIR, the base year used for the 2001 RTP is the year 1997 and not 2000 as stated in the Draft EIR. Based on the information provided in the Draft EIR, we have no further comments. A description of the proposed Project was published in the August 16-31, 2003.



Intergovernmental Review Clearinghouse Report for public review and comment. If you have any questions, please contact me at (213) 236-1867. Thank you.

**Response 19-1**

This is a clarification of the year that the data was released as opposed to a change in the data. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Please refer to Section II.14, Corrections and Additions of the Final EIR for a revision to the Draft EIR regarding the above comments.

**LETTER NO. 20**

City of Culver City  
9770 Culver Boulevard  
Culver City, CA 90232-0507

**Comment 20-1**

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Village at Playa Vista (Proposed Project). This letter provides the City of Culver City's (Culver City) comments to the above noted DEIR. Accordingly, Culver City's City Council has adopted the attached Resolution No. 2003-R105, including Exhibit A that formally transmits Culver City's comments on the DEIR.

Culver City appreciates the time and effort, which was spent in the preparation of DEIR. Notwithstanding that, there are still several significant issues of concern to Culver City regarding the DEIR, the following is a brief summary of those basic Culver City concerns.

**Response 20-1**

The comment is noted and will be incorporated into the final EIR for review and consideration of decision-makers.

**Comment 20-2**

The DEIR traffic analysis is based on statistical patterns from which the estimates and projections are formulated. There are concerns about future traffic and public transportation impacts that a project of this magnitude could have on Culver City's transportation network if the Proposed Project's actual external vehicle trip generation is substantially higher than what has been projected. In order to alleviate those concerns, Culver City's comments include a mitigation measure, similar to one Culver City and Playa Vista agreed to for Phase I of the Playa Vista development. That mitigation measure would require the preparation of a "Trip Generation Verification Study" at specific stages of the Proposed Project's development and occupancy. The intent of the study would be to verify the vehicle trip generation rates that form the foundation for the DEIR analysis are statistically accurate. If the study results show the trip generation rates used in the analysis were low and additional trips are being or will likely be generated above those identified in the DEIR, then Playa Vista would have to work with Culver City staff to determine if those additional trips would further impact Culver City. Playa Vista would have to implement additional reasonable and feasible mitigation measures to address those impacts, if any. Culver City requests the City of Los Angeles add the above discussed "Trip Generation Verification Study" as a formal mitigation measure during the DEIR review and certification process and as a condition of approval for the Proposed Project.

**Response 20-2**

The trip generation for the Draft EIR's traffic analysis was developed using the rates and equations from the nationally accepted informational report *Trip Generation, VI Edition, 1997*, published by the Institute of Transportation Engineers ("ITE"). The ITE document uses a statistically valid compilation of data points (i.e., residential driveway counts) in developing residential trip information. ITE uses a similar methodology for office and commercial uses. The Proposed Project's size for its residential buildings, office, and other commercial uses would all fall within the size range of survey data used in the development of ITE Trip Generation Rates and Equations for the respective land uses.

The ITE document is a reliable source of information that provides statistically valid data (regression equations and weighted average rates) on trip-making for the project uses based on actual surveys performed around the Country. This is the state-of-the-art industry standard document for Trip Generation utilized around the country and in the City and County of Los Angeles, as well as the City of Culver City.

Please see Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, The Village at Playa Vista Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation. In accordance with CEQA, the Draft EIR analyzes the potential significant impacts of the Proposed Project and identifies feasible mitigation measures to mitigate those significant impacts. The trip verification study suggested by the Commentor is not necessary to mitigate any significant impact identified in the Draft EIR. As discussed above, the ITE trip generation rates used in the Draft EIR are the industry standard rates used by transportation agencies throughout the nation, including the City and County of Los Angeles, the City of Culver City, and numerous other cities throughout Southern California to estimate trip generation for projects. The City of Los Angeles does not normally require subsequent investigations or verification studies. Rather, the goal is to use reliable information to assess the Proposed Project's impacts prior to consideration of the Proposed Project by decision-makers.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 20-3**

The DEIR evaluates the impacts of the Proposed Project at 40 intersections in Culver City. Of those, 15 intersections are anticipated to be impacted to the level of significance. Proposed mitigations for 11 of the 15 intersections are public transit system related improvements for Culver City operated Culver CityBus. The proposed mitigation measures for the remaining 4 intersections are roadway and signalization improvements. Culver City generally agrees with those proposed mitigations subject to certain refinements.

The DEIR places a significant emphasis on implementing public transit system enhancements to satisfy Proposed Project-related impacts in Culver City, as well as in Los Angeles. Culver City believes additional enhancements are needed to the proposed mitigation measures in the DEIR related to adding transit vehicles during peak periods. These additional enhancements are needed in order to attract enough new riders from the Playa Vista Project or from other areas to the transit system to reduce the traffic at those 11 impacted Culver City intersections. If those enhancements are successful, then Culver City believes the Proposed Project impacts to those intersections will be at a level of insignificance, as defined by California Environmental Quality Act and the State CEQA Guidelines (CEQA).

In order to help attract new ridership to those bus lines Culver City believes enhancements, such as “Transit Priority Systems” (TPS) and other signalization related measures, are necessary to ensure improved on-time performance of the lines. Deployment of TPS to improve transit services within a corridor will benefit all transit buses within that corridor because it will help the buses navigate through congestion attributable to ambient and Proposed Project trip growth. Culver City requests the City of Los Angeles require the above discussed TPS and related signalization measures as formal mitigation measures during the CEQA process and as conditions of approval for the Proposed Project.

### **Response 20-3**

The commentor is generally agreeing with the results of the study and “generally agrees with the proposed mitigation measures subject to certain refinements.” The Proposed Project’s mitigation measures are discussed in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 887, and in Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455. The commentor’s proposed mitigation measures would provide a substitute for measures already provided in the Draft EIR.

As discussed in Section 3.1 of the Draft EIR, the Traffic Study includes an analysis of the Proposed Project’s impacts under two scenarios. One scenario assumes the Playa Vista Drive bridge and road extension to Culver Boulevard is part of the 2010 baseline conditions. A second scenario assumed that the Playa Vista Drive bridge and roadway extension to Culver Boulevard was not part of the transportation system in the 2010 conditions. With the completion of the sale to the State of California and the relinquishment of the rights to construct the Playa Vista Drive Bridge and road, the baseline conditions as reflected in the Traffic Study exclude the bridge and road from the street system analyzed in the transportation model.

In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

A summary of the intersection levels of service analysis with the commentor's suggested changes to the proposed mitigation measures and the resulting traffic impacts is included in the Appendices to the Final EIR. As shown, the measures suggested by the commentor would be environmentally equivalent to the mitigation measures proposed in the EIR for the purpose of mitigating the significant traffic related impacts identified for the Proposed Project, provided the following additional improvements are included with the improvements suggested by the commentor:

- Provide on-demand expanded shuttle service to the beach and other uses at Playa del Rey.
- Provide on-demand expanded shuttle service to Loyola Marymount University by way of Lincoln Boulevard.
- Contribute to the design and implementation of Adaptive Traffic Control System or its equivalent at the intersection of Playa Street and Hannum Street in the City of Culver City.

There would be no need to contribute to the design and implementation of ATCS at the intersection of Sepulveda Boulevard and 76th-77th Street under the substitute mitigation scenario proposed by the City of Culver City.

The commentor's requested mitigation measures shall be forwarded to the decision-maker for its review and consideration.

#### **Comment 20-4**

In addition, existing Culver City park facilities generally experience high usage from both Culver City community members and persons from outside our local community. Diminishing local resources make it difficult to meet the public's demand for recreational opportunities. As indicated in the DEIR, the Proposed Project would have a residential population of 5,720 residents. This increase in residential population would place a greater demand on those Culver City park facilities within a 2-mile radius of the Proposed Project.

The DEIR states the Proposed Project will create 12.4 acres of parks, including 1 acre of bike lanes. However, it is not clear whether the park space in the Playa Vista project would be free of charge and open to the public or for the exclusive use by Playa Vista residents. If fees are charged for the use of any of the Playa Vista project's park, recreation or community building space (such as meeting rooms or community centers) and such fees are substantially more than fees charged by nearby jurisdictions for similar facilities, then park users will likely impact Culver City parks, which are open to the general public. We recognize costs of maintaining and operating new facilities may be higher than those incurred by Culver City and, therefore, some fees may be higher to cover the reasonable cost of maintenance and operation of the Proposed Project's park and recreation building space. Therefore, Culver City requests Los Angeles add a mitigation measure and condition of approval for the Proposed Project which requires any fees charged for the use of any of the Playa Vista project's park, recreation or community building

space must be commensurate with fees charged by nearby jurisdictions for similar facilities, unless higher fees are needed to cover the reasonable cost of maintenance and operation of the Project's building space.

If the maintenance of the parks within the Playa Vista project is to be provided in perpetuity by the property owner's association, then it is unclear whether (i) the facilities would be maintained and operated by that association and only available for Playa Vista residents or (ii) funds would be given to the Los Angeles Recreation and Parks Department for maintenance and operation and those areas would be available for the region. Also, the mix and layout of the Playa Vista projects recreation components are not identified in the DEIR.

#### **Response 20-4**

Potential impacts to park use is discussed in Section IV.L.(4), Parks and Recreation, of the Draft EIR beginning on page 1022. The Draft EIR concludes that there will be no significant impacts on parks, including Culver City parks. See Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1040.

As indicated by the comment, the Proposed Project will include 11.4 acres of new on-site park facilities, plus 1.0 acre of bike lanes. In addition, as described on page 1039, the Draft EIR requires that an additional 5.76 acres of park space be provided within a nearby off-site location. These park facilities are in addition to the parks created as part of the previously approved First Phase Project. This also includes a community facility named the Centerpointe Club which is a multi-use facility that offers swimming and sunbathing activities, a fitness center, a lounge, ballroom, and a business center as well as other recreational and community activities. The Draft EIR on page 1037 concludes that the demand for park or recreational facilities generated by the Proposed Project would be adequately accommodated by existing or planned facilities and services created at Playa Vista, and no significant impacts on parks and recreation would occur.

The parks at Playa Vista will be open to the general public. Community facilities, such as the Centerpointe Club, will be open to residents of Playa Vista only (although meeting space at the Centerpointe Club is available for certain public uses). Fees may be charged for certain park usage, such as weddings, private parties, organized sports, or other special events. It is expected that to the extent that any fee is charged for park use, the fees would be the same for Playa Vista residents and the general public, and it would only be those fees necessary to recover the cost of operating and maintaining the parks. The commentor's suggestion that a new mitigation measure be added will be forwarded to the decision-makers for their review and consideration (subject to reasonable rules and regulations).

In the event the City of Los Angeles Department of Recreation accepts the parks offered for dedication, the parks would be maintained by the Department. However, in the event the Department does not accept the offer of dedication, the parks will be owned and maintained by a property owner's association and will remain open to the public (subject to reasonable rules and regulations).

While specific programming of the activities and amenities for the parks within the Proposed Project has not occurred at the present time, mitigation measures on page 1039 of the Draft EIR require:

“ In addition to the provision of park space identified above, the Proposed Project shall be responsible for providing improvements for the parks within the Project with landscaping, hardscaping, walking, jogging and bicycle trails, children’s play areas, recreational fields and other recreational facilities (i.e. basketball courts, skating rings, etc.), with an emphasis on active activities as appropriate. The cost of the park improvements shall not be less than and is not limited by the amount of fees that the Project would be required to pay under LAMC Section 17.12D as though the Proposed Project was not dedicating any land for parks.”

Preliminary concepts for the parks would include areas for soccer, softball, informal active turf sports, basketball, volleyball, bocce ball, tot lots, picnic areas, jogging trails, skate trails, and walking paths.

#### **Comment 20-5**

As stated above, a completed listing of Culver City’s comments are attached to this letter in Resolution No. 2003-R105, including Exhibit A. Culver City sincerely hopes and looks forward to continuing to work together with the City of Los Angeles and Playa Vista to ensure Playa Vista projects’ impacts are mitigated for the benefit of our communities. If you have any questions regarding the City’s comments, please contact John Rivera, Senior Management Analyst at 310/253-6423.

#### **Response 20-5**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

#### **Comment 20-6**

RESOLUTION NO. 2003-R105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY,  
CALIFORNIA, TRANSMITTING THE OFFICIAL CITY RESPONSE TO THE AUGUST  
2003 DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED VILLAGE AT  
PLAYA VISTA PROJECT

WHEREAS, Playa Capital Company (Playa Vista) is proposing to develop the second phase of the Playa Vista Project, the “Village at Playa Vista”, a mixed use development; and,

WHEREAS, the “Village at Playa Vista” (Proposed Project) consisting of 111 acres is within the City of Los Angeles and is in close proximity to the City of Culver City to the northwest,

north and east, and the impacts of the Proposed Project are of critical interest to the citizens of Culver City; and,

WHEREAS, the Proposed Project is composed of two components consisting of 1) the 99.3 acre Urban Development Component, which includes 2,600 dwelling units, 175,000 square feet (sq.ft.) of office space, 150,000 sq.ft. of retail space, 40,000 sq.ft. of community serving uses, and 12.4 acres of park/passive open space uses, and 2) the 11.7 acre Habitat Creation/Restoration Component, which includes the creation of 6.7 acres of Riparian Corridor and 5 acres of restoration of the Westchester Bluffs; and,

WHEREAS, Playa Vista has prepared a Draft Environmental Impact Report (DEIR) to analyze the potential environmental impacts caused by the Proposed Project, which was released for public review and comment on August 21, 2003; and,

WHEREAS, the DEIR identifies and recommends specific mitigation measures for certain impacts that are anticipated to occur in the City of Culver City as a result of development and occupancy of the Proposed Project; and,

WHEREAS, a City Staff team, consisting of various City Departments and consultants was established to evaluate and comment on the adequacy of the DEIR in addressing potential impacts to Culver City; and,

WHEREAS, the City Council of the City of Culver City, accepted public comments and considered the DEIR at a public meeting on December 15, 2003.

### **Response 20-6**

The comment is a resolution adopted by the City of Culver City. The resolution is consistent with Comments 20-1 through 20-4, above. Specific comments raised regarding review of the Draft EIR and responses follow in Comment Nos. 20-7 through 20-11, below.

### **Comment 20-7**

NOW, THEREFORE, the City Council of the City of Culver City, California; DOES HEREBY RESOLVE as follows:

Section 1. The following key findings are hereby made by the City Council of the City of Culver City. These findings are described more fully and augmented in greater detail in "Exhibit A", which is attached to this Resolution:

1. In general, the City finds that the DEIR is comprehensive, but as detailed in Exhibit A, certain sections of the DEIR require corrections, clarifications, more specific information, additional analysis, and in some cases, additional and different mitigation measures to reduce potential impacts to Culver City.



**Response 20-7**

The commentator is generally agreeing with the results of the study and “generally agrees with the proposed mitigation measures subject to certain refinements.”

**Comment 20-8**

2. Traffic, public transit and parks/open space related issues are significant and need to be further addressed and incorporated into the DEIR. Stated below is a summary of traffic, public transit and parks/open space issues with the DEIR:

(a) Traffic analysis is based on statistical patterns from which are formulated the estimates and projections. There are concerns about future traffic and public transportation impacts that a project of this magnitude could have on the Culver City’s transportation network if the project’s actual external vehicle trip generation is substantially higher than [sic] what has been projected. In order to alleviate those concerns, Culver City advocates a mitigation measure, similar to one Culver City and Playa Vista agreed to for Phase I of the Playa Vista development. That mitigation measure would require the preparation of a “Trip Generation Verification Study” at specific stages of the Proposed Project’s development and occupancy. The intent of the study would be to verify the vehicle trip generation rates that form the foundation for the DEIR analysis are statistically accurate. If the study results show the trip generation rates used in the analysis were low and additional trips are being or will likely be generated above those identified in the DEIR, then Playa Vista would have to work with Culver City staff to determine if those additional trips would further impact Culver City. Playa Vista would have to implement additional reasonable and feasible mitigation measures to address those impacts, if any.

**Response 20-8**

Please see Response 20-2.

**Comment 20-9**

(b) The DEIR evaluates the impacts of the Proposed Project at 40 intersections in Culver City. Of those, 15 intersections are anticipated to be impacted to the level of significance. Proposed mitigations for 11 of the 15 intersections are public transit system related improvements for the City operated Culver CityBus. The proposed mitigation measures for the remaining 4 intersections are roadway and signalization improvements. Culver City generally agrees with those proposed mitigations subject to certain refinements. The DEIR places a significant emphasis on implementing public transit system enhancements to satisfy project related impacts in Culver City as well as in Los Angeles. Culver City believes additional enhancements are needed to the proposed mitigation measures in the DEIR related to adding transit vehicles during

peak periods. These additional enhancements are needed in order to attract enough new riders from the Playa Vista Project or from other areas to the transit system to reduce the traffic at those 11 impacted Culver City intersections. If those enhancements are successful, then Culver City believes the Proposed Project impacts to those intersections discussed above will be at a level of insignificance, as defined by California Environmental Quality Act. In order to help attract new ridership to these lines Culver City believes enhancements, such as “Transit Priority Systems” (TPS) and other signalization related measures are necessary to ensure improved on-time performance of the lines. Deployment of TPS to improve transit services within a corridor will benefit all transit buses within that corridor because it will help the buses navigate through congestion attributable to ambient and Proposed Project trip growth.

### **Response 20-9**

Please see Response 20-3.

### **Comment 20-10**

(c) Generally, existing Culver City park facilities experience high usage from both Culver City and non-residents alike. Diminishing local resources make it difficult to meet the public’s demand for recreational opportunities. As indicated in the DEIR, the Proposed Project would have a residential population of 5,720 residents. This increase in residential population would place a greater demand on those Culver City park facilities within a 2-mile radius of the Proposed Project.

The DEIR states that the Proposed Project will create 12.4 acres of parks, including 1 acre of bike lanes. However it is not clear whether the park space in the Proposed Project would be free of charge and open to the public or for the exclusive use by Playa Vista residents. Any fees charged for the use of the recreational areas should be commensurate to Culver City, City and County of Los Angeles rates for renting facilities, such as picnic areas, soccer fields, and other public: park gathering places. Playa Vista fees that are significantly above the median could potentially send park users to Culver City parks, which are open to the public.

If the maintenance of the parks within the Proposed Project is to be provided in perpetuity by the property owner’s association, then it is unclear whether (i) the facilities would be maintained and operated by that association and only available for Playa Vista residents or (ii) funds would be given to the Los Angeles Recreation and Parks Department for maintenance and operation and those areas would be available for the region. The mix and layout of recreation components are not identified.

### **Response 20-10**

Please see Response 20-4.

**Comment 20-11**

Section 2. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby:

1. Establishes that this Resolution, including attached Exhibit A, constitutes the City of Culver City's official comments on the DEIR that was prepared for the proposed project.
2. Directs and authorizes Staff to transmit comments of the City of Culver City on the DEIR to the City of Los Angeles and Playa Vista.
3. Anticipates Playa Vista and Los Angeles will modify the DEIR or include conditions for approval of the Village at Playa Vista project to ensure Culver City's concerns and solutions, as identified above and in Exhibit A, are the implemented.

**Response 20-11**

This attachment was submitted in support of comments stated in Comments 20-2 to 20-5. As such comments related to this attachment are addressed in Responses 20-2 to 20-5.

**Comment 20-12****EXHIBIT A**

CITY OF CULVER CITY RESOLUTION NO. 2003-R105  
Culver City Comments on August 21, 2003  
DEIR for the Village at Playa Vista Project

A. VOLUME 1- BOOKS 1 and 2, and VOLUMES XX through XXII Technical Appendix K as they relate to Traffic and Circulation.

**I. GENERAL COMMENTS**

The DEIR evaluates the impacts of the Village at Playa Vista (Project) at 40 intersections in Culver City. Of these, there are 15 intersections anticipated to be impacted to the level of significance. Proposed mitigations for 11 of the 15 intersections are transit system related improvements for the City operated Culver CityBus. The proposed mitigation measures for the remaining 4 intersections are roadway and signalization improvements. Culver City generally agrees with the proposed mitigations subject to certain refinements, which were discussed with Playa Vista representatives.

The DEIR places a significant emphasis on implementing transit system enhancements to satisfy Project related impacts in Culver City as well as in Los Angeles. Culver City believes enhancements are needed to the proposed mitigation measures in the DEIR related to adding transit vehicles during peak periods. These enhancements are needed in order to attract enough

new riders from the Project or from other areas to the transit system to reduce the traffic at those 11 impacted Culver City intersections. If those enhancements are successful, then Culver City believes the Project impacts to those intersections discussed above will be at a level of insignificance, as defined by CEQA. In order to help attract new ridership to these lines, Culver City believes enhancements, such as “Transit Priority Systems” (TPS) and other signalization related measures, are necessary to ensure improved on-time performance of the lines. Deployment of TPS to improve transit services within a corridor will benefit all transit buses within that corridor because it will help the buses navigate through congestion attributable to ambient and Project trip growth.

**Response 20-12**

Please see Response 20-3.

**Comment 20-13**

The following is a list of issues, which must be considered in order to enhance the proposed mitigation measures:

1. Traffic analysis is based on statistical patterns from which are formulated the estimates and projections. There are concerns about future traffic and transportation impacts that a project of this magnitude could have on the City’s transportation network if the Project’s actual external trip generation is substantially higher than what has been projected. In order to alleviate those concerns, Culver City advocates a mitigation measure, similar to one Culver City imposed on Phase I of the Playa Vista development. This mitigation measure would require the preparation of a “Trip Generation Verification Study” at specific stages of the Project’s development and occupancy. The intent of the study would be to verify that the vehicle trip generation rates that form the foundation for the DEIR analysis are statistically accurate.

**Response 20-13**

Please see Response 20-2.

**Comment 20-14**

2. As stated above, there are 15 intersections in the City that are anticipated to be impacted to the level of significance. Eleven of the fifteen have been earmarked for transit system related improvements as mitigation towards the impacts caused by the Project. Culver City is concerned the added transit vehicles may only benefit existing transit patrons with more bus seats through the purchase of more buses with funding from Playa Vista (PV), and some of the headways (which is the time between arrivals of buses at stops) would be reduced. Culver City believes primary enhancements to the proposed mitigation measures would be certain signal system Improvements and TPS to improve the on-time performance of buses and help relieve

congestion attributable to ambient trip growth (that caused by expected non-Project activity/population growth in the area) and Project trip growth.

### **Response 20-14**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers. Also, please see Response 20-3.

### **Comment 20-15**

3. In the DEIR, PV proposes to mitigate the effects of increased vehicle trips to and from the Project with improvements to local public transit, namely Culver CityBus. PV evaluates the trip-reducing effect increased transit service frequencies can have on travel patterns and applies the “Playa Vista Transportation Model” to forecast transit ridership as required by Los Angeles. As a result, an approximate number of buses able to meet this new demand was calculated.

However, Culver City questions the assumptions of the case studies used to support this expected vehicle trip reduction. Those studies are next discussed.

The experience of transit ridership increases discussed in the DEIR along Wilshire Boulevard and Ventura Boulevard after the introduction of “Bus Rapid Transit” may not be replicated along the Culver CityBus lines. The two boulevards in Los Angeles are not comparable to the streets in and near Culver City that require traffic mitigation. Wilshire Boulevard and Ventura Boulevard are lined with intensive office and retail developments, with many of the office buildings being high-rise. Sepulveda Boulevard, Jefferson Boulevard, and Overland Avenue through Culver City and the surrounding areas do not have those intensities of development.

Additionally, the transit service improvements for the local service lines that are recommended for Culver CityBus in the DEIR to mitigate Village impacts are not “Bus Rapid Transit,” which depends on “limited stop service” to reduce delays. The recommended measures are additions of one or two standard-type buses to existing bus routes with frequent local stops. While headways on those routes may be reduced with the new buses, the durations of individual trips by commuters and shoppers are likely to be increased, because the buses will have to mingle with other traffic on the congested streets.

### **Response 20-15**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

Please see Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455, for a discussion of the transit planning process and the considerations taken into account in the development of this Plan.

The commentator has requested information about transit ridership on corridors comparable to Culver City corridors. The Los Angeles County MTA has put into service four additional lines including the Vermont and Florence corridors, which are comparable to Sepulveda. Initial anecdotal evidence from MTA indicates that a growth in transit ridership of 20 percent has been indicated along these lines. These increases are substantially higher than any increases assessed in the Draft EIR (1 to 3.3 percent).

#### **Comment 20-16**

4. Providing additional buses on routes that already have poor on-time performance, may not accomplish the desired mitigation results. Adding more buses to more congested roadways may be fruitless if not paired with technology aimed at decreasing travel times.

- a. Line 2's on-time performance is 53%. Increasing service frequencies may have little effect if buses are unable to reach their destinations in a timely matter. Infrastructure improvements at impacted intersections (including the TPS) may help bus operators adhere to schedules, thus improving ridership.
- b. On-time performance on Sepulveda Boulevard often falls to nearly 50% during the peak hours due to traffic congestion. Implementing TPS measures such as those planned for Lincoln Boulevard along Line 6 would help improve its performance greatly. Without such measures, improvements in service frequency will be rendered ineffective. The Metropolitan Transportation Authority has identified Sepulveda Boulevard as a corridor for deployment in 2008 of a "Bus Rapid Transit" line, which will include TPS technology.

#### **Response 20-16**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Please see Topical Response TR-4, the Village at Playa Vista Transit Plan Effectiveness, on page 455, for a discussion of the transit planning process and the considerations taken into account in the development of this Plan and Response 20-3.

#### **Comment 20-17**

5. PV should be linked with meaningful origins and destinations. Culver City recommends extending Line 4 service to Marina del Rey in lieu of Playa del Rey.

This linkage will have the potential to generate more public transit usage by connecting the development with a major destination point. Culver City is concerned the proposed service to Playa del Rey will not generate enough ridership to support it.

**Response 20-17**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Please see Topical Response TR-4, the Village at Playa Vista Transit Plan Effectiveness, on page 455, for a discussion of the transit planning process and the considerations taken into account in the development of this Plan and Response 20-3.

**Comment 20-18**

6. Commuters and residents may need incentives to use public transit. PV is investing a substantial amount of money anticipating Project residents and employees will leave their cars and ride transit, thus reducing the impact the development will have on neighboring streets and cities. Nonetheless, a very small percentage of the trips made in this region are made on public transit. Realistically, PV residents and employees may need incentives to encourage them to ride the bus. The possibility of a PV funded fare subsidy program for use on Culver City buses could potentially decrease the number of vehicle trips through Culver City and the surrounding region significantly. Coupled with “Bus Rapid Transit”, and proposed increased service frequencies, such fare incentives could dramatically reduce commuting trips to and from PV.

**Response 20-18**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

Please see Topical Response TR-4, the Village at Playa Vista Transit Plan Effectiveness, on page 455, for a discussion of the transit planning process and the considerations taken into account in the development of this Plan and Response 20-3.

**Comment 20-19**

7. Sawtelle Boulevard is singled out as a destination point from Inglewood Boulevard via McDonald Street. In Culver City, this neighborhood is referred to as “Sunkist Park.” There are turning prohibitions and physical turning limitations at the intersection of Sawtelle Boulevard and McDonald Street, as well as other intersecting local streets in the neighborhood. These prohibitions and physical barriers were installed in an effort to discourage the type of cut-through trips being discussed. In order to address cut through traffic from the PV Phase 1 project, a mitigation measure required PV to provide \$250,000 to fund the preparation of a Neighborhood Traffic Management Plan (NTMP) and potential implementation measures. The NTMP is being finalized and the neighborhood is discussing which measures should be tested for effectiveness before the final design is approved and installed.

**Response 20-19**

The comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 20-20**

Culver City has reviewed the proposed mitigation measures in the DEIR and has determined that they need to be modified in order to enhance their ability to mitigate anticipated Project impacts. The following is the list of modified mitigation measures Culver City strongly believes should be required to address the Project's impact on the City:

1. As stated above the traffic analysis is based on statistical patterns from which are formulated the estimates and projections. There are concerns about future traffic and transportation impacts that a project of this magnitude could have on the City's transportation network if the actual external trip generation is substantially higher than what has been projected. In order to alleviate those concerns, Culver City advocates a mitigation measure, similar to one Culver City imposed on Phase I of the Playa Vista development and the City has required of large projects in the City. This mitigation measure would require the preparation of a "Trip Generation Verification Study" at specific stages of the Project's development and occupancy. The intent of the study would be to verify that the vehicle trip generation rates that form the foundation for the DEIR analysis are statistically accurate. The mitigation measure would require Playa Vista to perform two series of trip counts from a sampling of the Project's driveways, pursuant to time and methodology agreed to by Playa Vista and Culver City, which shall be sufficient to provide a representative sample with which to measure potential trip generation. The sampling analysis and supporting data shall be provided within 30 days of all the counts being collected and based on a schedule agreed to by Playa Vista and Culver City. The first count would be taken at the end of Subphase 3 (that is, 75% of the total development), prior to occupancy of any of portion of Subphase 4, the final subphase. The second series of counts would be taken at ninety-percent (90%) occupancy of the Proposed Project. The counts shall be conducted for 24 hours on each of three weekdays distributed over three weeks (i.e., one weekday per week) during the spring season. None of the weeks will contain nationally- or locally-recognized holidays. The counts will be compared with the trip generation estimates in the DEIR. If the study results show the trip generation rates used in the-analysis were low and additional trips are being or will likely be generated above those identified in the DEIR, then Playa Vista would have to work with Culver City to determine if those additional trips would further impact Culver City. Playa Vista would have to implement reasonable and feasible mitigation measures to address those impacts, if any.

**Response 20-20**

Please see Response 20-2.



**Comment 20-21**

2. Playa Vista shall design and construct at their sole cost and to the satisfaction of Culver City the following physical intersection improvements in Culver City:

- Washington Place/Centinela Avenue—Provide dual east bound & west bound left turn lanes, and install signal phasing & equipment as required.
- Green Valley Circle/Centinela Avenue—Restripe the street in order to provide a west bound right turn lane.
- Sawtelle Boulevard/Culver Boulevard—Provide north bound and south bound right turn lanes consistent with anticipated Caltrans' I-405 improvements.

NOTE—The intersection improvements previously proposed for Culver Boulevard/Overland Avenue would now be addressed by proposed Signal System improvements and the previously proposed physical improvement would be deleted from the program.

**Response 20-21**

The first three bullets restate mitigation measures proposed in the Draft EIR. The note states that with the City of Culver City's proposed measures, the proposed physical improvement addressed in the Draft EIR at the Culver Boulevard/Overland Avenue intersection would be deleted from the project mitigation program. Implementation of the alternative measures proposed by the Commentor would mitigate the significant impacts of the Proposed Project at this location to a less than significant level. Please see Response 20-3.

**Comment 20-22**

3. Signal System Improvements (Traffic and Bus operation enhancements):

- Playa Vista shall provide an adaptive signal synchronization system acceptable to Culver City along Jefferson and Culver Boulevards.
- Playa Vista shall provide a control system and support costs for adaptive signal synchronization system.
- Playa Vista shall provide up to \$50,000 to fund a Signal Optimization Analysis along Sepulveda Boulevard, Washington Boulevard, Jefferson Boulevard, and Overland Avenue corridors within Culver City.

**Response 20-22**

Please see Response 20-3.

**Comment 20-23**

## 4. Transit System Improvements:

- Playa Vista shall fund the purchase of five 40-foot buses similar to current Culver CityBus vehicles as follows: one bus for Line 4 and two buses each for Line 6 and New Limited Route along Sepulveda (south).
- Playa Vista shall provide Transit Priority System (TPS) components for signalized locations along Washington Boulevard, between the Costco Projects westerly driveway and Berryman Avenue. The TPS shall meet the specification of Culver City.
- Playa Vista shall provide certain Operation and Maintenance (O&M) costs for the new buses purchased using the following parameters:
  - a. 100% funding for 3 years and 15% for the next 7 years afterwards.
  - b. O&M cost shall be calculated using a rate \$85/hour.
  - c. For four of the buses the O&M costs shall be calculated based on peak period bus operations (Line 6 and the new Limited Bus) at 7.5 hours/day/bus for 250 days a year.
  - d. For one bus the O&M costs shall be calculated based on all-day bus operations (Line 4) at 12.5 hours/day/bus for 250 days a year.
  - e. Farebox revenue from each of the Playa Vista funded buses will offset O&M contribution
- The Playa Vista Transportation Management Association (TMA) will provide bus fare subsidies of up to 200 bus passes per month for employees or residents at Playa Vista for a period of 10 years at a cost not to exceed \$50,000 per year.

**Response 20-23**

The commentor proposes a reduction of buses from 6 to 5, implementation of a broader TPS system, substantially the same O&M cost calculation, and a new bus fare subsidy. Please see Response 20-3.

The comment is noted and will be incorporated into the Final EIR for the review and consideration of the decision-makers.

**Comment 20-24**

NOTE—The new bus proposed in the DEIR for Line 2 is recommended to be deleted, in order to provide funding for the Washington Boulevard Corridor TPS enhancement.

**Response 20-24**

Please see Response 20-3.

**Comment 20-25**

5. Neighborhood Traffic Management Program (NTMP): If needed, after implementation of the Playa Vista Phase 1 funded NTMP implementation, Playa Vista shall provide up to \$25,000 to fund a supplemental NTMP for the Sunkist Park neighborhood in Culver City and for subsequent implementation of traffic calming measures identified in the plan.

**Response 20-25**

Please see Response 20-3. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 20-26**

6. Construction vehicle travel through Culver City shall be subject to the review and approval of Culver City, and shall be conducted in accordance with the standard rules and regulations established by Culver City. These include allowable operating times for construction activities, truck haul routes, clearance requirements, etc.

**Response 20-26**

Construction vehicles shall comply with all generally applicable rules and regulations in the City of Culver City. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 20-27****III. SPECIFIC COMMENTS**

- Volume I -Book 2 -Section IV-K (1) Traffic and Circulation, Page 890. In the “Transportation Improvement Program/Phasing,” discussion the second bullet states, “Prior to the issuance of any building permit for each subphase, all on- and off-site traffic mitigation measures required for that subphase shall be completed or suitably guaranteed satisfactory to LADOT.” The third bullet states, “Prior to the issuance, of the Final Certificate of Occupancy in the final subphase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of the LADOT.” In both cases, the words “... and the City of Culver City Chief Administrative Officer or designated representative.” should be added at the end of each bulleted item, because of the large number of measures that are within Culver City.

**Response 20-27**

As discussed in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, as Lead Agency, the City of Los Angeles will monitor all mitigation measure improvements. The City of Culver City shall be responsible for approving and issuing any necessary permits within the jurisdiction of the City of Culver City. While there are improvements in several jurisdictions, the City of Los Angeles, as Lead Agency, will monitor implementation of all mitigation measure improvements.

**Comment 20-28**

Currently, Culver City has 91.36 acres of usable parkland; equating to 2.17 acres per thousand people, which is below the national standard for parkland and does not meet the goals of the City's General Plan, of three acres per thousand. Culver City is concerned that the development of Playa Vista and the addition of a projected 5,720 residents may further impact Blanco, Culver West, El Marino, Fox Hills, and Lindberg parks, all of which are located within two miles of the Proposed Project. Culver City has reviewed the DEIR and has the following concerns, recommendations and proposed mitigation measures.

**Concerns:**

The DEIR states that the Proposed Project will create 12.4 acres of parks, including one acre of bike lanes. In addition the DEIR includes a mitigation measure, which requires Playa Vista to provide 5.7 additional acres of park space within the Playa Vista First Phase development area or other nearby off-site location. Generally, existing Culver City park facilities experience high usage from both Culver City residents and non-residents alike. Diminishing local resources make it difficult to meet the public's demand for recreational opportunities. The anticipated increase in residential population as a result of the Project would place a greater demand on those Culver City park facilities within a two-mile radius of the Project.

**Response 20-28**

The Draft EIR concludes that there will be no significant impacts on Parks. See Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1040. As described in Response 20-4, above, the Proposed Project would provide park and recreational facilities for its population and the public. The 11.4 acres of park space within the Project site would be located within walking distance of Project locations and therefore more conducive to attracting Project population than more distant locations. As shown in Table 152 on page 1036 of the Draft EIR, the Project's parks would improve the service ratio in the Project's District Plan area from 0.7 acre per 1,000 population to 0.8 acre per 1,000 population. The Proposed Project meets the requirements for parks as established by the Subdivision Map Act and Quimby Ordinance.

**Comment 20-29**

Culver City has the following concerns, which should be analyzed, and discussed, and mitigation should be identified in the Project's Environmental Impact Report:

- It is not clear whether the park space in the Project would be free of charge and open to the public or for the exclusive use by Project residents.
- Any fees charged for the use of the Project's recreational areas should be commensurate with Culver City, and City and County of Los Angeles rates for renting publicly used picnic areas, soccer fields, and similar public gathering places. Playa Vista fees that are significantly above the median could potentially send park users to Culver City parks, which are open to the public.

**Response 20-29**

Please see Response to 20-4.

**Comment 20-30**

- If the maintenance of the parks within the Project is to be provided in perpetuity by the property owners' association then it is unclear whether (i) the facilities would be maintained and operated by that association and only available for Project residents or (ii) funds would be given to the Los Angeles Recreation and Parks Department for maintenance and operation and those areas would be available for the region.

**Response 20-30**

Please see Response to 20-4.

**Comment 20-31**

- The mix and layout of recreation components are not identified. Playa Vista must provide the physical layout and facility rental information about the new park space and recreation facilities in response to comments on the DEIR document.
- The DEIR includes a mitigation measure, which requires Playa Vista to provide 5.7 additional acres of park space within the Playa Vista First Phase development area or other nearby off-site location. There has some discussion about converting an area designated as a water feature, located near the business development adjacent to the Project site, to a soccer field. If this is true, then that new recreational component of the Project should be clearly defined in the environmental analysis and Project plans.

**Response 20-31**

Please see Response to 20-4.

**Comment 20-32**

Recommended Enhancement to Mitigation Measures:

Culver City has reviewed the proposed mitigation measures in the DEIR and has determined that they need to be modified in order to enhance their ability to mitigate anticipated Project impacts. The following is the list of modified mitigation measures Culver City strongly believes should be required to address the Projects impact in the City:

- The Project’s recreational areas must be open to the public, to alleviate increased demand generated by the Project at local Culver City parks.
- Any fees required for use of any of the Project’s parks must be commensurate with fees charged by nearby jurisdictions. Any fees required for the use of any of the Project’s park/recreation/community building space (such as meeting rooms or community centers) must be commensurate with fees charged by nearby jurisdictions for similar facilities, unless higher fees are needed to cover the reasonable cost of maintenance and operation of the Project building space.
- The mix and layout of recreation components, including the additional 5.7 acre park space proposed to be required as a mitigation measure should be clearly defined in the environmental analysis and Project plans.
- The additional 5.7 acres of park space to be provided within the Playa Vista First Phase development area or other nearby off-site location should be primarily used for active recreation uses.

**Response 20-32**

Please see Response to 20-4.

**Comment 20-33**

- Volume 1—Book 1—Section I Executive Summary—12 Population, Housing, and Employment—Cumulative Impacts Page 77 The Draft EIR indicates the project’s cumulative impacts on housing and employment are significant. The anticipated cumulative housing and employment growth would exceed the SCAG RTP housing and employment forecasts for 2010 in the Related Projects Study Area. No mitigation measures are identified in the Draft EIR. Provide an explanation as to how this significant cumulative impact is reduced or eliminated.

**Response 20-33**

SCAG regional projections provide advisory information to various jurisdictions and public agencies (e.g. technical staff and decision-makers) to be used for land use planning and the provision of various community services. Under CEQA, anticipated growth in itself is not necessarily a significant impact. Significant impacts occur when development causes significant changes to the physical environment.

The methodology used in the Draft EIR to evaluate cumulative impacts compares anticipated growth from the Proposed Project plus related projects identified for purposes of this Draft EIR to growth anticipated in the SCAG Regional Transportation Plan. In identifying the cumulative impacts on housing and employment cited from page 77 of the Draft EIR (based on the Cumulative Impacts Analysis in Subsection 6.2 of Section IV.J, Population, Housing and Employment, on page 795), the Draft EIR provides notice to jurisdictions and agencies of a potential for SCAG projections to be exceeded. Staff and decision-makers may incorporate this information into their planning and policies, as appropriate.

It should be noted that the Draft EIR includes a discussion of the cumulative impacts within the analysis of the each of the environmental topics in Sections IV.A through IV.P.(3) of the Draft EIR. Each of those analyses discusses the growth described in this Draft EIR to the growth anticipated by the agencies/decision-makers responsible for governance over each of the environmental topics. The analyses within the various sections address mitigation measures for future growth anticipated for the particular topic, and specify mitigation measures for Project impacts, consistent with CEQA guidelines. It should also be noted that the Draft EIR used a conservative methodology for identifying related projects. For example, 12,267, of the 94,434 new jobs anticipated in the employment conclusion are associated with Related Project 35, Continental City, a project that is not likely to be developed in accordance with its current entitlements, and 6,804 of the new jobs are associated with Related Project 6, Howard Hughes Center, portions of which were completed and reflected in the Project's 2003 existing conditions.

**Comment 20-34**

– Volume I—Book 1—Section 111-B Related Projects, Page 193. Please include in the “List of Related Projects”, Table 5, and incorporate into the cumulative impact analysis, the West Los Angeles College Master Plan project, the Baldwin Hills Scenic Overlook project, Baldwin Hills Regional Park plan project, and the MTA Exposition Light Rail project. These projects are all in close vicinity or located within Culver City and will have potentially significant cumulative traffic impacts to the community. This comment also applies to all references to Related Projects in the DEIR.

**Response 20-34**

A discussion of related projects is provided in Topical Response TR-3, Related Projects, on page 453. The Draft EIR considered and incorporated conservative assumptions regarding identifying

the list of related projects and analyzing cumulative impacts. The list of related projects was developed via consultation with the adjoining cities, including the City of Culver City, and the County of Los Angeles with regard to relevant areas of unincorporated Los Angeles County.

The traffic impact analysis in the Draft EIR uses a transportation model based on the Southern California Association of Governments (SCAG) regional model, which included the socioeconomic and land use growth anticipated by SCAG in the entire region. Each of the cities within the hundred square mile traffic study area was asked to provide a list of their related background projects. All related projects for which an application had been filed prior to the issuance of the NOP for the Village at Playa Vista were included in the related projects list. This generated a list of 96 related projects, illustrated on page 194 of the Draft EIR.

Traffic projections were prepared for all of these related projects for each traffic analysis zone in the study area. The traffic growth in the model from SCAG projections was then compared to the location of the related projects to make sure that sufficient traffic growth was assumed in each traffic analysis zone in order to ensure that cumulative traffic in each traffic analysis zone conservatively reflected each of the related projects. For those few zones where sufficient traffic growth did not appear in the SCAG model, traffic from the known related project was added to the model's trip table. While additional development was added where required, corresponding reductions in land use was not taken in those instances where the cumulative development was less than that forecasted by SCAG. Thus, the amount of cumulative land use development assumed in the traffic model exceeded that assumed in the related projects list.

The traffic model used in the Draft EIR assumes sufficient growth in the applicable traffic analysis zones to account for all of the projects raised in the comment.

The West Los Angeles College Master Plan, which issued a Notice of Preparation after the NOP for the Proposed Project, is a Master Plan for 2022, and proposes new construction, renovation and demolition totaling 373,000 square feet of new buildings, 2,700 new parking spaces, and an increase of approximately 9,000 students by the year 2022. The transportation analysis zone where the West Los Angeles College Master plan project is located assumes sufficient growth to account for this project.

The Baldwin Hills Scenic Overlook project plans to develop the 58-acre site for a recreational area and interpretive park which includes a 10,300 square foot visitors center with 110 parking spaces for visitors. The typical trip generation of this project in the morning and afternoon peak commute hours is not expected to be substantial. Nonetheless, the traffic analysis zone for the area where this project is located assumes greater traffic growth than would be expected for this project and the projects in the related projects list.

The Baldwin Hills Regional Park plan project appears to be a reference to the Baldwin Hills Park Master Plan, State Department of Parks and Recreation, May 2002. This project has a long term implementation program at this time. The site is currently a producing oil field with some unknown life span. The purpose of Master Plan is to guide future open space acquisition, improvements, facility development and habitat restoration. The plan is strictly conceptual in



nature at this time. In November 2002, the Stocker Corridor, a 38-acre open space corridor, was purchased by the Baldwin Hills Conservancy (State of California). As with the Baldwin Hills Scenic Overlook project discussed above, the typical trip generation anticipated for this project in the morning and afternoon peak commute hours is not expected to be substantial, and is well within the related projects assumptions discussed above.

The MTA Exposition Light Rail project, if implemented, would extend light rail service between areas of West Los Angeles and Downtown Los Angeles. According to the MTA web site ([www.mta.net/projects\\_plans/exposition/default.htm](http://www.mta.net/projects_plans/exposition/default.htm)), groundbreaking for this project would occur in 2007, with completion of the initial phase (from Downtown Los Angeles to Venice/Washington) scheduled for 2012. However, the Metro Rail Mid-City/Exposition Light Rail Transit Project Fact Sheet also contained at the MTA web page ([www.mta.net/projects\\_plans/exposition/images/expo\\_factsheet.pdf](http://www.mta.net/projects_plans/exposition/images/expo_factsheet.pdf)) indicates that project construction will be based on funding availability. If implemented, this project would improve the effectiveness of the Proposed Project's transit enhancement mitigation measures.

### **Comment 20-35**

#### **D. VOLUME XX, DEIR Technical Appendix K Traffic and Circulation**

- Volume XX, DEIR Technical Appendix K—Appendix K-2 Section IV Future Conditions With Project, page IV-9. The thresholds of significance on the bottom of the page are not the same as the “Final V/C Ratio” thresholds on page I-4. Which ones were used?

### **Response 20-35**

Please refer to Section II.37, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments. The thresholds of significance presented on page IV-9, Volume XX, Appendix K-2 are correct and were used in the preparation of traffic impacts for the study. The thresholds presented on page I-4 were not used.

**LETTER NO. 21**

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**Comment 21-1**

The City of Manhattan Beach Community Development Department appreciates the opportunity to review and provide comments on the Draft Environmental Impact Report and specifically the Traffic Impact Analysis for the project. We have the following specific comments related to traffic:

1. We are concerned with any potential traffic impacts that the project may have on the City of Manhattan Beach, specifically to Highland Avenue. The intersections of Highland and Rosecrans Avenues, and Highland Avenue and Manhattan Beach Boulevard were analyzed by the Traffic Report and the conclusion was that there would not be a significant impact to these intersections. We are concerned that “cut-through” traffic from the project will use Highland Avenue as a route to avoid Sepulveda Boulevard and other congested north-south arterials. Any impacts to Highland Avenue and any other streets and intersections in the City of Manhattan Beach should be mitigated to a level of insignificance.

**Response 21-1**

A detailed analysis of the Proposed Project's traffic impacts has been performed and is presented in Section IV.K.(1) of the Draft EIR. The Traffic Study measured the performance of 218 key intersections within an approximately 100 square mile study area described in Section IV.K.(1) of the Draft EIR, beginning on page 828 and in Technical Appendix K-2. Of the intersections analyzed, six are located in the City of Manhattan Beach. As noted by the commentor, the Draft EIR concludes that no intersections within the City of Manhattan Beach, including the intersections of Highland Avenue/Rosecrans Avenue and Highland Avenue/Manhattan Beach Boulevard. Because no significant impacts were found at these locations, no mitigation measures are proposed or necessary.

**Comment 21-2**

2. Overall, it appears that the Project will not create project related significant traffic impacts within the City of Manhattan Beach when added to existing or future traffic conditions. However, the Traffic Analysis concludes that the net effect of cumulative projects in the region will create significant traffic impacts if no improvements are made to the area's circulation network in the future. Major improvements will be necessary at many of the studied intersections to maintain an acceptable level of service in the future, therefore the project, and future projects should consider contributing a fair-share traffic mitigation fee for these cumulative impacts that can be used for future improvements of roadways or intersections at or near all of these impacted locations, not limited to those areas within the City of Los Angeles.

Thank you for your consideration and we look forward to receiving the Final EIR as well as notifications of any future public hearings, workshops or meetings. Should you have any questions please feel free to contact me at (310)-802-5510 or by e-mail at, ljester@citymb.info, our traffic engineer Erik Zandvliet at (310)-802-5540 or by email at ezandvliet@citymb.info.

**Response 21-2**

As noted by the commentor, Subsection 6.0, Section IV.K.(1) of the Draft EIR, page 941, concludes that the Proposed Project could contribute to potentially significant cumulative impacts at locations that may operate poorly under cumulative conditions. As described in subsection 2.1.4, Section IV.K.(1) of the Draft EIR, on page 800, the City of Los Angeles Coastal Transportation Corridor Specific Plan provides a funding mechanism for specific transportation improvements within central/western portions of the City of Los Angeles. No such mechanism currently exists for funding improvements on a regional basis.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 22**

City of Santa Monica  
City Council Office  
1685 Main Street  
Post Office Box 2200  
Santa Monica, CA 90407-2200

**Comment 22-1**

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Village at Playa Vista (the Project). With 2,600 dwelling units, 175,000 square feet of office space, 150,000 square feet of retail, and 40,000 square feet of community-serving uses, the Project is expected to have important consequences for Santa Monica and the region. On December 9, 2003, the Santa Monica City Council expressed its opposition to the project as proposed.

Based on our review of the DEIR, we offer the following comments for your consideration.

**Response 22-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 22-2****TRANSPORTATION**

Thank you for analyzing Santa Monica intersections using the HCM methodology adopted by the City of Santa Monica. The DEIR does not include the following three intersections that we requested be analyzed:

- 4th St./I-10 on-ramp
- 4th St./I-10 off-ramp
- Main St./Olympic Drive

The DEIR also does not include analysis of impacts on Santa Monica's neighborhood streets, such as the Walgrove/23rd Street corridor, as a result of cut-through traffic avoiding congested primary transportation corridors.

**Response 22-2**

The Draft EIR evaluated numerous intersections within Santa Monica that are closer to the Proposed Project site than the suggested intersections. The Draft EIR determined that the Proposed Project would not have significant traffic impacts at any of these intersections. As discussed in Topical Response TR-7, Study Intersections, on page 463, because intersections farther away from the studied intersections would experience the same or even less project traffic, and because of the limited volume/capacity increases the Proposed Project would add to these intersections, it is clear that these intersections would not be significantly impacted.

Potential impacts from the Proposed Project on residential streets are addressed in Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 872, and in Section II.15, Corrections and Additions, of the Final EIR. The Draft EIR concludes that the Proposed Project would not have a significant impact on neighborhood streets in Santa Monica, such as the Walgrove Avenue/23rd Street corridor referenced in the comment. Please See Topical Response TR-5, Neighborhood Traffic Impacts, on page 458, which provides a discussion of the neighborhood traffic impact analysis.

**Comment 22-3**

Increased traffic on Lincoln Boulevard may limit future opportunities for dedicated transit right-of-way, such as exclusive bus lanes, streetcars or light rail. The DEIR must address impacts of the project on future transit options.

**Response 22-3**

The Proposed Project would not exclude the ability to provide future transit improvements along the Lincoln Boulevard corridor. In fact, the Proposed Project would provide significant transit improvements that would benefit the area.

**Comment 22-4****POPULATION / HOUSING / EMPLOYMENT**

While the DEIR references the City of Los Angeles' efforts with respect to affordable housing, there are no requirements for the development of affordable housing as part of the Project. Without these requirements, there will be tremendous impacts on affordable housing within Santa Monica and elsewhere in the area, given the scope and scale of the proposed project. The requirements should include an equitable distribution of affordable housing for very low-, low- and moderate-income households, as well as an equitable distribution of unit sizes to accommodate a diversity of household types, including large families.

**Response 22-4**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The Proposed Project does not result in the removal of any affordable housing units, or the relocation of any households residing in affordable housing units. As such, development of the Proposed Project would have a less than significant impact on affordable housing

**Comment 22-5**

Two appointed City bodies, the Task Force on the Environment and the Planning Commission, have prepared additional comments on the DEIR, which are attached. We request that you respond to these comments as well.

We appreciate your careful and thorough consideration of these issues.

**Response 22-5**

These attachments are presented in Comments 22-6 through 22-46.

**Comment 22-6**

## General Comments

1. More specificity should be provided for all mitigation measures described in the document, particularly with respect to the timeline of completion of the measures and details as to how they will be implemented and monitored.

**Response 22-6**

The Draft EIR includes a Draft Mitigation Monitoring and Reporting Program (MMRP) in Technical Appendix C. The MMRP includes an introductory section that explains the various monitoring and enforcement procedures. The introduction is followed by a listing of all proposed mitigation measures with information regarding the following for each item: enforcement agency, monitoring agency, monitoring phase (i.e., at what time), monitoring frequency, and action indicating compliance with mitigation measures. Compliance with mitigation measures would be monitored throughout the Project's permitting process; e.g., tract recordations, grading and building permits, etc. Those permits would not be issued until appropriate mitigation measures are implemented.

**Comment 22-7**

2. Santa Monica signed off on Phase I with the understanding that all mitigation measures would be completed. In fact, many measures have not been completed or have been eliminated (e.g., Passage of SB 666 eliminated the construction of a bridge into area C, which was a traffic mitigation measure for [P]hase I). The City should ask the developer to provide an update on uncompleted mitigations from Phase I and should obtain assurance that proposed mitigation measures for Phase II will be undertaken.

**Response 22-7**

Mitigation measures associated with the adjacent First Phase Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995. Completion of mitigation measures adopted in the certification of these documents is proceeding according to the Mitigation Monitoring and Reporting Programs adopted in conjunction with them. As provided for in the Playa Vista First Phase EIR, traffic mitigation measures are implemented in accordance with a subphasing plan approved by LADOT. With respect to the bridge into Area C, as a result of the State's acquisition of Area A and portions of Area B and the passage of SB 666, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. As discussed in Subsections 3.1 and 5.1.5 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 828 and 931, respectively, the Traffic Report included an analysis of the Proposed Project's impacts under the no Playa Vista Drive bridge and road baseline. Under either baseline scenario, the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. For a further discussion, please see Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 and Section II.15, Corrections and Additions, of the Final EIR.

The Draft EIR provides a complete analysis of the Proposed Project's impacts assuming the Area C bridge was not constructed. The Draft EIR concludes that the mitigation program would address the Proposed Project's impacts with or without the presence of the Area C bridge. (See Subsection 5.1.5 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 931 and Section II.15, Corrections and Additions, of the Final EIR.) Mitigation measures proposed for the Proposed Project are included in the Draft Mitigation Monitoring and Reporting Program in Technical Appendix C. See also Response 22-6.

**Comment 22-8****Safety/Risk of Upset**

1. The EIR isn't clear on what the risk based clean-up goals (RBCGs) are for ongoing environmental remediation efforts at the site with respect to residents, workers, etc. A clear

summary of the RBCGs needs to be included in this section. This summary should include a table that lists the RBCGs for both residential and recreational site uses as referenced in the text.

## **Response 22-8**

The risk based cleanup goals for the Proposed Project Site and the First Phase Project site are referred to as health-based remediation goals (HBRGs). As addressed in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, starting on page 666, existing contamination in the Proposed Project site that represents a risk to human health will be addressed through the use of HBRGs.

HBRGs are permissible concentrations of chemicals in soil, groundwater and soil gas that ensure protection of workers, residents and people recreating in the Proposed Project site and are based on health risk protection levels established by U.S. EPA and Cal-EPA. HBRGs, as expressions of acceptable cancer risk and non-cancer hazard targets, are used to determine where remediation may be necessary, and to guide the development of remediation alternatives to achieve clean-up.

The HBRGs are derived from health risk protection levels established by U.S. EPA and Cal-EPA. Both U.S. EPA and Cal-EPA have defined what are unacceptable health risks from chemical exposures. These definitions reflect objectives for protection of human health that are widely accepted and used throughout the United States and the world. For cancer-causing chemicals, U.S. EPA has stated that an unacceptable risk is one that results in an increased incidence of cancer greater than a generally acceptable risk range. Cal-EPA adopted the definition and use of the U.S. EPA general risk range as a standard for managing cancer risks, and has applied it to activities such as setting public health goals for drinking water (OEHHA 2003), characterizing proposed new school sites for possible chemical contamination (OEHHA 2004), and evaluating other sites where hazardous chemicals have been released to the environment (DTSC 1999). Likewise, U.S. EPA and Cal-EPA have defined a hazard index to identify acceptable non-cancer hazards due to exposure to environmental chemicals.

HBRGs were originally developed for the adjacent Playa Vista First Phase Project site and are detailed in the “Addendum to Phase 1 Commercial Health Based remediation Goals,” dated September 2001; “Phase 1 Residential Health Based Remediation Goals, Playa Vista, Los Angeles, California,” dated November 2001; “Addendum to Phase I Residential Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Responses to Comments,” dated September 19, 2002; “Attachment to Addendum to Phase I Commercial Area Health-Based Remediation Goals, Playa Vista Development Project, Los Angeles, California Responses to Comments,” dated November 27, 2002; and “Health Based Remediation Goals, Playa Vista, Los Angeles, California,” dated February 2000, which have been added to the Appendix for the Final EIR. In line with the U.S. EPA and Cal-EPA standards, the Applicant adopted a cancer risk protection level or standard that would result in an increased risk of one in one million for potential exposure to single chemicals and one in one hundred thousand for exposure to multiple carcinogens. For non-cancer risks, the Applicant adopted a hazard



quotient,<sup>3</sup> which is a hazard index for a single chemical, of 0.2, and a hazard index<sup>4</sup> of 1 for exposure to multiple chemicals. These protection levels were approved by OEHHA and RWQCB as part of its oversight of the development of HBRGs for the First Phase Project. HBRGs will be developed for the Proposed Project, which will, at a minimum, be the same as the HBRGs for the First Phase Project site.

To translate these approved protection levels into HBRGs, the Applicant used standard U.S. EPA and Cal-EPA risk assessment protocols. The following is a list of the guidance used in the development of the HBRGs (in the reference library for the Final EIR):

DTSC (Department of Toxic Substances Control). 1999. *Preliminary Endangerment Assessment Guidance Manual*. January.

\_\_\_\_\_. 1992. Supplemental Guidance for Human Health Multimedia Risk Assessment of Hazardous Waste Sites and Permitted Facilities. July

OEHHA (Office of Environmental Health Hazard Assessment). 2003. A Guide to Public Health Goals for Chemical in Drinking Water. October.

\_\_\_\_\_. 2004. Guidance for School Site Risk Assessment Pursuant to Health and Safety Code Section 901f: Guidance for Assessing Exposures and Health Risks at Existing and Proposed School Sites. February.

U.S. EPA (United States Environmental Protection Agency). 1991. Role of the Baseline Risk Assessment in Superfund Remedy Selection and Decisions. OSWER Directive 9355.0-30.

\_\_\_\_\_. 1989. Risk Assessment Guidance for Superfund. Volume 1. Human Health Evaluation Manual (Part A). EPA/540/1-89/002

\_\_\_\_\_. 1993. California Environmental Protection Agency (Cal/EPA), Health Effects of Benzo(a)pyrene, Air Toxicology and Epidemiology Section, Berkeley, CA.

\_\_\_\_\_. 1997. California Environmental Protection Agency (Cal/EPA), Selecting Inorganic Constituents as Chemicals of Potential Concern at Risk Assessments at Hazardous Waste Sites and Permitted Facilities, HERD, DTSC, February.

\_\_\_\_\_. 2001a. California Environmental Protection Agency (Cal/EPA), Office of Environmental Health Hazard Assessment (OEHHA), Cancer Potency Values, electronic databases.

<sup>3</sup> A hazard quotient is the same as a hazard index, but is estimated for a single chemical. A hazard quotient of 0.2 indicates that estimated exposure to a single chemical is five times lower than the highest level considered safe by OEHHA and USEPA.

<sup>4</sup> A hazard index of 1 indicates that potential exposure to multiple chemicals is at the highest level considered safe by regulatory agencies such as OEHHA and USEPA.

\_\_\_\_\_ 2001b. California Environmental Protection Agency (Cal/EPA), Office of Environmental Health Hazard Assessment (OEHHA), Chronic Reference Exposure Levels, electronic databases.

\_\_\_\_\_ 1985. Cowherd et al., Rapid Assessment of Exposure to Particulate Emissions from Surface Contaminated Sites, Midwest Research Institute, Kansas City, MO, Pub. PB85-192219.

\_\_\_\_\_ 1988c. U.S. Environmental Protection Agency (EPA), Superfund Exposure Assessment Manual (SEAM), Office of Solid Waste Emergency Response (OSWER) Directive 9285, 5-1, Office of Remedial Response, EPA/540/1-88/001.

\_\_\_\_\_ 1991a. U.S. Environmental Protection Agency (EPA), Risk Assessment Guidance for Superfund (RAGS), Vol. 1, Human Health Evaluation Manual, Part B, Development of Risk-Based Preliminary Remediation Goals, Office of Emergency and Remedial Response.

\_\_\_\_\_ 1991b. U.S. Environmental Protection Agency (EPA), Risk Assessment Guidance for Superfund (RAGS), Vol. 1, Human Health Evaluation Manual, Part C, Risk Evaluation of Remedial Alternatives, Interim Final, Office of Emergency and Remedial Response, EPA 9285, 7-01C.

\_\_\_\_\_ 1992a. U.S. Environmental Protection Agency (EPA), Dermal Exposure Assessment, Principles and Applications, Office of Research and Development, EPA 600/8-91/011B.

\_\_\_\_\_ 1996b. U.S. Environmental Protection Agency (EPA), Soil Screening Guidance: Technical Background Document, Office of Emergency and Remedial Response, Wash. D.C., PB96-963502, EPA/540/R-95/128.

\_\_\_\_\_ 1996c. U.S. Environmental Protection Agency (EPA), Soil Screening Guidance, User's Guide, Office of Emergency and Remedial Response, Wash. D.C., PB96-963505, EPA/540/R-96/018.

\_\_\_\_\_ 1997b. U.S. Environmental Protection Agency (EPA), Exposure Factors Handbook, Volume I, General Factors, August.

\_\_\_\_\_ 1998. U.S. Environmental Protection Agency (EPA), Health Effects Assessment Summary Tables (HEAST), Annual Update FY 1998 (latest available), Office of Emergency Remedial Response, Wash. D.C., OERR9200, 6303 (92-1).

\_\_\_\_\_ 2000a. U.S. Environmental Protection Agency (EPA), EPA Region 9 Preliminary Remediation Goals, San Francisco, CA, November 22.

\_\_\_\_\_ 2000b. U.S. Environmental Protection Agency (EPA), User's Guide for the Johnson and Ettinger (1991) Model for Subsurface Vapor Intrusion into Buildings (Revised), Wash. D.C., Office of Emergency and Remedial Response, December.

\_\_\_\_\_ 2001a. U.S. Environmental Protection Agency (EPA), Integrated Risk Information System (IRIS) database.

### **Comment 22-9**

2. A human health risk assessment referenced in this section was completed in the late 1990s. The results of that assessment may not be valid, as conditions have changed over the past five years and as OEHHA and EPA routinely update the unit risk factors used in risk assessments.

### **Response 22-9**

The Draft EIR refers to various documents with risk assessment content, and it is not possible to determine to which document the commentor refers. The Draft EIR addresses the issue of Health Based Remediation Goals ("HBRGs") in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting on page 666. This issue is also addressed in Response 22-8, above. Further, as stated in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, at page 668, and in documents in the reference library, a cumulative post-remediation risk assessment for the Proposed Project site will be performed by a qualified environmental engineering firm upon completion of all remediation activities within the Proposed Project and adjacent First Phase Project sites, and submitted to the RWQCB (the lead agency under CAO 98-125). This assessment will also follow the applicable U.S. EPA and Cal-EPA guidance for conducting human health risk assessments.

### **Comment 22-10**

3. The EIR refers to CA Department of Toxics Substances Control "standards and thresholds". DTSC has pointedly not set standards and thresholds, so this reference is unclear.

### **Response 22-10**

The commentor did not provide a reference to the "standards and thresholds." A search of Section IV.I, Safety/Risk of Upset, of the Draft EIR found no instances of the quoted phrase "standards and thresholds."

### **Comment 22-11**

#### **Air Quality**

1. More detail should be provided on the transit shuttle system, which is cited as a mitigation measure. When will it be implemented? What fuels will be used? Will the vehicles exceed minimum LEV ratings? etc.

**Response 22-11**

A detailed discussion of the internal transit shuttle system in Subsection 3.3 of Section IV.B, Air Quality, of the Draft EIR. As indicated in Subsection 3.3.2 on page 296, the internal shuttle system “would be low emission vehicles, although the specific fuel/power source has not yet been determined.” The internal shuttle would be operational within the Project site in conjunction with the early stages of Project occupancy. In addition, as indicated in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, the Transportation Improvement Program/Phasing shows that the internal shuttle will be extended to off-site locations during Subphase 3 of the Proposed Project. This subsection also states that the shuttle system would use vehicles that are either low emission or zero emissions. Potential fuel types include, but are not limited to, electric, propane and/or liquid natural gas.

**Comment 22-12**

2. Chapter 6 in the SCAQMD’s 1993 CEQA Handbook is referenced throughout this section of the EIR. However the SCAQMD states that the screening tables in chapter 6 of the 1993 CEQA Handbook should not be used due to invalid and/or obsolete data and models. The EIR should specify which pages of chapter 6 were used in the EIR.

**Response 22-12**

The commentor is correct in stating that the SCAQMD does not recommend use of the screening tables in Chapter 6 of the SCAQMD *CEQA Air Quality Handbook* (Handbook) due to invalid and/or obsolete data and models. Therefore, the air quality analysis provided in the Draft EIR for the Proposed Project did not rely upon or use the Chapter 6 screening tables. However, Chapter 6 of the Handbook provides recommended daily thresholds for evaluating the impacts of construction and operations on air quality; these were the only references to Chapter 6 of the Handbook used in the Draft EIR for the Proposed Project. In addition, the SCAQMD reviewed the Draft EIR and provided a comment letter (Comment Letter No. 18) which states in part: “Review of the DEIR indicates that, with a few minor exceptions identified below, the methodologies used to analyze construction and operational air quality impacts are consistent with the methodologies identified in the SCAQMD’s *CEQA Air Quality Handbook* or advocated for use by the SCAQMD. In addition, the SCAQMD commends the lead agency for voluntarily including a localized air quality analysis consistent with the localized significance threshold methodology adopted by the SCAQMD’s Governing Board at its October 3, 2003 public hearing.”

**Comment 22-13**

3. The EIR makes an incorrect assumption with respect to AQMD rule 1166. Rule 1166 is for VOC contaminated soils only and is not inclusive of metals contaminated soils.

**Response 22-13**

The commentator is correct in stating that the primary purpose of SCAQMD Rule 1166 is the control of VOC emissions from excavating, grading, handling and treating VOC-contaminated soil resulting from leakage, accidental spillage, or other deposition. However, the SCAQMD requirements and procedures for handling of VOC contaminated soils under Rule 1166 also serve to reduce potential metals-related emissions from these contaminated soils. For example, Rule 1166 (c)(2)(B) requires that any person handling VOC-contaminated soil at or from an excavation or grading site must spray the contaminated soil stockpiles and cover the piles with plastic sheeting for all periods of inactivity lasting more than one hour. This rule requirement serves to reduce the potential for windborne releases from stockpiled contaminated soils. In addition, the requirements of SCAQMD Rule 403 (Fugitive Dust) reduce the potential for emissions of fugitive dust and in so doing also would address soils contaminated with metals. Please Refer to Section IV.I, Safety/Risk of Upset, for a detailed discussion of regulatory requirements, procedures, and mitigation measures for protection of workers and residents as a result of on-site soil remediation activities.

**Comment 22-14**

4. The threshold used in a risk assessment for air impacts uses criteria for worker exposure (e.g.,  $1 \times 10^{-5}$ ), not the more restrictive criteria for resident exposure ( $1 \times 10^{-6}$ ), even though this will be a residential development.

**Response 22-14**

As indicated in Subsection 3.2 of Section IV.B, Air Quality, of the Draft EIR on page 294, the assessment of air toxics used a cancer risk threshold of ten in one million ( $1.0 \times 10^{-5}$ ) and is consistent with the SCAQMD's *Risk Assessment Procedures for Rules 1401 and 212* (November 1998). In addition, Chapter 4 of the SCAQMD *Air Quality Analysis Handbook*, has established a maximum individual cancer risk significance threshold of ten in one million ( $1.0 \times 10^{-5}$ ) and recommends that other lead agencies use this significance threshold when approving permits for new or modified stationary sources. Furthermore, page 6-3 of the SCAQMD *CEQA Air Quality Handbook* recommends that a significance threshold of ten in one million for air toxics assessments. A cancer risk significance threshold of ten in one million ( $1.0 \times 10^{-5}$ ) is also consistent with the threshold established by the State of California as a level posing no significant risk for exposures to carcinogens regulated under the Safe Drinking Water and Toxic Enforcement Act (Proposition 65).

**Comment 22-15**

5. Air quality modeling was completed using the ISCST model but should have used the ISCST3 model.

**Response 22-15**

SCAQMD's localized significance methodology adopted by the SCAQMD's Governing Board at its October 3, 2003, public hearing recommends the use of "Version 3 of the U.S. EPA approved air quality model called Industrial Source Complex (i.e., ISC3)." All air quality modeling was completed using the most recent version of the USEPA's Industrial Source Complex Short-Term 3 Version 02035 (ISCST). The model is a steady state Gaussian plume model and is approved by the U.S. Environmental Protection Agency for estimating ground-level impacts from point and fugitive sources in simple and complex terrain. In addition, the SCAQMD's comment letter regarding the Draft EIR states: "The lead agency used EPA ISCST (version 02035) with the appropriate model options, the correct source parameters, and adequate receptor grid and West Los Angeles meteorological data to estimate the maximum concentration for NO<sub>2</sub>, CO and PM<sub>10</sub>." In addition, the SCAQMD reviewed the Draft EIR and provided a comment letter (Comment Letter No. 18) which states in part: "Review of the DEIR indicates that, with a few minor exceptions identified below, the methodologies used to analyze construction and operational air quality impacts are consistent with the methodologies identified in the SCAQMD's *CEQA Air Quality Handbook* or advocated for use by the SCAQMD."

**Comment 22-16**

1. Some garages are planned for 23' below grade. It is unclear if the human health risk assessment (HHRA) modeled impacts at this depth below the ground surface for soil and groundwater contaminants or if they used surface data.

**Response 22-16**

The Draft EIR refers to various documents with risk assessment content, and it is not possible to determine to which document the commentor refers. The Draft EIR addresses the issue of Health Based Remediation Goals ("HBRGs") in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting on page 666. This issue is also addressed in Response 22-8, above.

The depth and design of proposed below grade structures were considered in the development of the HBRGs for the First Phase Project site and will be considered in the development of HBRGs for the Proposed Project site. HBRGs for the Proposed Project site will be, at a minimum, the same as the HBRGs for the First Phase Project site. Further, as stated in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, at page 668, and in documents in the reference library, a cumulative post-remediation risk assessment will be performed by a qualified environmental engineering firm for the Proposed Project site, upon completion of all remediation activities within the Proposed Project and adjacent First Phase project sites, and submitted to the RWQCB (the lead agency under Cleanup and Abatement Order No. 98-125). This assessment will also follow the applicable U.S. EPA and Cal-EPA guidance for conducting human health risk assessments and will evaluate all appropriate exposure scenarios, including below grade structures.

**Comment 22-17**

2. The development plan calls for excavation of soil from one area of the site for use as fill in another. It is unclear if the HHRA addressed the potential risks if the soil used contains chemical contaminants found on the site. The HHRA does not include a “worst case scenario” to model potential health impacts if contaminated soil were used as onsite fill.

**Response 22-17**

The Draft EIR refers to various documents with risk assessment content, and it is not possible to determine to which “HHRA” the commentor refers. The Draft EIR addresses the issue of Health Based Remediation Goals (“HBRGs”) in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting on page 666. This issue is also addressed in Response 22-8, above.

Fill materials used during cut and fill operations from the Proposed Project may come from two on-site sources—native soils or fill imported to the site by prior landowners. These soils (whether native or imported) are subject to past and continuing investigation and remediation, if applicable, as described in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 666. Historical records of operations at the Hughes Aircraft Company and its successors, past field investigations of contamination at the site, and more recent sampling of soil at the site have been used to identify soils that could pose a threat to human health if left in place at grade. These soils will be remediated to achieve protection of workers, residents and people recreating in the Proposed Project site from unacceptable cancer risk or non-cancer health risks. In the event on-site soils from contaminated areas are proposed to be used for fill material, the actual use of such soils for fill would only occur after the necessary and appropriate remediation of contamination has been completed. Other native soils are expected to meet criteria for protection of human health and may also be used for purposes of achieving final grade.

Additionally, fill materials for the Proposed Project may be imported from off-site areas. The Applicant implemented a soil import procedure for the Playa Vista site to evaluate imported soils. This soil screening procedure was recently re-evaluated and found to be protective for people that might grow their own vegetables within the Project area (See Camp Dresser & McKee, Inc., Evaluation of Fill Screening Methods for Materials Imported to the Playa Vista Phase 1 Residential Area, Letter from J. LaVelle (CDM) to A. Siddiqui (RWQCB), February 28, 2003, which have been added as an Appendix for the Final EIR). Accordingly, fill materials used at the site to achieve final grade will meet quality criteria for the protection of human health. It is anticipated that the same import procedures used for the adjacent Playa Vista First Phase Project, as applicable, would be applied to the Proposed Project; therefore, the following new mitigation measure will be added to Volume I, Book 2, Section IV.I, Safety/Risk of Upset, Subsection 4.0, Mitigation Measures, on page 736, following the first bullet under the Hazardous Materials Management heading: “The Applicant shall implement a soil import procedure to evaluate imported soils. The procedure shall include investigation of historical uses at the borrow site, soil

sampling and analysis of soil prior to excavation and hauling to the site, and comparison of detected concentrations of any chemicals found in soil with appropriate health-based screening levels. Only soils that pass the screening are imported to the site and used as fill.”

### **Comment 22-18**

3. The document is unclear as to whether a methane assessment will be completed after all excavation and grading is completed. If done prior to excavation the data from the assessment will be of dubious value and possibly meaningless.

### **Response 22-18**

The Draft EIR provides a detailed discussion regarding methane assessments and data in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 700-717, and is supported by Appendices J-4 to J-10 and J-14 and documents in the reference library of the Draft EIR. The methane studies provide a baseline of soil gas data. In addition to these baseline assessments, as describe in Subsections 2.1.3.3 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 669-670 and 738-739, respectively, and Appendix J-14, additional soil gas studies will be required by the Department of Building and Safety of prospective builders prior to issuance of building permits. Data from these investigations will be used to define appropriate mitigation measures for a particular building.

### **Comment 22-19**

1. Many water mitigations called out in Phase I have not occurred to date. This document should provide more certainty on when water reuse and stormwater BMPs will be installed/implemented.

### **Response 22-19**

It is not clear what is meant by the statement that “many water mitigations called out in Phase I have not occurred to date.” Mitigation measures associated with the adjacent First Phase Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995. Completion of mitigation measures adopted in the certification of these documents is proceeding according to the Mitigation Monitoring and Reporting Programs. As discussed in Subsection 2.2.1.4 of Section IV.C.(2), Water Quality, of the Draft EIR on page 430, substantial portions of the Freshwater Marsh were constructed in 2001-2002 as part of the First Phase Project.

With respect to water reuse, the Draft EIR provides an extensive discussion of this issue in Subsection 2.2.2 of Section IV.N.(1), Water Consumption, of the Draft EIR, beginning on page 1080. As indicated on page 1082 of this subsection, the West Basin Municipal Water



District constructed a pipeline in 1997 from their West Basin Water Recycling Plant in El Segundo to the Westchester Golf Course located less than one mile south of the Project site. An extension of that line, which would serve the Proposed Project, is planned along Lincoln Boulevard from 83rd Street to Jefferson Boulevard and along Jefferson Boulevard to Playa Vista Drive. Portions of the extension have already been constructed from 83rd Street to approximately Hughes Terrace and on Jefferson Boulevard between Lincoln Boulevard and Playa Vista Drive. The remaining portion of the pipeline, Lincoln Boulevard between Hughes Terrace and Jefferson Boulevard, will be coordinated with the Caltrans Lincoln Boulevard Widening Project. The impact analysis in Subsection 3.0 of Section IV.N.(1), Water Consumption, of the Draft EIR starting on page 1083, assumes reclaimed water will be used for landscape irrigation, office building cooling systems, and office building toilets. Further, project design features incorporating water reuse are discussed in Subsection 3.3 on page 1086. Water reuse data is also provided in Tables 164 and 165 on pages 1089 and 1090.

With respect to stormwater BMPs, as discussed in Subsection 2.1.1.2 and Subsection 2.1.1.3 of Section IV.C(2), Water Quality, of the Draft EIR on pages 404 and 407, respectively, BMPs are required under several state and local permits/programs. For instance, under the NPDES General Construction Permit, BMPs are implemented during construction as required in the Stormwater Pollution Prevention Plan. For operation, BMPs are implemented under Los Angeles County's NPDES program, Standard Urban Stormwater Mitigation Plan. Operational BMPs would be constructed and in place as necessary to manage/accommodate development. Further, mitigation measures incorporating BMPs are set forth in Subsection 4.0 of Section IV.C(2), Water Quality, beginning on page 517. Subsection 4.0 of Section IV.C(1), Hydrology, of the Draft EIR on page 394, also includes mitigation measures with BMPs. The BMPs incorporated as mitigation measures include timing regarding their implementation. These mitigation measures are part of the Mitigation Monitoring and Reporting Program (Appendix C of the Draft EIR) that would need to be adopted in the certification of the Draft EIR.

### **Comment 22-20**

2. The document is very unclear with regards to groundwater dewatering. More detail is required regarding the anticipated volume of water to be pumped and the discharge location(s). Due to the presence of groundwater contaminants at the site, the document should specify that all groundwater pumped from the site should be treated prior to discharge. Because the volume of the discharge hasn't been determined, it is unclear if the water treatment facility on site can handle this.

### **Response 22-20**

As described in Subsection 3.4.1.2 of Section IV.A, Earth, dewatering operations may be required for temporary construction or for permanent water control to maintain groundwater below subterranean parking structures and associated methane mitigation systems. Construction dewatering is common in areas where the groundwater level is close to the surface. This is particularly true in Venice and parts of Playa del Rey. All construction dewatering and

permanent building dewatering will occur within the upper portions of the Bellflower Aquitard. No deep construction or permanent dewatering will occur (Appendix F-1 of the Draft EIR). The precise quantities of dewatering during construction and long-term operation of dewatering systems is dependent on local conditions around each building. Therefore, qualitative analyses were conducted in the Draft EIR (Appendix F-1 of the Draft EIR on page 2-34). Depending on specific local conditions there may be little or no water extracted and in other areas the amount of water extracted is not expected to exceed 10 gallons per minute. Following construction, depending on local groundwater levels, a permanent dewatering system may be implemented to maintain groundwater levels below the methane system.

As stated in Subsection 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 737, the effluent from the dewatering systems will be evaluated for potential contamination and, if necessary, treated prior to discharge. Because some areas that may be dewatered are near areas of known or suspected contamination, the Applicant will maintain groundwater treatment facilities on-site, as necessary, to treat any groundwater contamination in excess of discharge criteria that may be encountered prior to discharge.

### **Comment 22-21**

3. Stormwater modeling in the document does not address PAHs. These should be addressed due to the close proximity of major boulevards.

### **Response 22-21**

The Ballona Creek Estuary is impaired with respect to PAHs, a family of compounds commonly associated with hydrocarbons and their use, such as in internal combustion machines. Los Angeles County sampling for PAHs does not indicate that residential development, which is the predominant land use with the Proposed Project, is a significant source of PAHs ([ladpw.org/wmd/NPDES/wq\\_data.cfm](http://ladpw.org/wmd/NPDES/wq_data.cfm)). Out of 75 analyses for PAHs conducted for runoff from residential property, 61 of the analyses did not detect anything, with a method detection limit of 0.1 part per billion, or lower. Of the four PAHs detected, all mean values were below one part per billion. For these reasons, PAHs were qualitatively assessed in the Draft EIR. Moreover, the BMPs included in the Proposed Project should effectively preclude PAHs from reaching the Ballona Creek Estuary. PAHs tend to associate with particles, and the BMPs at the Proposed Project will be effective at removing suspended particles in runoff. In addition, the extensive underground parking planned for the Proposed Project will help to reduce the potential for runoff to intercept any PAHs that may occur at the Proposed Project. Other BMPs that will reduce potential impacts from PAHs include: public education (regarding proper disposal of petroleum products), street sweeping, and the clean fuel internal transit system. (See Subsection 3.4.1.2.2, page 467 of Section IV.C.(2), Water Quality of the Draft EIR, and Subsection 3.2.4.6.2.4, page 3-96 of Section 3 of the Water Resources Technical Report (Appendix F-1).)

To the extent that any PAHs escape in runoff from the Proposed Project to the Ballona Creek Estuary, such releases will be insignificant. Any insignificant levels of PAHs from the Proposed

Project are not expected to cause or contribute to existing impairment, or otherwise exacerbate already-degraded conditions.

### **Comment 22-22**

4. Regarding wet weather discharges to the freshwater marsh, the document is unclear on where the compliance point is (i.e. in the marsh or in the wetlands after the water leaves the marsh).

### **Response 22-22**

The issue of “where the compliance point is” relates to the original permit decisions, construction goals and objectives of the Freshwater Wetlands System (inclusive of the Riparian Corridor and the Freshwater Marsh). The development of the Freshwater Wetlands System was required as the result of a court-approved settlement reached between the Applicant’s predecessor-in-interest, the Friends of Ballona Wetlands, and the City, among others, in 1994. (*Friends of Ballona Wetlands v. California Coastal Commission, et al.*, No. C 525 826 (Los Angeles Sup. Ct., stipulation filed June 9, 1994).) A state court upheld the propriety of using that settlement as a basis for design of the Freshwater Wetlands System. (*Save Ballona Wetlands v. City of Los Angeles, et al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994).) The parties agreed to a reduced Playa Vista project plan (including the Proposed Project), as well as construction of the 52-acre Freshwater Wetlands System to accommodate the storm water drainage of areas tributary to it. The parties to the settlement agreed that one of the key purposes of the Freshwater Wetlands System was to cleanse storm water from Area D of the Playa Vista Project (the Proposed Project and the First Phase Project) as well as certain off-site tributary areas before it emptied into adjacent waters.

The entire Freshwater Wetlands System, including the Freshwater Marsh and the entire Riparian Corridor, was studied as part of the Draft EIR for the First Phase Project (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510 (certified by the City of Los Angeles in Sept. 1993). (See Section V.C.1, Hydrology, and Section V.C.2.B, Surface Water, of the Draft EIR for the First Phase Project on pages V.C.1-7 to 1-12 and V.C.2.B-19 to B-30, respectively.) In addition, the Draft Program EIR for the Master Plan Project, which included development of Areas A, B, C and D of the Playa Vista Planning Area, was circulated by the City in 1992 as an informational document to disclose cumulative impacts (along with the Draft EIR for the First Phase Project). The Draft Program EIR for the Master Plan Project also discussed the entire Freshwater Wetlands System. (See Section V.C.1, Hydrology, and Section V.C.2.B, Surface Water, of the Draft Program EIR for the Master Plan Project on pages V.C.1-17 to 1-23 and V.C.2.B-27 to B-31, respectively.)

The City’s decision to plan for a subsequent phase of Playa Vista in addition to the construction of the First Phase Project has been upheld by the courts. (See *Save Ballona Wetlands v. City of Los Angeles, et al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994).) Although the City’s approval for the construction of the middle segment of the Riparian Corridor adjacent to the Village area is requested as part of the current review process, the Army Corps of

Engineers, the California Department of Fish and Game, and the Regional Water Quality Control Board, Los Angeles Region (RWQCB), have approved the entire Freshwater Wetlands System, including the Riparian Corridor. The California Coastal Commission has approved and issued permits for those portions of the Freshwater Wetlands System within the coastal zone. Further, these approvals have been upheld by the courts. (See *Wetlands Action Network v. United States Army Corps of Engineers, et. al.*, 222 F.3d 1105 (9th Cir. 2000), cert. denied, 534 U.S. 815 (2001) (challenge to the Army Corps of Engineers Section 404 permit); *Save Ballona Wetlands v. City of Los Angeles, et. al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994) (challenge to the City's EIR for the First Phase Project); *Earth Trust Foundation, et. al v. City of Los Angeles, et. al.*, No. SS006405 (Los Angeles Sup. Ct., decision filed August 18, 1996), affd. No. B106408 (Ct. App. 2nd App. Dist., decision filed May 15, 1997) (challenge to the City's Addendum to the EIR for the First Phase Project).)

Since issuance of the 404 Permit in 1992, the overall development, including the Proposed Project, has been scaled down significantly. In light of the lesser development currently planned with the sale of Area A and part of Area B to the State in December 2003, the Army Corps determined in 2003 that the Riparian Corridor and the pre-treatment areas of the Freshwater Marsh were not necessary for mitigation, given the scaled-down plan of development for Playa Vista. Further, the Corps clarified there was "no need for the 51.1-acre freshwater wetland system to be subject to numerical water quality standards as waters of the United States." (July 18, 2003, Letter from U.S. Army Corps of Engineers, Note 111, Section 3, Subsection 3.2.3.1, page 3-30, of Appendix F-1, included as an Appendix to the Final EIR.) Notwithstanding, for purposes of assessing the functioning of the Freshwater Marsh as habitat, the water quality of the Freshwater Marsh itself was assessed in Subsections 3.4.1.2.7.1 of Section IV.C.(2), Water Quality, of the Draft EIR. This assessment demonstrated that water quality within the main body of the Freshwater Marsh (exclusive of the pre-treatment areas), after buildout of the Proposed Project, is expected to meet all water quality benchmarks utilized in the Draft EIR, including water quality standards such as the California Toxics Rule. (See Draft EIR, Section IV.C.(2), Water Quality, Subsection 3.4.1.2.7.1.)

The Freshwater Marsh must be operated and maintained such that project-specific performance criteria established during prior approvals (as discussed above) are satisfied (See discussion of performance criteria in Subsection 3.4.1.2.8 on pages 502-505 of Section IV.C.(2), Water Quality, of the Draft EIR), and such that receiving waters downstream of the Freshwater Marsh are not adversely affected.

### **Comment 22-23**

5. Note: Many TMDLs have not yet been developed for the Ballona area. Once these are developed it will likely have major implications for the project in the future. TMDL requirements may cause the developer to meet tougher standards before the project is completed.

**Response 22-23**

The Draft EIR does, in fact, consider future TMDL requirements. For instance, Subsection 2.1.1.2, Subsection 3.1.1.4 and Subsection 3.4.1 of Section IV.C.(2), Water Quality, of the Draft EIR discuss approved TMDLs (e.g., the trash TMDL, which is currently being legally challenged, and dry- and wet-weather and coliform TMDLs), and acknowledges, as it relates to the Proposed Project, other 303(d)-listed waterbodies and pollutants that will eventually all have approved TMDLs. Additionally, in Subsection 3.4.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 460, it is stated that current and proposed TMDLs of 303(d)-listed pollutants were considered in the analysis. In the event that new TMDLs are adopted for receiving waters into which flows from the Proposed Project enter, the Project must comply with the terms established for their implementation. However, it is not anticipated that these TMDLs will have “major” implications for the Proposed Project, since the Proposed Project is not expected to significantly adversely affect conditions in local receiving waters with respect to 303(d)-listed pollutants.

**Comment 22-24**

## Biotic Resources

1. The document doesn't make clear what the developer is aiming to achieve with the “restoration” of the riparian corridor. What is clear is that the work they describe will not restore it to a true riparian habitat.

**Response 22-24**

In replacing 6.5 acres of paved areas, buildings, parking lots, and culverts and 0.2 acre of the Centinela Ditch with a riparian habitat, the Proposed Project would create rather than restore the Riparian Corridor. Subsection 3.4 of Section IV.D, Biotic Resources, of the Draft EIR on page 545 states: “construction of the Project’s Riparian Corridor would replace 6.7 acres of pavement, structures, and storm drain (0.2 acre of Centinela Ditch) with native riparian habitat and native grassland.” As this statement indicates, one purpose of the Riparian Corridor is to enhance habitat values over existing conditions. A second purpose, indicated by Subsection 3.4.1.2.1 of Section IV.C.(1), Hydrology, of the Draft EIR on page 385 is to “provide an appropriate level of on-site flood protection, detention, and drainage.” A third purpose, indicated by Subsection 2.1.1.4 of Section IV.C.(2), Water Quality, of the Draft EIR on page 410 is to “improve the quality of urban runoff entering the Ballona Wetlands and Santa Monica Bay, reducing existing water quality impacts to the area and aiding in the national program for improvement of water quality from urban runoff.”

**Comment 22-25**

2. The document does not specify where the water for the riparian corridor will come from and what volumes are expected. The document also does not address the impacts of discharge of water from the riparian corridor to the freshwater marsh. This should be evaluated.

**Response 22-25**

The source of water for the Freshwater Wetlands System, including the Riparian Corridor, was addressed in the Playa Vista First Phase Project EIR. As stated in Subsection 2.2.1.5 of Section IV.C.(2), Water Quality, EIR on page 434, urban runoff and treated groundwater are potential sources. There is no change to the design or implementation of the Riparian Corridor as previously approved.

Table 29 of Section IV.C.(1), Hydrology, of the Draft EIR on page 384 provides a breakdown of sources of runoff volumes expected to flow into the Riparian Corridor. The Riparian Corridor and Freshwater Marsh were designed as an integrated system, with the Freshwater Marsh having the capacity to receive and treat flows from the Riparian Corridor and other sources. Additional details on this system and impacts of discharge of water from the Riparian Corridor to the Freshwater Marsh and other downstream features can be found in Subsection 3.4.1 of Section IV.C(2), Water Quality, of the Draft EIR on pages 459-510.

**Comment 22-26**

3. The document should specify if the developer will conduct annual sampling and testing of soil and plant samples in the freshwater marsh for contaminants. The document should also specify what actions will be taken if chemical contaminants are found.

**Response 22-26**

The sampling and testing program for the Freshwater Marsh is described in the Operations and Maintenance Manual for the Freshwater Wetlands System, which includes the Riparian Corridor and the Freshwater Marsh. This Manual is provided in Appendix F of the Draft EIR. Details of the monitoring program can be found in that document. In summary, the potential for contaminant accumulation in soil and plants was considered in the planning stages for the Freshwater Marsh and for that reason, a comprehensive monitoring program was developed and approved by the U.S. Army Corps of Engineers, California Department of Fish and Game, California Coastal Commission, and Los Angeles Regional Water Quality Control Board. Sediment sampling is conducted annually. Requirements for water quality sampling vary with agency, but in general the frequency of sampling ranges from monthly to quarterly. In order to minimize impacts on habitat, vegetation is not sampled unless results from sediment or water testing indicate a potential bioaccumulation issue. The maintenance program for the Freshwater

Marsh requires sediment removal if monitoring data indicate a level of contamination that could potentially impede system function or harm wildlife.

**Comment 22-27**

4. The data provided by the 3-day biological survey undertaken for this EIR is inadequate. The EIR references other surveys that were done over the last decade, yet none of the data was provided. Considering the fact that the developer used heavy machinery to grade the area a few years ago, the data from the most recent biological surveys prior to grading should be provided in the EIR.

**Response 22-27**

The extensive and voluminous biological data and historical reports referenced in the Biotic Resources section of the Draft EIR and its corresponding Appendix, Appendix G of the Draft EIR, are in the reference library for the Draft EIR. It is unclear to which grading the commentor refers, however, as construction progresses on the First Phase Project residential area, the Proposed Project Site has been utilized to support First Phase construction activities. These activities are contemplated by the Playa Vista First Phase Project EIR and all activities have been conducted in compliance with local, state and federal permits. Please Refer to Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity in the Project Area, on page 474, regarding the biological baseline for the Proposed Project.

**Comment 22-28**

5. The term “suitable buffer” needs to be defined.

**Response 22-28**

The terms “appropriate buffer” and “suitable buffer” are used in Subsection 4.0 of Section IV.D, Biotic Resources, of the Draft EIR on page 550 to refer to undisturbed open space that helps minimize impacts of construction activities on bird species during the nesting season. The size of the buffer would depend on the species potentially affected and site-specific circumstances; therefore, the mitigation measure requires a qualified biologist to conduct the pre-construction survey and to determine an appropriate buffer based on field observations and the biology of the species.

**Comment 22-29**

ATTACHMENT B

COMMENTS FROM THE PLANNING COMMISSION

**TRANSPORTATION:**

After describing Existing Traffic Volumes (2.2.3.1), it defines Thresholds Regarding Impacts on Intersections (3.2.1) and Future Conditions Without the Proposed Project 2010 Baseline (3.4.2). This includes currently planned widenings including Culver, Jefferson, Centinela (south of SR-90), 1-405 (HOV lanes south of I-10), and Lincoln (south of Marina del Rey). It also includes planned Rapid bus routes on Sepulveda, Manchester and Lincoln.

Key is the estimate of Trip Generation (3.4.3) and how it is distributed on the street system (3.4.4). Table 120 and Figure 71 derived 1,502 a.m. and 2,182 p.m. peak hour external trips (in and out), then split them as follows:

- 18% Lincoln and Admiralty north and south = 393 p.m. peak trips per hour
- 35% SR-90 - Culver - Slauson - Jefferson = 764
- 5% Culver and Vista del Mar west = 109
- 14% Sepulveda south = 305
- 12% 1-405 north and south = 262
- 16% Centinela north and south-east = 349

It states 45-50% of trips are within 3-4 miles and 65-70% are within 5 miles (about the distance from Playa Vista to downtown Santa Monica via Lincoln).

**Response 22-29**

The comment attempts to summarize information presented in the Draft EIR. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 22-30**

Figure 74 shows only Ocean Park @ Centinela in Santa Monica as having a Significant Impact in 2010 with Project Before Mitigation, and no intersections on Lincoln north of Venice. I expect this comes from how the threshold of significance is defined, and presumptions about trip length and dispersion off of the main boulevards.

**Response 22-30**

The comment incorrectly interprets Figure 74. Figure 74 shows a significant project impact before mitigation at the intersection of Ocean Park Boulevard and Bundy Drive in the City of Los Angeles, not the intersection of Ocean Park Boulevard and Centinela Avenue in the City of Santa Monica. The comment correctly states that no significant project impacts were identified along Lincoln Boulevard north of Venice Boulevard. City of Los Angeles significance criteria are discussed in Subsection 3.2 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 832. Study intersections in the City of Santa Monica were also evaluated



using the City of Santa Monica significance criteria (See Volume 3 of Appendix K of the Draft EIR).

Further, as a result of the State's acquisition of Area A and portions of Area B and the passage of SB 666, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. As discussed in Subsections 3.1 and 5.1.5 of Section 4.K.(1), Traffic and Circulation, of the Draft EIR on pages 828 and 931, respectively, the Traffic Report included an analysis of the Proposed Project's impacts under the no Playa Vista Drive bridge and road baseline. Under either baseline scenario (i.e., with and without Playa Vista Drive Bridge and Road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

### **Comment 22-31**

Table 122 assumes that a freeway lane carries 2,000 vehicles per hour, but reality in congested traffic is 1,500 or less. Per boulevard traffic, according to Meyer, Mohaddes from the Lincoln Corridor Task Force, Lincoln Blvd.'s p.m. peak volume south of Venice is 2,200 vehicles/hour in each direction (1,100 per lane; that must be including cars turning onto and off of Lincoln).

### **Response 22-31**

The freeway capacity value of 2,000 vehicles per hour per lane used in Table 122 represents a LOS E service capacity, not the point at which freeways start to become congested. The Highway Capacity Manual estimates that LOS E service flow rates (i.e., capacities) for freeway mainline lanes range from 2,250 to 2,400 passenger cars per hour per lane (Transportation Research Board, Highway Capacity Manual, 2000, pp. 13-4 and 23-4). Thus, the value used in the Draft EIR is conservative in that it underestimates capacity.

A capacity value of 1,500 vehicles per lane per hour of green time was used in the intersection capacity analyses for arterial streets, in accordance with LADOT methods.

### **Comment 22-32**

Mitigation Measures (4.0) are rather few north of the project: Widen Centinela north of SR-90 to Culver; increase capacity in 6 intersections; install L.A.'s Adaptive Traffic Control System; install Transit Priority System on Lincoln for Rapid buses; and paying for a few new Culver City buses.

**Response 22-32**

The proposed project mitigation program in Subsection 4.0 of Section IV.K. (1), Traffic and Circulation, of the Draft EIR was developed to address the potential significant impacts identified in the Draft EIR. Section IV.K.(1) of the Draft EIR discusses the Proposed Project's mitigation program. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

**Comment 22-33**

Rather sobering is to compare Level of Service from Figures 67 (Existing), 73 (2010 with Project Before Mitigation), and 79 (2010 with Project and Mitigation Measures) for the PM peak hour on Lincoln Blvd.:

Figure...	67	73	79
Lincoln @ Pico	F	F	F
@ Ocean Park	F	F	F
@ Rose	D	E	E
@ Venice	F	F	F
@ Washington	E	F	F
@ SR 90	E	F	F

In other words, it's really bad now, will be even worse in 2010, and would still be really bad even with Playa Vista's mitigation.

To critique this I would start with the trip generation rates; then measure the effect of adding that many more cars to selected boulevards already beyond capacity; and look for measured results from the proposed mitigations. I would also look at impacts such as traffic on residential streets that this methodology focusing on intersection volume and capacity doesn't consider.

**Response 22-33**

The level of service (LOS) conditions noted by the commentor interprets the information provided in Figures 67, 73, and 79 of the Draft EIR for the existing, 2010 cumulative plus project before mitigation, and 2010 cumulative plus project with mitigation conditions, respectively. However, it should be noted that the LOS F conditions along Lincoln Boulevard at Pico Boulevard, Ocean Park Boulevard, Venice Boulevard, Washington Boulevard, and SR 90 either exist or are projected to occur by 2010 whether or not the Proposed Project is approved and constructed. Table 119 in Subsection 3.4.3 of Section IV.K.(1), Traffic and Circulation, of the

Draft EIR, beginning on page 847 shows that these same five locations are projected to operate at LOS F under 2010 cumulative base conditions without the addition of traffic generated by the Proposed Project. Of these locations, the Draft EIR projects that Proposed Project would have significant impacts before mitigation at Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Washington Boulevard, and Lincoln Boulevard/SR 90. The proposed mitigation program for the Proposed Project would mitigate the project impacts at these locations to a less-than-significant level.

Further, as discussed in Response 22-30, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

Project trip generation is discussed in Subsection 3.4.3 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 859. The intersection capacity impact analysis is presented in Subsection 3.4.5 while the project mitigation program is described in Subsection 4.0. The neighborhood intrusion impact analysis is presented in Subsection 3.4.7. Also see Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of traffic methodology.

The comment is noted and will be incorporated into the final EIR for review and consideration of decision-makers.

#### **Comment 22-34**

##### **VEHICULAR TRAFFIC:**

1. Traffic Impacts Baseline: What is the traffic baseline, and how was it developed? Please provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of the baseline traffic.

#### **Response 22-34**

A complete description of the traffic impact analysis methodology, including identification of the baseline, is contained in Subsection 3.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 828; Appendix K-2 of the Draft EIR; and Topical Response TR-1, Playa Vista Transportation Model, on page 445, of the Final EIR. See also Response 22-33.

**Comment 22-35**

2. Traffic Impacts Baseline + Cumulative Traffic Impacts (excluding Playa Vista Phases I & II and the Howard Hughes plant site Tract 52092—as approved in 1995): Per the DEIR, it is understood there are approximately 96 approved, “in-the-pipeline” development projects of significance considered in the traffic impact analysis. What are the specific approximately 96 projects? Is the proposed LAX expansion included? If not, why not?

**Response 22-35**

Each of the cities within the Study area was asked to supply a list of their related background projects. The list of related projects, including the name, location, land use and size of the projects, is provided in Section III.B, Related Projects, of the Draft EIR, beginning on page 194. LAX was analyzed in the Draft EIR as one of the related projects using two alternatives: (1) assuming that the current LAX facilities would continue in operation and would be constrained to its maximum capacity of 78 MAP; and (2) assuming the proposed LAX Master Plan would be implemented, shifting the vehicular traffic associated with LAX to the proposed facility in the Manchester Square area. Also see Topical Response TR-3, Related Projects, on page 453.

**Comment 22-36**

For each of the approximately 96 projects, please provide the traffic data including the projected increase due to each specific project. Further, for each of the approximately 96 projects, please provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of cumulative traffic impacts.

**Response 22-36**

For an explanation on how the related projects are used in the preparation of the traffic impact analysis, see Appendix K of the Draft EIR, starting on page III-2. Also see Topical Response TR-3, Related Projects, on page 453.

**Comment 22-37**

3. Traffic Impacts Baseline + Cumulative Traffic Impacts + Additional Playa Vista Traffic Impacts: Please provide the traffic data for each of the following Playa Vista components: (a) the Howard Hughes plant site Tract 52092, (b) Playa Vista Phase I and (c) Playa Vista Phase II (Village at Playa Vista).

3.1 It is understood that (b) Playa Vista Phase I will generate 44,000 new daily car trips and (c) Playa Vista Phase II will generate 24,220 new daily car trips, for a total of 68,220 projected

new daily car trips. Please verify these numbers. In addition, please provide the projected new daily car trips for (a) the Howard Hughes plant site Tract 52092 (as approved in 1995). Please aggregate these numbers to provide a grand total of projected new daily car trips for Playa Vista.

3.2 For each of the three Playa Vista components, please-provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of the traffic impacts for the baseline + cumulative + additional.

### **Response 22-37**

The traffic data for the Howard Hughes plant site Tract 52092 is included with the First Phase Playa Vista project. Traffic analysis from the adjacent First Phase Project was addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995.

The First Phase Playa Vista Project is included in the Draft EIR as Related Project No. 40 for purposes of cumulative impact analysis. The traffic data for the Proposed Project is presented in Figure 71 on page 861 of the Draft EIR. A complete description of the traffic impact analysis methodology, including identification of the baseline, is provided in Subsection 3.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 828. The traffic from the First Phase Project is included as a Related Project. See Related Project 40 on page 199 of the Draft EIR. Also please see Topical Response TR-3, Related Projects, on page 453 and Response 22-34.

### **Comment 22-38**

4. Validity of Traffic Model: Per the DEIR, 218 intersections have been studied, but only one intersection has been found to be significantly impacted by Playa Vista Phase II. It is understood that the DEIR is using a method of identifying significance that has not been approved by the City of Los Angeles or the City of Santa Monica. What “method of identifying significance” has been used in the DEIR, and on what basis was this method selected? Further, if the same “method of identifying significance” as is presently used in the City of Santa Monica were to be used, what would be the findings of significance, and how would those findings differ from the present findings in the DEIR? (For this final question, in other words, please provide an “apples to apples” comparison.)

### **Response 22-38**

The comment states that the Draft EIR identified a significant project impact at only one of the 218 study intersections. In fact, the Draft EIR states that a total of 54 of the 218 study intersections are expected to be significantly impacted by the Proposed Project prior to mitigation. With implementation of the proposed transportation mitigation program, the

Proposed Project's traffic impacts will be mitigated to a less-than-significant level at all 54 intersections. The statement that "the DEIR is using a method of identifying significance that has not been approved by the City of Los Angeles" is incorrect. The methodology used in the preparation of the traffic impact analysis has been approved by LADOT and is consistent with LADOT's methodology. The significance criteria used in the Draft EIR are those established by LADOT. For the thresholds used to identify significant traffic impacts, see Subsection 3.2, of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 832.

In addition, intersections located within the City of Santa Monica have also been analyzed using the "Operational Analysis" method from the Highway Capacity Manual as implemented by the Traffix software used by the City of Santa Monica, applying the City of Santa Monica's significance criteria. This analysis is presented in Appendix K of the Draft EIR. The Draft EIR determined that the Proposed Project would not have significant impacts at any of the 23 study intersections located within the City of Santa Monica under either method of analysis. Thus, the Proposed Project would not have a significant impact in Santa Monica under either the City of Los Angeles intersection analysis method and significance criteria or the City of Santa Monica intersection analysis method and significance criteria.

Further, as discussed in Response 22-30, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

### **Comment 22-39**

5. Validity of Assumptions: Per the DEIR, the main traffic impact mitigation system is for Playa-Vista residents to take public transit such as buses. How can this assumed scenario be accurately predicted, enforced, and monitored? "What if," instead, the Playa Vista residents maintain current transportation patterns by using private automobiles? Has this possible scenario been studied? If no, why not? If yes, what were the findings? If yes, what traffic mitigation measures would address these findings?

**Response 22-39**

The transit enhancement measures proposed as part of the Proposed Project's mitigation program are not designed solely for use by Playa Vista residents and employees but rather are designed to meet the existing and future demand of transit riders in the area. The transit mitigation does not rely on a majority of Playa Vista residents or employees using transit to be effective; in fact, the mitigation would be effective with as little as 1 percent to 3.3 percent of the total trips along the enhanced transit corridors using the proposed system. This level of usage is consistent with Los Angeles Congestion Management Plan projections. For a more detailed discussion of the effectiveness of the transit mitigation measures, see Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455.

**Comment 22-40**

6. Scope of the Study: No studies were reported for intersections on Lincoln Boulevard north of Washington Boulevard. Were any studies—even preliminary—conducted? If yes, what were the findings—whether reported or not in the DEIR. If no studies were conducted, why not?

**Response 22-40**

The commentor states that no intersections were analyzed along Lincoln Boulevard north of Washington Boulevard. In fact, a total of seven intersections along Lincoln Boulevard north of Washington Boulevard were analyzed as part of the traffic impact analysis for the Village at Playa Vista project: Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Rose Avenue, Lincoln Boulevard/Ocean Park Boulevard, Lincoln Boulevard/Pico Boulevard, Lincoln Boulevard/I-10 eastbound ramps, Lincoln Boulevard/I-10 westbound ramps, and Lincoln Boulevard/Wilshire Boulevard. As shown on Table 130 of the Draft EIR, the Proposed Project would have a significant impact at Lincoln Boulevard/Venice Boulevard before mitigation, but would not have significant impacts at the intersections north of Venice Boulevard. See Figure 65 on page 809 of the Draft EIR for a map illustrating all of the study intersections. Also, see Response 22-38, above.

**Comment 22-41**

7. Impacts on Residential Neighborhoods: It is understood that for the 218 intersections studied in the DEIR, 42 are currently rated E or F in the AM peak hour, while 49 are rated E or F in the PM peak hour. This means they operate at 90 or 100% of design capacity. This is, essentially gridlock, under the present conditions without either the full cumulative traffic impacts of presently approved projects or the traffic impacts of Playa Vista. After Playa Vista is built and traffic mitigations are complete, the number of E or F rated intersections will more than double to 85 in the AM and 102 in the PM hours.

7.1 Since even at Level D, drivers might wait through an extra signal, drivers will be motivated to seek alternate routes. It is a given that the only north-south thoroughfares that connect between Playa Vista and Santa Monica are Lincoln Blvd. and Centinela/Bundy. Lincoln Blvd. is presently gridlocked and Centinela/Bundy is projected to become gridlocked. Has this issue been studied in the DEIR? If no, why not? If yes, what were the findings? What recommended traffic mitigations address the potential impacts upon residents as drivers seen relief by traveling upon residential streets?

7.2 For Santa Monica, were the traffic impacts upon residential streets specifically studied? If no, why not? If yes, what were the findings? If yes, what were the recommended traffic mitigations?

### **Response 22-41**

As noted by the commentor and shown in Subsection 5.1.2 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 907, and Section II.15, Corrections and Additions, of the Final EIR, the number of intersections operating at LOS E or F is projected to increase by 2010 whether or not the Proposed Project is approved and constructed. The proposed mitigation program for the Proposed Project would mitigate all significant impacts at intersections rated LOS E or F.

The existing and projected future conditions on Lincoln Boulevard and Centinela Avenue are included within the traffic analysis. As discussed in Response 22-30, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in significant impacts to any intersections in Santa Monica. Please see Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation, on page 472 for a further discussion. In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. After construction of the Proposed Project and with implementation of the mitigation measure, 84 intersections would operate at LOS E or F in the A.M. peak hour and 102 intersections would operate at this level of service in the P.M. peak hour. The Proposed Project would not result in any significant traffic impacts, after mitigation, at any location.

The Draft EIR also evaluated the potential for neighborhood intrusion impacts and identified mitigation for four neighborhoods that may be significantly impacted by the addition of traffic generated by the Village project. Project traffic impacts on residential streets were evaluated using a methodology approved by LADOT that was applied to the entire study area and, thus, included Santa Monica. The Proposed Project is not expected to result in any neighborhood traffic impacts within the City of Santa Monica. The discussion of the Neighborhood Impact Analysis can be found in Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the



Draft EIR, beginning on page 872. Also see Topical Response TR-5, Neighborhood Traffic Impacts, on page 458.

### **Comment 22-42**

7.3 If drivers should grow weary waiting at gridlocked signals on thoroughfares and then cut-through residential neighborhoods, would that not result in a decreased gridlock on the thoroughfares, and therefore create a scenario under which additional density and increases in daily car trips could be allowed?

### **Response 22-42**

The Draft EIR analyzed the Proposed Project's potential traffic impacts on both thoroughfares and neighborhood streets. The impact analysis methodology is discussed in Subsection 3.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 828. Please see Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of the transportation model and methodology.

The Playa Vista Transportation Model is discussed in Topical Response TR-1, Playa Vista Transportation Model, on page 445. Transportation planning policy seeks to focus traffic on arterials and collector streets and away from residential streets. Thus, transportation planning seeks to provide capacity on arterials and collector streets thereby providing travelers with the most efficient traffic routes. Consistent with this process, the traffic model includes freeways, major arterials, secondary arterials, collector streets, and key local streets. The model was validated on an overall basis to within a 1 to 2 percent variance between model-generated traffic and actual counts. The model does not assign trips along local residential streets because the transportation planning criteria seeks to keep traffic off of local residential streets. In this manner, capacity is designed into the freeways, arterials and collectors, in order to minimize the need for use of local streets.

### **Comment 22-43**

7.4 A specific situation: At the intersection of Ocean Park Boulevard and Centinela, Playa Vista Phase 1 AM south-bound traffic will be increased by 690 new daily car trips, but southbound traffic at Venice Boulevard is increased by only 440 new daily car trips. What is the explanation for this decrease of 250 new daily car trips? Will any of this decrease be the result of drivers seeking relief by cut-through of residential neighborhoods?

### **Response 22-43**

The 690 new daily car trips mentioned by the commentor represent the projected cumulative baseline growth in southbound vehicles on Centinela Avenue just south of Ocean Park Boulevard including all related projects and ambient traffic growth, not just Playa Vista First Phase. The

increase of 440 new daily car trips mentioned by the commentor similarly represents all projected cumulative baseline growth. Furthermore, the 440 new daily car trips are not projected on Centinela Avenue at Venice Boulevard as mentioned by the commentor but rather on Centinela Avenue between Washington Place and Washington Boulevard. The difference between 690 and 440 new daily car trips at these two locations is not due to drivers diverting through residential neighborhoods but rather relates to projected changes in turning patterns at major intersections in the intervening section between Ocean Park Boulevard and Washington Boulevard, including Venice Boulevard and Washington Place. For example, a higher number of vehicles are projected to turn off of southbound Centinela Avenue onto Venice Boulevard than are projected to turn onto southbound Centinela Avenue from Venice Boulevard. Similarly, a higher number of vehicles are projected to turn off of southbound Centinela Avenue onto Washington Place than are projected to turn onto southbound Centinela Avenue from Washington Place.

In addition, a new mitigation measure has been added to the mitigation program in the Draft EIR. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. After construction of the Proposed Project and with implementation of the mitigation measure, 84 intersections would operate at LOS E or F in the A.M. peak hour, and 192 intersections would operate at LOS E or F in the P.M. peak hour. The Proposed Project would not result in any significant traffic impacts, after mitigation, at any location.

#### **Comment 22-44**

8. Traffic Mitigations in Santa Monica: While Culver City has been offered 4 new buses to mitigate projected traffic impacts upon Culver City, Santa Monica has been offered nothing in terms of traffic mitigations. Why not?

#### **Response 22-44**

The traffic analysis presented in the Draft EIR concludes that there would be no significant impacts at any intersections located within the City of Santa Monica associated with the Proposed Project. No mitigation within Santa Monica would, therefore, be necessary.

It should be noted that as part of the previously approved Playa Vista First Phase project's mitigation program, Playa Vista is purchasing five new buses for Santa Monica Big Blue Bus Line 3 on Lincoln Boulevard, as well as installing signal system improvements along the Lincoln Boulevard corridor.

#### **Comment 22-45**

AIR TRAFFIC:

1. Private or Chartered Air Plane Traffic: The types of businesses that Playa Vista developers are seeking (such as the entertainment industry) are more likely to fly in private/chartered jets. Since LAX is discouraging corporate/private jets from using LAX so that they can increase runways for the larger commercial jets, it appears that the building of Playa Vista both Phase 1 and Phase 2 will increase jet use of Santa Monica airport.

1.1 What is the estimated increase of jet travel at Santa Monica Airport from Playa Vista Phases I & II, separately and combined? Further, what will be the impacts on noise and air quality for Santa Monica. It should be noted that the City of Santa Monica and a neighborhood organization, Friends of Sunset Park, requested such a study in 1995, but to date one has not been conducted.

1.2 Have there been any studies of the impacts of private or chartered air plane traffic upon Santa Monica or its neighborhoods? If yes, what were the findings and recommended mitigations. If not studied, why not?

### **Response 22-45**

The Proposed Project does not propose any additional corporate, “entertainment industry” office space, but rather includes space for professional offices (i.e., doctors, dentists, banks, real estate offices, etc.). The Proposed Project also consists of residential, retail and community serving uses.

Santa Monica Airport has no commercial service, so a general increase in population at the Proposed Project will not necessarily lead to any increase in use at the airport. To the extent that a general increase in population at the Proposed Project will lead to increased private general aviation traffic at the airport, there is no reasonable way of measuring the prospect of private use of civil aviation. The airport imposes flight and noise restrictions which would apply to any resident at the Proposed Project, such as the Single Event Noise Exposure Level (SENEL) restriction contained in Section 10.04.04.060 of the Santa Monica Municipal Code. There are also curfew and other restrictions described in Chapter 10.04 of the Municipal Code. Uses and limitations upon traffic at the airport are within the jurisdiction of the Federal Aviation Administration and, to some extent, the City of Santa Monica.

With respect to the Playa Vista First Phase Project, impacts associated with the First Phase Playa Vista Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995.

**Comment 22-46**

2. Helicopter Traffic: What is the estimated impact on number of flights, noise and air pollution on Santa Monica from the 2 grandfathered (unlimited flights allowed) helicopter pads at Playa Vista?

**Response 22-46**

Section 15002 of the State CEQA Guidelines states that the basic purpose of CEQA is to inform governmental decision-makers and the public about the potential, significant environmental effects of a proposed project. No changes to heliport operations are proposed with implementation of the Proposed Project, with the exception of the elimination of one heliport within the boundaries of the Proposed Project. Therefore, there would not be any impacts from heliport operations as a result of the Proposed Project.

Subsection 2.2.5 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 715-717 identifies two heliports currently permitted within the adjacent Campus portion of the previously approved Playa Vista First Phase Project. The Campus is envisioned to provide corporate headquarters-type facilities; as such, one or both of these heliports could become operational in the future to serve corporate executives. The impacts associated with opening one or more of the heliports at Playa Vista were addressed in the 1995 approvals of the Campus at Playa Vista, and are not part of the Proposed Project. The study performed at that time, "Helistop Noise Study for Playa Vista," has been included as an Appendix to the Final EIR.

**LETTER NO. 23**

Timothy Neely, Manager  
County of Orange  
Planning & Development Services Department  
Post Office Box 4048  
Santa Ana, CA 92702-4048

**Comment 23-1**

Thank you for the opportunity to respond to the above referenced project. The County of Orange has reviewed the Draft Environmental Impact Report (DEIR) and has no comment at this time. However, we would appreciate being informed of any further developments.

If you have any questions, please contact Charlotte Harryman at (714) 834-2522.

**Response 23-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 24**

Los Angeles County  
Department of Public Works  
900 South Fremont Avenue  
Alhambra, CA 91803-1331

**Comment 24-1**

Thank you for the opportunity to provide comments on the subject document. The proposed project consists of two components, a mixed-use community which is an urban development component and a riparian corridor and restoration and maintenance of a portion of the Westchester Bluffs adjacent to the riparian corridor which is a habitat creation/restoration component. The urban development component will occur on an approximately 99.3-acres [*sic*] site and includes 2,600 dwelling units, offices, and retail spaces of community serving uses. The habitat creation/restoration component includes a total of 11.7 acres, of which the riparian corridor involves approximately 6.7-acres, with the restoration of the adjoining portion of the Westchester Bluffs occurring over the remaining acres. The proposed 111.0-acre site is located within the westside area of Los Angeles, approximately two miles inland from Santa Monica Bay and generally bounded by the adjacent Playa Vista first phase project to the east and west, Jefferson Boulevard to the north, and the Westchester bluffs to the south. We have reviewed the submittal and offer the following comments:

**Response 24-1**

These comments paraphrase portions of the Project Description. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 24-2****Environmental Programs**

As projected in the Los Angeles County Countywide Siting Element, which was approved by a majority of the cities in the County of Los Angeles with a majority of the population in late 1997 and by the County Board of Supervisors in January 1998, a shortfall in permitted daily landfill capacity may be experienced in the County within the next few years. The construction and predevelopment activities associated with the proposed project and the postdevelopment operation over the life of the proposed project will increase the generation of solid waste and negatively impact solid waste management infrastructure in the County.

In Part IV.N.(3), Section 2.2.2 (page 1126), the document correctly identifies only four Class III landfills that will accept waste from generators within the City of Los Angeles. The document states that expansion of the Sunshine Canyon Landfill would increase the effective service of the

four landfills through 2022, but admits that approval of the expansion is not guaranteed. In conjunction with the City of Los Angeles' efforts to postpone the operation of the expansion, and its stated goal to revoke the approval for this expansion and to close all landfills within the city's borders by 2006 or sooner, this discussion should be revised to indicate what measures the project proponent will implement to provide for the disposal of residual solid waste generated by this project.

### **Response 24-2**

As concluded in Section IV.N.(3), Solid Waste, of the Draft EIR on page 1143, the Proposed Project would have unavoidable adverse impacts to solid waste disposal facilities serving the City if additional Class III landfill capacity is not developed prior to Project buildout in 2010. The Applicant has included several Project Design Features into the Project to minimize, to the maximum extent practicable, the amount of solid waste requiring landfill disposal during construction and operation of the Proposed Project. Furthermore, as discussed in Subsection 5.0 of Section IV.N.(3), solid waste, of the Draft EIR on page 1142, to the extent that the Proposed Project would contribute to a projected County-wide landfill disposal capacity shortfall, it would exacerbate a projected capacity deficit. Inasmuch as the Proposed Project would, under the projected shortfall circumstances, result in a significant adverse impact relative to landfill disposal capacity from Project-related and cumulative solid waste generation, and feasible measures to reduce the amount of solid waste requiring disposal have been incorporated in the Draft EIR, such impacts are unavoidable pending expansion of regional solid waste disposal facilities.

### **Comment 24-3**

It is noted that the proposed project, in conjunction with related projects and background growth, could create a need for additional solid disposal facilities to adequately handle project-generated waste. Therefore, impacts to Class III solid waste disposal facilities from implementation of the proposed project and equivalency program would be considered a significant unavoidable adverse impact (Part IV.N.(3), Section 5.0, page 1143) and that impacts to solid waste disposal facilities would be considered a potentially significant cumulative impact (Part IV.N.(3), Section 6.0 page 1146). These represent serious impacts to regional solid waste management, therefore, the Project Proponent should identify additional steps they propose to take to further mitigate these unavoidable impacts.

### **Response 24-3**

This comment is addressed in Response 24-2, above, regarding the Proposed Project's unavoidable adverse impacts relative to solid waste landfill disposal capacity.

**Comment 24-4**

The existing hazardous waste management infrastructure in this County is inadequate to handle the hazardous waste currently being generated. The proposed project may generate hazardous waste and/or household hazardous waste, which could adversely impact existing hazardous waste management infrastructure. It is noted that in Part IV.N.(3), Section 4.0 (page 1141), the project proponent has pledged that it shall comply with applicable existing and future regulations and procedures for the collection and disposal of household hazardous waste, however, this will not mitigate the impact of the generation of hazardous waste and/or hazardous waste management. This issue should be addressed and the project proponent should list mitigation measures they propose to take.

**Response 24-4**

As stated in Section IV.N.(3), Solid Waste, of the Draft EIR, the Proposed Project would comply with all applicable regulations and policies related to solid waste, including those relative to hazardous materials and household hazardous waste disposal. It is anticipated that the Proposed Project, to some degree, will generate such materials and/or household wastes in varying amounts throughout the life of the Proposed Project. Because the entire Proposed Project lies within the jurisdiction of the City, the hazardous materials and/or household hazardous wastes generated by the Proposed Project would be handled exclusively under the City's Household Hazardous Waste Program, which is described in Subsection 2.1.3, of Section IV.N.(3), Solid Waste, of the Draft EIR on page 1122. According to the City Department of Public Works, Bureau of Sanitation, the City's Household Hazardous Waste Program, which includes separate procedures and requirements for business- and residential-related hazardous materials and wastes, is currently expanding in terms of participation and volume of materials/wastes collected. Additionally, the City's program operates under partial funding from the County, but utilizes exclusive City-owned and operated staff and facilities. According to Bureau of Sanitation (Wayne Omokawa, Program Manager, telephone communication of January 20, 2004), the City is the only municipality in the County for which the County does not ultimately handle hazardous materials and wastes. Given that the City collects, handles, and disposes of all City-generated hazardous materials/wastes utilizing its own facilities, the restrictions that exist for County hazardous materials/waste facilities do not apply to, and would not be exacerbated by, the Proposed Project. As such, impacts relative to the County's hazardous materials/waste facilities would be less than significant, as indicated in the Draft EIR.

**Comment 24-5**

All development and redevelopment projects which fall into one of the standard urban storm water mitigation plans project types, characteristics or activities, must obtain standard urban storm water mitigation plans approval.

If you have any questions, please contact Mr. Coby Skye at (626) 458-5163.



**Response 24-5**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The Standard Urban Stormwater Mitigation Plan (SUSMP) is described in Subsection 2.1.1.2, of Section IV.C, Water Resources, page 346 of the Draft EIR. Compliance of the Proposed Project with SUSMP requirements is discussed in Subsection 3.4.1.2.1 of Section IV.C.(2), Water Quality, beginning on page 464 of the Draft EIR.

**Comment 24-6**

Flood Maintenance

If the project has flood control facilities to be maintained by this Department, plan reviews will be required by Design and Flood Maintenance Divisions. At that point, we would be able to Provide specific comments to the project.

If you have any questions, please contact Mr. Jerry Burke at (626) 458-4114.

**Response 24-6**

The Proposed Project does not have flood control facilities to be maintained by the County Department of Public Works. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 24-7**

Geotechnical and Materials Engineering

The proposed project will not have significant environmental effects from a geology and soils standpoint, provided that the appropriate ordinances and codes are followed. The project is located within a mapped potential liquefiable area, per the State of California Seismic Hazard Zone Map, Venice Quadrangle. However, a liquefaction analysis is not warranted at this time. Detailed liquefaction analyses, conforming to the requirements of the State of California Division of Mines and Geology Special Publication 117, must be conducted at the tentative map and/or grading/building plan stages.

If you have any questions, please contact Mr. Amir M. Alam at (626) 458-4925.

**Response 24-7**

As discussed in Subsection 3.4.1.3, of Section IV.A, Earth, of the Draft EIR on page 256, further soil analyses would be completed in conjunction with building development site engineering to define the appropriate safety standards and measures that would be incorporated into Project

plans prior to receiving approved grading plans, per the ordinances and requirements of applicable agencies, including the requirements of the State of California Division of Mines and Geology Special Publication 117, and any requirements of the City Department of Building and Safety.

### **Comment 24-8**

Land Development

Hydrology and Standard Urban Storm Water Mitigation (SUSMP) Review Plan

This environmental document has been reviewed only for drainage and water quality impacts to Los Angeles County areas and facilities.

The subject document inadequately addresses water quality and drainage issues. The environmental document does not provide sufficient information to determine what drainage impacts, if any, the project may have towards County facilities (Road Department Drain 105). To properly assess any drainage and water quality impacts and to determine appropriate mitigation, a drainage concept/SUSMP report will be required. We recommend that the applicant prepare a drainage concept/SUSMP report showing the extent of drainage and water quality impacts, and if necessary, provide mitigation acceptable to the County. The analysis should address increases in runoff, any change in drainage patterns, treatment method proposed for drainage concept/SUSMP regulations, and the capacity of storm drain facilities.

We recommend that this report not be approved until our department has reviewed and approved the drainage concept/SUSMP report. We also recommend that a copy of the drainage concept/SUSMP report, once approved, be included in the environmental document.

If you have any questions, please contact Mr. Timothy Chen at (626) 458-4921.

### **Response 24-8**

The facility referenced in the County letter (Road Department Drain 105) is the Jefferson Boulevard Storm Drain. This drain is under the jurisdiction of and is maintained by the City. All flows from this drain both from the adjacent Playa Vista First Phase Project and Proposed Project, as well as tributary areas, have been diverted into the Freshwater Marsh. The water quality treatment provided by the Freshwater Marsh has been extensively analyzed in Section IV.C.(2), Water Quality, and Appendix F-1 of the Draft EIR. The SUSMP Program is addressed in Subsections 2.1.1.2 and 3.4.1.1.1 of Section IV.C.(1), Hydrology, of the Draft EIR on pages 346 and 374, respectively, and Subsection 3.4.1.2.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 464, and supported by Draft EIR Appendix F-1. The Proposed Project is expected to meet or exceed all element of the SUSMP program. (Subsection 3.4.1.2.1, page 464 of Section IV.C.(2), Water Quality, of the Draft EIR.) As discussed on page 518 of Subsection 4.0 of Section IV.C.(2) of the Draft EIR, the City will review and approve BMPs

included in the SUSMP Plan for the Proposed Project prior to issuance of a building permit for the Proposed Project consistent with the City's SUSMP program.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 24-9**

Transportation Planning

We have reviewed the subject document and have no comment.

If you have any questions, please contact Mr. Hubert Seto at (626) 458-4349.

### **Response 24-9**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 24-10**

**[Comments 24-10 through 24-18 were submitted from Bill Winter of the Traffic and Lighting Division to Rob Kubomoto of the Watershed Management Division, and copied to the City of Los Angeles.]**

Traffic and Lighting Division

We reviewed the traffic Impact study under County guidelines. We agree with the study that the project alone will significantly impact the following County and or County/city intersections and roadways:

Lincoln Boulevard at Bali Way  
 Lincoln Boulevard at Fiji Way  
 Lincoln Boulevard at Marina Expressway  
 Lincoln Boulevard at Mindanao Way  
 Admiralty Way at Mindanao Way  
 Palawan Way at Admiralty Way  
 Sherbourne Drive at Centinela Avenue

The study mentions that the project will provide the following mitigation measures to reduce the impacts to less than significant:

- Contribute to the design and implementation of a Transit Priority System (signal system components) along Lincoln Boulevard

- Contribute to the design and implementation of an Expanded Internal Shuttle System serving the Marina del Rey area
- Contribute to the design and implementation of the Adaptive Traffic Control System at the intersection of Sherbourne Drive at Centinela Avenue
- The project shall pay its fair share of the Marina del Rey Local Coastal Plan transportation fee of \$5,690 per p.m. peak-hour trip of 68 trips, which the project added to the intersection of Lincoln Boulevard at Fiji Way. The fee will contribute to mitigate the project's impact at the intersections along Lincoln Boulevard and Admiralty Way in the County's jurisdiction. At Palawan Way and Admiralty Way, the improvement consists of providing dual left turn lanes on the north approach. With this improvement, the north approach will consist of two left-turn lanes, one through lane, and one exclusive right turn lane.

**Response 24-10**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The comment lists improvements that are consistent with the improvements outlined in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 899.

**Comment 24-11**

According to the City of Los Angeles Department of Transportation's (LADOT) interdepartmental correspondence dated August 11, 2003, the Los Angeles County Metropolitan Transportation Authority has identified Lincoln Boulevard as one of the corridors for which the Metro Rapid Bus Program will be implemented by 2008. It should be noted that the project completion date is 2010. The proposed project shall provide design and implementation costs for the Transit Priority System (signal system components) associated with the Metro Rapid Bus Program along Lincoln Boulevard.

**Response 24-11**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The comment lists improvements that are consistent with the improvements outlined in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 899.

**Comment 24-12**

We support the Expanded Internal Shuttle System as described in the traffic study and in the LADOT interdepartmental correspondence. However, the study should state who will monitor the operation of the system, who will be responsible for the maintenance of the system, and how

many years the project will be responsible for the maintenance costs. We also recommend the fixed route be expanded to outlying areas should the demand materialize.

### **Response 24-12**

The comment supports the expansion of the internal shuttle system as called for as part of the mitigation program described in Section I.G, Summary of Project Impacts, of the Draft EIR in Table 1 on page 84.

The internal shuttle will be operated and funded by the Playa Vista Homeowners' Association for the life of the Proposed Project. It is anticipated, as the commentor suggests, that the shuttle service may evolve over time in response to demand.

### **Comment 24-13**

For other alternative mitigation measures, the study should look at the proposed design alternatives that are being recommended for Lincoln Boulevard by the Lincoln Corridor Task Force (LCTF). We recommend the project consultant coordinate with the LCTF to integrate Playa Vista's proposals with recommendations by the LCTF. The LCTF first phase study should be completed in January 2004.

### **Response 24-13**

With implementation of the mitigation program discussed in the Draft EIR and in Section II.15, Corrections and Additions, of the Final EIR on page 216, the Proposed Project would not have any significant traffic impacts. Nevertheless, as discussed on page 7 of Appendix K-1 of the Draft EIR, in the event the Lincoln Corridor Task Force adopts a set of regionally superior traffic improvements that are equivalent or superior in mitigating the project-related traffic impacts of the Proposed Project, prior to implementation of the Proposed Project or its mitigation measures, the City may require the Proposed Project to contribute towards the implementation of the Task Force's improvements in an amount not greater than the Project improvements being superseded.

### **Comment 24-14**

If the Transit Priority System and the Expanded Internal Shuttle System are used as mitigation measures, a study should be completed on the operation of these systems. The study should focus on the effectiveness of both systems mitigating the project impacts at the affected intersections. If the study finds that these systems are not mitigating the project impacts, then the project should be responsible to improve the Transit Priority System and/or the Expanded Internal Shuttle System or determine other feasible mitigation measures that can be used to mitigate the project's impact to less than significant.

**Response 24-14**

The effectiveness of the transit mitigation measures is discussed in greater detail in Topical Response TR-4, the Village at Playa Vista Transit Plan Effectiveness, on page 455.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 24-15**

The implementation of the proposed transportation improvements should follow the Transportation Improvement Phasing Plan as described in Attachment F of the LADOT interdepartmental correspondence. [The Plan is included as an attachment, see page 887.]

**Response 24-15**

The mitigation phasing plan approved by LADOT, which is Appendix F of the LADOT Assessment Letter, is found in Appendix K-1 of the Draft EIR. An amended LADOT Assessment Letter is included in the Appendices to the Final EIR. The Proposed Project will be required to comply with the Phasing Plan as approved by LADOT. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 24-16**

Based on the traffic study, the cumulative traffic generated by the project and other related projects will have a significant impact at the following County and or County/city intersections:

Lincoln Boulevard at Bali Way  
 Lincoln Boulevard at Fiji Way  
 Lincoln Boulevard at Marina Expressway  
 Lincoln Boulevard at Mindanao Way  
 La Cienaga [*sic*] Boulevard northbound at Slauson Avenue  
 Palawan Way at Washington Boulevard  
 Via Marina at Washington Boulevard  
 Admiralty Way at Bali Way  
 Admiralty Way at Mindanao Way  
 Admiralty Way at Palawan Way  
 Admiralty Way at Via Marina  
 Alvern Street at Centinela Avenue  
 La Tijera Boulevard at Slauson Avenue  
 Fairfax Avenue at Slauson Avenue  
 La Brea Avenue at Slauson Avenue  
 La Brea Avenue/Overhill Drive at Stocker Street  
 San Diego Freeway northbound on/off-ramp at Century Boulevard

The County's methodology shall be used when evaluating County and/or County/city intersections as stated in the attached Los Angeles County Traffic Impact Analysis Report Guidelines. [The guidelines are attached beginning at page 888.] The level of service analysis for the Intersections and roadways analyzed shall be conducted for the following traffic scenarios and the project's build-out shall be indicated in (b):

- (a) Existing traffic
- (b) Existing traffic plus ambient growth to the Year 2010 (preproject)
- (c) Traffic in (b) plus project traffic
- (d) Traffic in (c) with the proposed mitigation measures (if necessary)
- (e) Traffic in (c) plus cumulative traffic of other known developments
- (f) Traffic in (e) with the proposed mitigation measures (if necessary)

The study should include feasible transportation improvements that mitigate the cumulative impacts to less than significant. The project should contribute their fair share costs, as described in the Traffic Impact Guidelines, for the implementation of any mitigation measures as for cumulative significant impacts.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4786.

#### **Response 24-16**

The methodology used in the traffic analysis for the Proposed Project was the methodology required by the Lead Agency—the City of Los Angeles. No request was made by the Los Angeles County Department of Public Works for an alternate methodology at the time of the Notice of Preparation. As stated on pages 4 and 6 of the commentor's letter, the commentor agrees with the conclusions of the analysis in terms of the project impacts, mitigation measures and cumulative impacts of the Proposed Project.

Please also see Response 24-10 and Topical Response TR-1, Playa Vista Transportation Model, on page 445.

#### **Comment 24-17**

##### **Watershed Management**

The proposed project should include investigation of watershed management opportunities to maximize capture of local rainfall on the project site, eliminate incremental increase in flows to the storm drain system, and provide filtering of flows to capture contaminants originating from the project site.

If you have any questions regarding the environmental review process of Public Works, please contact Ms. Massie Munroe at the address on the first page or at (626) 458-4359.

**Response 24-17**

The Draft EIR addresses watershed management in Subsection 3.3.1.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 453 and is supported by Appendix F-1. The subsection details how the Freshwater Wetlands System serves as a comprehensive system intended to maximize watershed management opportunities for the adjacent Playa Vista First Phase Project, the Proposed Project, as well as tributary areas. In addition, other measures to reduce pollutant loadings, including water quality inlets, enhanced street/catch basin cleaning, an education program, vegetated swales and roof drain biofiltration systems and other measures are discussed in Subsection 3.3.1.2 of Section IV.C.(2), Water Quality, beginning on page 457 of the Draft EIR. The SUSMP does not require elimination of “incremental increase in flows to the storm drain system” as stated by the commentor, but rather requires control of peak flows as discussed in Subsection 3.4.1.2.1 on page 464.



8/11/2003

**ATTACHMENT F  
THE VILLAGE AT PLAYA VISTA  
TRANSPORTATION IMPROVEMENT PHASING PLAN**

Subphase	PM Peak Hour Trips per Subphase	Transportation Improvements	Jurisdiction
Village Subphase 1	575	<ol style="list-style-type: none"> <li>1. Provide funding for 1 bus for Culver City/Bus Line 6 (CC6)</li> <li>2. Provide funding for 1 bus for Culver City/Bus Line 2 (CC2)</li> <li>3. Provide funding for Airport System ATCS</li> <li>4. Provide funding for Transit Priority System (TPS) on Lincoln Corridor</li> <li>5. Signal improvement (phasing) at Lincoln Bl/83rd St</li> <li>6. Provide funding for neighborhood traffic management</li> </ol>	<p>Culver City Culver City City of Los Angeles City of LA/Caltrans City of LA/Caltrans City of Los Angeles</p>
Village Subphase 2	575	<ol style="list-style-type: none"> <li>1. Provide funding for 2 buses for CC4 (includes extension to Playa Del Rey)</li> <li>2. Physical and/or operational improvements at:                             <ol style="list-style-type: none"> <li>2a. Centinela Av/Venice Bl</li> <li>2b. Green Valley Circle/Centinela Avenue</li> <li>2c. La Tijera Bl/Centinela Av</li> <li>2d. Overland Av/Culver Bl</li> <li>2e. Sawtelle Bl/Culver Bl</li> <li>2f. Inglewood Av/Culver Bl</li> </ol> </li> <li>3. Provide funding for signal improvement at Aviation Bl/Florence Av/Manchester Av</li> <li>4. Project component - Jefferson Boulevard corridor improvement (Beethoven Av to Centinela Av)</li> </ol>	<p>Culver City City of LA/Caltrans Culver City City of Los Angeles Culver City Culver City City of Los Angeles City of Inglewood City of Los Angeles</p>
Village Subphase 3	575	<ol style="list-style-type: none"> <li>1. Provide funding for Smart Corridor System ATCS</li> <li>2. Extension of internal shuttle</li> <li>3. Physical and/or operational improvements at:                             <ol style="list-style-type: none"> <li>3a. Centinela Av/Culver Bl</li> <li>3b. Centinela Av/Washington Pl</li> <li>3c. La Brea Av/Centinela Av</li> <li>3d. Palawan Way/Admiralty Way</li> </ol> </li> </ol>	<p>City of Los Angeles LA/Culver City/LA County City of Los Angeles Culver City City of Inglewood Los Angeles County</p>
Village Subphase 4	575	<ol style="list-style-type: none"> <li>1. Provide funding for 2 buses for CC6 Limited</li> <li>2. Operational improvement at I-405 NB Ramps/Jefferson Bl</li> <li>3. Centinela Avenue corridor improvement (Culver to SR-90)</li> <li>4. Project component - Complete Bluff Creek Drive corridor improvement (Dawn Creek to Westlawn Av)</li> </ol>	<p>Culver City Culver City/Caltrans City of Los Angeles City of Los Angeles</p>

**Notes:**

1. Temporary Certificates of Occupancy may be granted in the event of any delay through no fault of the applicant, provided that, in each case, the applicant has demonstrated reasonable efforts and due diligence to the satisfaction of LADOT.
2. PM peak hour trip generation for each subphase would drive the specific traffic improvements shown. PM peak hour trip generation to be estimated as subphases develop using the following factors:
  - Dwelling Units - 0.54 trips per unit
  - Office - 1.74 trips per 1,000 sf
  - Retail - 3.83 trips per 1,000 sf (includes pass-by reduction)
  - Community Serving Uses - 0.45 trips per 1,000 sf (includes internal capture reduction)
3. The Jefferson Boulevard and Bluff Creek Drive corridor improvements are components of the Project, and are included in this table to establish the appropriate limiting of completion.
4. In the event the originally proposed mitigation measures become infeasible, substitute mitigation measures may be provided subject to approval by LADOT or other governing agency with jurisdiction over the mitigation location, upon demonstration that the substitute measure is equivalent or superior to the original measure in mitigating the Project's significant impact.
5. Where appropriate, as determined by LADOT, revisions may be made to this transportation improvement phasing plan.
6. Prior to the issuance of any final certificate of occupancy in Subphase 4, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.

# Traffic Impact Analysis Report Guidelines



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January 1, 1997

Prepared by the County of Los Angeles  
Department of Public Works

**James A. Noyes**  
Director of Public Works

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JHC:ce  
T-2/ACCESS2  
(01/22/99)

## I. Introduction

The County of Los Angeles Department of Public Works has established the following Guidelines for the preparation of Traffic Impact Analysis (TIA) reports. The purpose of these Guidelines is to establish procedures to ensure consistency of analysis and the adequacy of information presented and timely review by County staff. It is strongly recommended that the applicant's traffic engineer consult with County staff before beginning the study to establish the scope and basic assumptions of the study and any deviations from these Guidelines to avoid unnecessary delays or revisions. For assistance in the TIA scoping process, the Traffic and Lighting Division, Traffic Studies Unit, can be contacted at (626) 300-4820.

## II. Requirements

Generally, the Department staff is concerned with adverse impacts on traffic if:

1. Traffic generated by a project considered alone or cumulatively with other related projects, when added to existing traffic volumes, exceeds certain capacity thresholds of an intersection or roadway, contributes to an unacceptable level of service (LOS), or exacerbates an existing congested condition.
2. Project generated traffic interferes with the existing traffic flow (e.g., due to the location of access roads, driveways, and parking facilities).
3. Proposed access locations do not provide for adequate safety (e.g., due to limited visibility on curving roadways).
4. Nonresidential uses generate commuter or truck traffic through a residential area.
5. Project generated traffic significantly increases on a residential street and alters its residential character.

A traffic report must be prepared by a registered Civil or Traffic Engineer. A traffic report is generally needed if a project generates over 500 trips per day or where other possible adverse impacts as discussed in the Analysis and Impact Section (see page 4) of these Guidelines are identified. Before a full review is conducted, the County staff will check the completeness of the TIA report using the attached check list (Exhibit A). If the report is missing any of the check list items, it will be returned for revision.

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### III. TIA Report Contents

#### A. Project Description

The following information is required:

1. A description of the project, including those factors which quantify traffic generators, e.g., dwelling units, square feet of office space, persons to be employed, restaurant seats, acres of raw land, etc. For residential developments, the description should indicate the type of residence, (e.g., one level or townhouse condominiums, and if its use is for families, adults or retirees).
2. A plot plan showing proposed driveways, streets, internal circulation, and any new parking facilities on the project site.
3. A vicinity map showing the site location and the study area relative to other transportation systems.
4. A brief history of the projects that are part of the phased Master Plan or a parent tract/parcel map.

#### B. Transportation Circulation Setting

The following information is required:

##### 1. Existing and Proposed Site Uses

A description of the permitted and/or proposed uses of the project site in terms of the various zoning and land use categories of the County, and the status and the usage of any facilities currently existing on the site.

##### 2. Existing and Proposed Roadways and Intersections

A description of existing streets and roadways, both within the project site (if any) and in the surrounding area. Include information on the roadway classifications (per the Highway Plan), the number of lanes and roadway widths, signalized intersections, separate turn lanes, and the signal phases for turning movements.

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Existing daily directional and peak-hour through and turning traffic volumes on the roadways surrounding and/or logically associated with the project site, including Secondary and Major highways and freeways. Local streets affected by the project should also be shown. Each report shall include appendices providing count data used in the preparation of the report. The source and date of the traffic volume information shall be indicated. Count data should not be over one year old. Since peak volumes vary considerably, a ten percent daily variation is not uncommon, especially on recreational routes or roadways near shopping centers; therefore, representative peak-hour volumes are to be chosen carefully.

All assumed roadways and intersections or any other transportation circulation improvements must be identified and discussed. The discussion should include the scope and the status of the assumed improvements including the construction schedule and financing plan. It should be noted that all assumed roadways and intersections or any other transportation circulation improvements will be made a condition of approval for the project to be in place prior to the issuance of building permits. If assumed improvements do not get built on time due to an unforeseeable condition, traffic conditions for a different assumed highway network or other mitigation measures will be considered if a traffic study is submitted with a different assumed network or other measures are recommended to mitigate the traffic impact in question.

### **C. Analysis and Impact**

The following information is required:

#### **1. Trip Generation Analysis**

Tabulate the estimated number of daily trips and a.m. and p.m. peak-hour trips generated by the proposed project entering and exiting the site. Trip generation factors and source are to be included. The trip generation rates contained in the latest edition of the Institute of Transportation Engineers Trip Generation manual should generally be used, except in the case of condominiums/townhomes when the following rates should be used per unit:

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	ADT	A.M. Peak	P.M. Peak
		Outgoing/Incoming	Outgoing/Incoming
Condominiums/ Townhomes	8.0	0.48/0.06	0.26/0.47

There may be a trip reduction due to internal and/or pass-by trips. Internal trip reduction can only be applied for mixed-use types of developments and pass-by trip reduction for retail/commercial types of developments. Internal or pass-by trip reduction assumptions will require analytical support based on verifiable actual similar developments to demonstrate how the figures were derived and will require approval by the County.

## 2. Trip Distribution

Diagrams showing the percentages and volumes of the project and nearby project's a.m. and p.m. peak-hour trips logically distributed on the roadway system must be provided. The Regional Daily Trip Distribution Factors (Exhibit D-3) contained in the Congestion Management Program (CMP) Land Use Analysis Guidelines shall be referenced for regional trip distribution assumptions. If it is assumed that new routes will alter traffic patterns, adequate backup including traffic distribution maps must be provided showing how and why these routes will alter traffic patterns.

The study area should include arterial highways, freeways, and intersections generally within a one-mile radius of the project site.

**Note:** This distance may be greater than one-mile for rural areas depending on the proximity to nearby signalized intersections and the availability of master plan access routes.

## 3. Related Projects List

A list of related projects that are approximately within a one-and-a-half mile radius of the project site and would reasonably be expected to be in place by the project's build out year must be included in the report. Related projects shall include all pending, approved, recorded, or constructed projects that are not occupied at the time of the existing traffic counts.

The County of Los Angeles Department of Regional Planning (DRP) and other public agencies (if necessary) should be contacted to obtain the latest listings. A table and a map showing the status, project/zone change/conditional use permit/parcel map/tract number, and the location of each project must be provided. For a computer printout of the listing of all filed projects within the County, Land Development Management Section of the DRP, at (213) 974-6481 can be contacted.

#### **4. LOS Analysis**

If it appears that the project's generated traffic alone or together with other projects in the area could worsen the LOS of an intersection or roadway, a "before" and "after" LOS analysis is necessary. The Intersection Capacity Utilization (ICU) or Critical Movement Analysis are two methods often used to assess existing and future LOS at intersections.

If the ICU planning method is used, a maximum of 1,600 vehicles per hour per lane should be used (2,880 vehicles per hour should be used for dual left-turn lanes) and a ten percent yellow clearance cycle should be included. Intersection LOS analysis and calculation work sheets, as well as diagrams showing turning volumes shall be included in the report for the following traffic conditions.

- (a) Existing traffic;
- (b) Existing traffic plus ambient growth to the year the project will be completed (preproject);
- (c) Traffic in (b) plus project traffic;
- (d) Traffic in (c) with the proposed mitigation measures (if necessary);
- (e) Traffic in (c) plus the cumulative traffic of other known developments; and
- (f) Traffic in (e) with the proposed mitigation measures (if necessary).

The project's impact on two-lane roadways should also be analyzed for all of the above traffic conditions if those two-lane roadways are used for access. LOS service analysis contained in the Highway Capacity Analysis, Chapter 8, Two-Lane Highways, should be used to evaluate the project's impact. For simplified analysis, use the established significant impact thresholds for two-lane roadways as shown on page 6.



**5. Significant Impact Threshold**

For intersections, the impact is considered significant if the project related increase in the volume to capacity (v/c) ratio equals or exceeds the threshold shown below.

INTERSECTIONS		
Preproject		Project V/C Increase
LOS	V/C	
C	0.71 to 0.80	0.04 or more
D	0.81 to 0.90	0.02 or more
E/F	0.91 or more	0.01 or more

The project is deemed to have a significant impact on two-lane roadways when it adds the following percentages based on LOS of the preproject conditions.

TWO-LANE ROADWAYS				
Directional Split	Total Capacity (PCPH)	Percentages Increase in Passenger Car Per Hour (PCPH) by Project		
		Preproject LOS		
		C	D	E/F
50/50	2,800	4	2	1
60/40	2,650	4	2	1
70/30	2,500	4	2	1
80/20	2,300	4	2	1
90/10	2,100	4	2	1
100/0	2,000	4	2	1

## **6. Analysis Discussion**

Discuss conclusions regarding the adverse impacts caused by the proposed project on the roadway system. If the cumulative traffic impact of this and other projects require mitigation measures, such as traffic signals, then estimate the percent share using the project percent share formula given in the Section III D of the TIA Guidelines. When the proposed project and other nearby developments are expected to significantly impact adjacent roadways, the developer may be required to enter into a secured agreement to contribute to a benefit district to fund major roadway and bridge improvements in the region. Also, for all recommendations to increase the number of travel lanes on a street or at an intersection as a mitigation measure, the report must clearly identify the impacts associated with such a change such as whether or not additional right of way will be required and whether it is feasible to acquire the right of way based on the level of development of the adjacent land and buildings (if any).

Discuss other possible adverse impacts on traffic. Examples of these are: (1) the limited visibility of access points on curved roadways; (2) the need for pavement widening to provide left-turn and right-turn lanes at access points into the proposed project; (3) the impact of increased traffic volumes on local residential streets; and (4) the need for road realignment to improve sight distance.

Projects which propose to amend the County's General Plan Land Use and substantially increase potential traffic generation must provide an analysis of the project at current planned land use versus proposed land use in the build out condition for the project area. The purpose of such analysis is to provide decision makers with the understanding of the planned circulation network's ability to accommodate additional traffic generation caused by the proposed General Plan Land Use amendments.

### **D. Traffic Models and Model Generated TIA's**

Computerized traffic models are planning tools used to develop future traffic projections based on development growth patterns. The Department currently operates two traffic models, one for the Santa Clarita Valley and another for the Ventura Corridor area. The Department can test proposed development project traffic impacts for the public in these areas for a fee. For assistance in the traffic modeling, the Planning Division, Transportation

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Planning/Assessments Section, can be contacted at (626) 458-4351. For TIA's prepared using data from outside traffic modeling, the following information is required:

1. The type of modeling software used to generate the traffic analysis report data (i.e., TRANPLAN, EMME/2, etc.).
2. The list of land use assumptions by traffic analysis zones (TAZ's) and their sources used in the traffic model in lieu of a related projects list.
3. A copy of the computerized roadway network assumed to be in place at the time of the project. Streets should be color-coded by street type. Also, TAZ's and their corresponding centroidal connectors, as well as number of lanes should be displayed.
4. The list of trip generation rates used in the traffic model and their sources.
5. Model runs (plots) identifying both the with and without project scenarios. The volumes displayed on the plots should be in 100's for Average Daily Vehicle Trips (ADT) and 10's for peak-hour plots.

#### E. Traffic Signals

The following information is required:

Traffic signal warrant analysis using the State of California Department of Transportation (Caltrans) Peak-Hour (Figures 9-8 and 9-9 of Caltrans Traffic Manual) and Estimated Average Daily (Figure 9-4 of Caltrans Traffic Manual) Traffic Warrant Analysis should be provided. If the installation of signals is warranted with the addition of the project's traffic, then the installation will be the sole responsibility of the project. If it is warranted with cumulative traffic of the project and other related projects, the following formula should be used to calculate the project percent share.

$$\text{Project Percentage Share} = \frac{\text{Project Traffic}}{\text{Project+Other Related Projects Traffic}}$$

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The project percent share should be based on the peak-hour volumes that warrant signals. If both peak hours satisfy the installation of signals, the average of the two peak-hour volumes should be used in the percent share analysis.

## **F. Mitigation Measures**

The following information is required.

Identify feasible mitigation measures which would mitigate the project and/or other related projects' significant impacts to a level of insignificance. Also, identify those mitigation measures which will be implemented by others. Those mitigation measures that are assumed to be implemented by others will be made a condition of approval for the project to be in place prior to issuance of building permits. Mitigation measures may include, but are not limited to, the following:

### **1. Traffic Engineering Techniques.**

- a. Locate access points to optimize visibility and reduce potential conflict.
- b. Design parking facilities to avoid queuing into public streets during peak arrival periods.
- c. Provide additional off-street parking.
- d. Dedicate visibility easements to assure adequate sight distance at intersections and driveways.
- e. Signalize or modify traffic signals at intersections.
- f. Install left-turn phasing and/or multiple turning lanes to accommodate particularly heavy turning movements.
- g. Widen the pavement to provide left- or right-turn lanes to lessen the interference with the traffic flow.<sup>1</sup>
- h. Widen intersection approaches to provide additional capacity.
- i. Prohibit left turns to and from the proposed development.

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<sup>1</sup> Physical roadway improvements to improve capacity should be considered before considering parking restrictions.

- j. Restrict on-street parking during peak hours to increase street capacity.<sup>1</sup>

**2. Contribute to a benefit district to fund major capital improvements**

- a. Construct a grade separation.
- b. Improve or construct alternate routes.
- c. Complete proposed routes shown on the Los Angeles Highway Plan.
- d. Improve freeway interchanges (bridge, widening, modifications, and etc.).

**3. Transportation System Management (TSM) Techniques<sup>2</sup>**

- a. Establish flexible working hours.
- b. Encourage employee use of carpools and public transportation (specific measures must be indicated).
- c. Establish preferential parking for carpools.
- d. Restrict truck deliveries to Major and Secondary highways and encourage deliveries during the off-peak hours.
- e. Establish a monitoring program to ensure that project traffic volumes do not exceed projected traffic demand.

**Note: When it appears that other jurisdictions will be impacted by a development, the Department will request that the involved jurisdiction also review the TIA. A written response from that jurisdiction should be provided with appropriate follow-up to the lead County agency.**

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<sup>2</sup> Contributions to a benefit district and/or TSM techniques may not be used to lower LOS in the capacity calculations.

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### G. CMP Guidelines

The following information is required:

Where the project meets the criteria established in the County of Los Angeles' CMP Land Use Analysis Guidelines, a CMP analysis must be provided. A copy of the latest Guidelines will be available upon request. A CMP TIA is required for all projects required to prepare an Environmental Assessment based on local determination or projects requiring a traffic study. The geographic area examined in the TIA must include the following, at a minimum.

- All CMP arterial monitoring intersections (see Exhibit B of the Guidelines), including freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. peak hours.
- Main line freeway monitoring locations (see Exhibit C of the Guidelines) where the project will add 150 or more trips, in either direction, during the a.m. or p.m. weekday peak hours.
- Caltrans must also be consulted to identify other specific locations to be analyzed on the State highway system.

If, based on these criteria, the TIA identifies no facilities for study, no further traffic analysis is required.

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T-2/ACCESS  
(01/07/99)

Attach.

**EXHIBIT A**  
**TRAFFIC IMPACT ANALYSIS REPORT CONTENTS CHECK LIST**

*Note: Before a full review is conducted, PW's staff will check the completeness of the Traffic Impact Analysis Report. If the Report is missing any of the items listed below, it will be returned for revision.*

CONTENT	YES/ NO	COMMENT
<b>Site Plan</b> <ul style="list-style-type: none"> <li>• Access locations</li> <li>• Interior circulation</li> </ul>		
<b>Trip Generation Rates</b> <ul style="list-style-type: none"> <li>• Institute of Transportation Engineers (ITE) trip generation rates</li> <li>• Documentation for alternate rates</li> </ul>		
<b>Trip Distribution</b> <ul style="list-style-type: none"> <li>• Regional</li> <li>• Local project (am/pm)</li> <li>• Local related projects(am/pm)</li> </ul>		
<b>Traffic Counts</b> <ul style="list-style-type: none"> <li>• Taken within one year</li> <li>• Date/Time</li> </ul>		
<b>Discounting</b> <ul style="list-style-type: none"> <li>• Internal trip discounts for mixed use developments</li> <li>• Pass-by trip discounts for commercial/retail developments</li> <li>• Backup</li> </ul>		
<b>Level of Service Calculations</b> <ul style="list-style-type: none"> <li>• Intersection Capacity Utilization (ICU) or Criteria Movement Analysis</li> <li>• 10 percent yellow clearance for ICU planning method</li> <li>• 1,600 vehicles per lane (vpl); 2,880 vpl for dual left-turn lanes for ICU planning method</li> <li>• Calculation sheets</li> <li>• Scenarios as required per Guidelines</li> <li>• Existing/Future lane configurations</li> </ul>		
<b>Signal Warrant Analysis</b> <ul style="list-style-type: none"> <li>• Peak-hour/Average Daily Traffic per the State of California Department of Transportation standards</li> </ul>		
<b>Mitigation Measures</b> <ul style="list-style-type: none"> <li>• Project impacts</li> <li>• Cumulative developments impacts</li> <li>• Projects percent share of the cost to mitigate cumulative development impacts</li> </ul>		
<b>Congestion Management Program Analysis</b>		

**LETTER NO. 25**

Los Angeles County  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

**Comment 25-1**

Thank you for providing an opportunity to comment on the above-referenced Draft Environmental Impact Report (DEIR) for the Village of Playa Vista, Phase II. Village of Playa Vista, Phase II is a proposal for a master planned community within the jurisdiction of the City of Los Angeles. The project consists of 2,600 dwelling units, 175,000 sq.ft. of office spaces, 150,000 sq.ft. of retail spaces, and 40,000 sq.ft. of community uses on approximately 100 acres. The project also includes a habitat creation/restoration component of approximately 12 acres. The project is bounded by Jefferson Boulevard to the north, Dawn Creek to the west, Campus Center Drive to the east, and Bluff Creek Drive to the south.

**Response 25-1**

These comments paraphrase portions of the Project Description. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 25-2**

The following responses to the DEIR for Phase II of the Village of Playa Vista Project were prepared by Los Angeles County Department of Regional Planning. Comments provided by Los Angeles County Department of Public Works, relating to Circulation, have been attached to this letter. Additional comments from the Department of Public Works are currently pending and will be submitted in subsequent correspondence.

In a review of this document, staff notes issues primarily relating to cumulative impacts associated with this project. Three items of particular concern include: 1) Impacts related to infrastructure and services. Facilities that provide services on a regional basis that could be shared by the new project were not sufficiently identified or discussed. 2) Proposed land use is not presented in a fashion that adequately explains how land use combinations can reduce vehicle trips, provide affordable housing and maintain a job/housing balance. 3) The DEIR fails to mention the Marina del Rey Local Coastal Program (LCP) in its regulatory framework. While the Marina del Rey LCP provides development guidelines for the Unincorporated Area adjacent to the project, its policies have area-wide implications. These issues are described in more detail below.



**Response 25-2**

The comment provides background information on the letter submittal. Specific comments regarding the Draft EIR and responses follow.

**Comment 25-3**

The DEIR does not indicate where routes for construction vehicles are proposed. Indicate proposed construction routes in mapped form and written description in the Final EIR.

The DEIR, on page 334, also proposes a construction traffic management plan that includes, “Rerouting construction trucks off congested streets.”

None of the streets proposed for diverted traffic are mentioned. Identify which streets would be impacted.

**Response 25-3**

Haul routes will be determined based on road conditions at the time of construction in accordance with the standard process set forth in the Los Angeles Municipal Code and the mitigation measures set forth on pages 903-904 of the Draft EIR in order to minimize traffic disruptions. As discussed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on pages 903-904, the Proposed Project will prepare a construction management plan, including haul routes, satisfactory to LADOT. As noted on page 904, prior to the issuance of any permit for the Proposed Project, required permits for the truck haul routes shall be obtained from LADOT, Caltrans, and other affected jurisdictions.

**Comment 25-4**

The proposed project will be conducted in phases. The assumption that mixed use will ensure a reduction in vehicle trips and air quality, as discussed in pages 294-296, must be substantiated with quantitative data related to traffic. This assumption should also be qualified that a reduction in vehicle trips associated with mixed land use may not be attained on a short term basis.

**Response 25-4**

The Project Design Features discussed on pages 294-296 of the Draft EIR are provided, in part, to: (1) illustrate the Proposed Project’s consistency with SCAG policy objectives for land development projects, such as the Proposed Project; and (2) discuss how these policy objectives serve to reduce air pollutant emissions. However, to provide a conservative assessment of Project impacts, the impact analysis did not consider the air emissions reductions related to potential reductions in vehicle miles traveled (VMT) that may result from implementation of these policy objectives or the mixed use nature of the Project.

**Comment 25-5**

Office and retail uses can attract employees and visitors from outside the project area that do not contribute to the jobs/housing balance. The amount of housing proposed to accommodate employees in lower income categories is not specified (see comments, Population, Housing and Employment). These air quality impacts must be better identified and discussed in the Draft EIR. As part of this discussion describe how well jobs/housing balance has been attained based upon the experience with Playa Vista Phase I; define how it relates to Playa Vista Phase II.

**Response 25-5**

The benefits of improving the balance between jobs and housing results from placing additional housing in areas that are “jobs rich” or jobs in areas that are “housing rich.” The geographic scale within which jobs and housing intermix with regard to realizing the benefits of jobs/housing balance typically extends beyond the boundaries of any one project, although the Proposed Project, in conjunction with the Playa Vista First Phase Project provides an opportunity wherein localized jobs/housing balance benefits are likely to accrue. The First Phase Project is included in the Draft EIR as Related Project No. 40 for purposes of cumulative impact analysis.

The jobs/housing measure is an indicator that compares ratios within relevant planning areas to those in the larger region. As described in Subsection 3.4.5 of Section IV.J, Population, Housing and Employment, of the Draft EIR, the Proposed Project would have an estimated internal ratio of 0.45 job per housing unit. This compares to estimated 2010 ratios of 2.76 and 1.38 for the Local Area and Region, respectively. Therefore, the Proposed Project would lower the ratio at the Local Area to one that is closer to the regional average, contributing to an overall balance by providing additional housing in a jobs-rich area. As such, the Project would make a beneficial contribution to the local ratio and would not have a significant adverse impact.

Information regarding housing for on-site employees is addressed in Response 25-9.

The comment speaks to the issue of jobs/housing balance, which will reduce over the long term the adverse impacts of the Proposed Project. The Draft EIR addresses the potential effects of the jobs/housing benefits of placing more residential units in an area already rich with jobs (i.e., the Los Angeles west side). Page IV-7 of Appendix K-2 of the Draft EIR calculates the average trip length of project trips. The information shows that the overall average trip length for the Proposed Project is 5.52 miles. This number should be compared to 8.77 miles, which is the average overall trip length for all trips in the SCAG region.<sup>3</sup> Based on the fact that jobs in the area are closer to the proposed housing in the Proposed Project, average trip lengths to/from the Proposed Project are estimated to be reduced by almost three miles per trip (a reduction of 33 percent) when compared to the average trip length in the remainder of the region.

<sup>3</sup> *1997 Model Validation and Summary, Regional Transportation Model, Southern California Association of Governments, 1997.*

It should be pointed out that the air quality analysis summarized in the Draft EIR did not base its conclusions on the reduced trip lengths discussed above, but rather took the conservative approach of using the regional default values included in the air quality models. Thus, the air quality analysis in the Draft EIR does not reflect the lower average trip length of project trips and, therefore, presents a conservative analysis of the air quality impacts of the Proposed Project.

### **Comment 25-6**

#### Land Use

When the DEIR describes the regulatory framework at the County level, it only references the Los Angeles County Airport Land Use Plan (Page 634). The Marina del Rey LCP is not mentioned in the DEIR. While the Marina del Rey LCP pertains to the county Unincorporated area, there are policies in the Marina del Rey LCP that have regional implications. These include circulation, public works, hazards, energy, industrial development, recreation and visitor serving facilities.

A discussion of land use designations and prevailing land use within Marina del Rey is also required for consistency of the proposed project on a regional level. Add another section in the DEIR that discusses the Marina del Rey LCP and how the proposal impacts or relates to policies in the Marina del Rey LCP.

### **Response 25-6**

The Draft EIR addresses the land use, regulatory framework for the Proposed Project in Subsection 2.1 of Section IV.G, Land Use. Regulations pertaining to the Project from the jurisdictions in which the Project is located are included. The Proposed Project is located outside of the boundaries of the County and the Marina del Rey LCP, approximately 1.1 miles to the east of the Plan boundary and 1.5 miles east of existing development. As such, the Proposed Project would not alter any of the land use designations nor existing uses within the Plan area.

Nonetheless, the Proposed Project does not conflict with the Marina del Rey LCP, a regional land use plan for the protection of the Coastal Zone, pursuant to the California Coastal Act. The aims of the Plan regarding land use are described in Section C.8 Land Use Plan (page 8-4). This LCP establishes the following principles regarding future development in the existing Marina portion of the LCP study area: “The future Marina will offer: increased boating opportunities, increased visitor-serving facilities, enhanced coastal access and harbor view opportunities, and additional residential units.” As such, the Plan anticipates and provides for future regional development consistent with the attainment of Coastal Act Policies. Development of the Proposed Project would not alter the regional roles of Marina del Rey as they occur today, or are anticipated within the Plan. Some residents of the Proposed Project, as members of the regional population, could be expected to visit some of the Marina facilities from time to time. To the extent this occurs, Project population would help to support the aims of the Plan and support businesses that have located within the Marina pursuant to its provisions and requirements.

Anticipated regional growth and the Proposed Project's contribution to that growth are identified in Table 105 on page 772 of the Draft EIR. Any new Marina development that is intended to serve regional growth would be consistent with the mandates of the Plan. Any future development within Marina del Rey would be subject to review by the County and would be required to mitigate its potential impacts per requirements of the Marina del Rey LCP and review under CEQA.

As the Proposed Project is located over a mile from the Marina, it would not generate effects on most environmental conditions covered by the Marina del Rey LCP, e.g. shoreline access, visual resources, hazards, energy, industrial development, etc. Two areas of potential effect are marine resources and circulation. These issues are addressed in Sections IV.C.(2), Water Quality, and IV.K.(1), Traffic and Circulation of the Draft EIR. As described in Subsection 3.4.1.2.9 of Section IV.C.(2), Water Quality, on page 508: "Considering all of the inputs to Santa Monica Bay, the quantity of stormwater runoff from the Proposed Project site is less than significant in comparison. In fact, the adjacent Playa Vista First Phase Project together with the Proposed Project results in net benefits to receiving waters listed in the Basin Plan, including the Ballona Wetlands, Ballona Estuary, and Santa Monica Bay." Refer to Table 44, Table 48, and Table 55, of Section IV.C.(2), Water Quality, of the Draft EIR on pages 479, 486, and 494, respectively, for the representative stormwater loads and concentrations to affected receiving waterbodies modeled. Accordingly, the Proposed Project would not have a significant impact with regard to marine resources.

The analysis in the Traffic Section evaluates impacts on roadway intersections within the Marina Area, and proposes mitigation measures to reduce Proposed Project impacts. As described on page 899 in the Traffic Analysis, mitigation measures are recommended for six Marina/County locations, including a fair share contribution for Palawan Way/Admiralty Way improvements consistent with the Los Angeles County Department of Public Works proposed Admiralty Way Corridor Improvements. With the implementation of the mitigation measures, impacts at all of the analyzed intersections in the Marina would be less than significant.

The Marina del Rey LCP's Public Works section includes policies for water and sewer services and fire and emergency services. The Proposed Project would have no impact on the utilities within the Marina. Future Marina development has been included as a related project in the analyses of cumulative impacts on water and sewer. Potential Proposed Project impacts on Fire and Emergency services, as well as Police Services (discussed in the Plan (page 12-3) but not included in the Policies section) and Libraries (not mentioned in the Plan) are discussed below in response to more specific comments on these topics.

Future Marina development is included as a related project in the Draft EIR: Related Projects 37.a. through 37.s., as identified in Figure 11 on page 194 and Table 5 on page 195. As such, Marina development is included within the cumulative analyses of the environmental topics, Sections IV.A through IV.(P).3, where applicable.

**Comment 25-7**

The Draft EIR notes “Regional Mixed Use” and “Light/Limited Industry” (Page 620). Define in more detail the uses permitted under these categories.

**Response 25-7**

These are terms that are used by the City of Los Angeles as General Plan/Community Plan designations. The Regional Mixed Use category is controlled by C2(PV) zoning, a Playa Vista zone designation defined in the Area D Specific Plan. Generally, this zone includes C2 and R5 uses. C2 zoning allows a range of neighborhood/office, community and regional commercial uses. R5 zoning allows for high density residential development. The zone was developed to encourage a mixed-use community inclusive of these uses. As indicated on page 620 of the Draft EIR, there is no area designated for Regional Mixed Use development within the Proposed Project site. Light/Limited Industry describes a range of uses, which for purposes of the Proposed Project are controlled by the M(PV) zone. This zone allows the C2 uses and a range of smaller light industrial use (e.g., limited machine shops, storage yards, etc.)

**Comment 25-8**

On page 268, the DEIR describes thresholds for significance as:

“The extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated and the duration of the disruptions”

“The number degree and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.”

Furthermore, on page 646 under the section, “Relationship to the Larger Region” the DEIR states that that the project would, “...contribute to the overall form of the region.”

There is no mention how the project would impact land uses within Marina del Rey, including open space, marine and visitor serving commercial. Add a discussion of how land use within Marina del Rey would be impacted.

**Response 25-8**

Please refer to Response 25-6. The cited sentence on page 646 reads in full: “The Proposed Project would contribute to a cluster of mixed-use activity pocketed between the surrounding communities and would contribute to the overall form of the region.” As such, within the Proposed Project, there would be a mix of uses, including many residential, retail, and recreational activities. It would have its own character and identity within the larger urban form, without changing the surrounding uses, nor disrupting surrounding communities. As described

in Response 25-6, above, the Proposed Project would support the aims of the Marina del Rey LCP, without causing any significant land use impacts from secondary activities.

### **Comment 25-9**

#### Population, Housing and Employment

On page 774, the DEIR notes that:

“The proposed project supports jobs/housing balance through the creation of a variety of housing units in combination with the development of employment opportunities.”

On page 778 in Table 106, it is further stated:

“The city is implementing specific programs to address the provision of affordable housing per the Regional Housing Needs Assessment.”

Aside from this brief discussion, no further explanation is provided as to how proposed housing development will accommodate the affordable housing needs of employees in office and service-related occupations. This discussion should be expanded to show how the Phase II development of Playa Vista will implement the City of Los Angeles Housing Element, and contribute to housing needs according to the SCAG Regional Housing Needs Assessment. In a similar fashion to Table 106, provide a listing of policies and programs of the City of Los Angeles Housing Element that are applicable to the project.

### **Response 25-9**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. As discussed in Section IV.J, Population, Housing and Employment, of the Draft EIR, the Proposed Project is anticipated to provide a range of housing types and sizes at corresponding cost levels. The Proposed Project does not result in the removal of any affordable housing units, or the relocation of any households residing in affordable housing units. As such, development of the Proposed Project would have a less than significant impact on affordable housing.

The Draft EIR provides a listing of the applicable policies in Subsection 2.1.2.1 of Section IV.J, Population, Housing and Employment, on page 746-748. The various features of those policies have been incorporated into the impact analysis in Subsection 3.4.3 on page 772: “The Proposed Project would meet or exceed all of the relevant housing policies contained in the Housing Element of the City General Plan and other relevant plans. The Project would provide housing across a wide range of sizes and rental costs that would also meet American with Disabilities Act (ADA) and equal opportunity practices and requirements. The Project would meet other City Housing Element policies by providing an integrated mixed use development with enhanced public realm streets, streetscapes and landscaping that encourage pedestrian activity and provide a network of bicycle trails that allow accessibility throughout the Project site. The Project by

itself, but also in conjunction with the adjacent Playa Vista First Phase Project, would create a residential and commercial center that is transit accessible and designed to facilitate the reduction of vehicle trips and vehicle miles traveled by locating commercial/retail uses in proximity to proposed residential development and employment sites. As the Proposed Project would be compatible with the City's adopted housing policies, a less-than-significant impact would occur."

### **Comment 25-10**

In addition, Table 104, (page 770), which lists housing units, makes no distinction or quantitative breakdown regarding types of housing units. A determination of whether a jobs/housing balance can be attained is not complete unless types of affordable housing are clearly distinguished and quantified in proposed housing estimates.

### **Response 25-10**

As described in Response 25-5, the jobs/housing ratios analyzed in the Draft EIR are calculated using standard methodologies based on large scale analyses that do not distinguish between housing costs and income levels at the Local area or Regional Level.

### **Comment 25-11**

Types of affordable housing also require better definition. The DEIR references "Assisted Living," but it is unclear exactly what this term means, regarding whether this is housing intended for seniors or persons with disabilities or whether it is a form of affordable housing. The DEIR should further clarify this definition and identify all potential affordable housing proposed by the project.

### **Response 25-11**

Assisted Living Units generally refers to a living arrangement in which personal care services (e.g. transportation, meals and housekeeping) are available as needed to people who still live on their own in a residential facility. With regard to affordable housing, please refer to Response 25-9.

### **Comment 25-12**

In a similar fashion to the comments for Air Quality impacts, describe how well jobs/housing balance has been attained based upon the experience with Playa Vista Phase I; define how it relates to Playa Vista Phase 11. [*sic*]

**Response 25-12**

Please refer to Response 25-5.

**Comment 25-13**

## Libraries

Library services are provided on a regional basis. The DEIR does not discuss library facilities within the adjacent Unincorporated Area, nor does it mention potential impacts associated with the project. The DEIR should be expanded to include a discussion of cumulative library impacts to the Unincorporated Area.

We advise you to respond to any subsequent comments that may be provided by Los Angeles County Public Libraries.

**Response 25-13**

The Draft EIR describes the Project's impacts on library services in Subsection 3.4.1 of Section IV.L.(5), Libraries, on page 1047. As indicated, the Proposed Project would be served by the City's Playa Vista Library currently under construction, with an opening expected in April 2004 (approximately 0.4 miles from the Proposed Project site), and the recently built Westchester/Loyola Village (approximately 1.0 mile from the project site), as well as the LMU library (the latter on a fee basis). The City libraries are new up-to-date facilities with capacity that exceeds the project and cumulative populations of their service areas. The City libraries are more easily accessible than the County Marina del Rey Library (approximately 1.0 mile from the project site) located on Admiralty Way. While some project population may select to use the County library, it is also likely that some County population would use the new City libraries thus relieving impacts on the County Library.

The Los Angeles County Library did in fact comment on the Draft EIR. The County Library letter, included as Letter 28, supports such usage of libraries. As indicated in Comment 28-1: "If the construction of the new Playa Vista Library, which is located approximately 0.4 mile west of the proposed project, is completed, the proposed Playa Vista Project would not result in a significant impact on library services at the Marina Del Rey Library."

**Comment 25-14**

## Circulation

Listed below are traffic Levels of Service (LOS) reported by the DKS Associates for the Marina del Rey LCP in 1990 compared with those reported in the DEIR for 2003:

Level of Service: Morning and Afternoon Peak Hour



<u>Intersection</u>	<u>1990 Existing LOS*</u>	<u>2003 Base LOS**</u>
Lincoln and Washington	F & F	D & E
Lincoln and Jefferson	F & E	C & C
Culver and Jefferson	E & F	C & B
Mindanao and Marina Expwy	D & E	B & D
Admiralty and Mindanao	D & E	C & E
Lincoln and Marina Expwy	D & E	D & E
Lincoln and Mindanao	D & E	D & E
Palawan and Admiralty	B & E	A & D

Source: Los Angeles County (1996) Marina del Rey Land Use Plan, Figure 10, page 11-9

\*\* Source: City of Los Angeles (2003) Draft Environmental Impact Report, Village of Playa Vista Table 115, pages 812-816.

Why have traffic conditions improved in most of these cases? Staff also questions how traffic conditions at Lincoln and Marina Expressway and Lincoln and Mindanao remained the same. How does the traffic analysis conducted for the DEIR account for this phenomenon?

#### **Response 25-14**

In most cases on the list, conditions have improved between 1990 and 2003 because of physical improvements that have been installed at the listed intersection over the last 13 years. Improvements along Lincoln Boulevard have been implemented that cover four of the eight intersections in the commentor's list. Likewise physical improvements have been installed at Culver/Jefferson, Mindanao/Marina Expressway, and Admiralty/Mindanao over that time period. In addition, the Lincoln corridor and the Admiralty corridor have both been improved through the installation of the latest traffic signal system technology (although the Draft EIR did not apply any credit for the Admiralty corridor signal enhancements, per County guidelines).

Table 1 on page 912 shows that the intersection performance reported in the Draft EIR is consistent with other traffic reports in the area (as identified on the table). Although all of the plans for the Marina have not been completed and some of the projects that were the subjects of these traffic reports have not been constructed, the traffic reports were reviewed and accepted by the Los Angeles County Department of Public Works. The level of service methodologies and the traffic counting procedures are consistent among these studies as they all used techniques required by the Los Angeles County Department of Public Works.

Table 1

INTERSECTION LEVEL OF SERVICE COMPARISONS

Intersection	Intersection Improved Since 1990	Time Period	Intersection Level of Service by Year and Source									
			1976	1982	1984	1989	1989	1990	1991	2000	2002	2003
			Source 1	Source 2	Source 3	Source 4	Source 5	Source 6	Source 7	Source 8	Source 9	Source 10
Lincoln/Washington	X	A.M.						F	F	C	C	D
		P.M.	E	F	F		F	F	F	D	E	E
Lincoln/Jefferson	X	A.M.						F	F	C		C
		P.M.					D	E	E	B		C
Culver/Jefferson	X	A.M.						E	E			C
		P.M.					F	F				B
Mindanao/Marina Expressway	X	A.M.						D	D/A	A/A		B
		P.M.					E	E/D	B/C			D
Admiralty/Mindanao	X	A.M.						D	D	D	C	C
		P.M.		C	C	E		E	E	D	E	E
Lincoln/Marina Expressway	X	A.M.						D	D	C	D	D
		P.M.		D	D		C	E	E	D	E	E
Lincoln/Mindanao	X	A.M.						D	D	C	C	D
		P.M.	D	D	D	C	C	E	E	C	E	E
Palawan/Admiralty		A.M.						B	B		A	A
		P.M.		C	C	C	C	E	F		D	D

- Source 1: Marina del Rey Transportation Study, Gruen Associates, 1976.
- Source 2: Marina del Rey Traffic Study, Gruen Associates, 1982.
- Source 3: Marina del Rey/Ballona Land Use Plan, Coastal Planning Section, 1984.
- Source 4: Marina del Rey Traffic Study, Gruen Associates, 1989.
- Source 5: City of Los Angeles Channel Gateway EIR, Planning Consultants Research, 1989.
- Source 6: Marina del Rey Land Use Plan, Coastal Planning Section, February 1996.
- Source 7: Marina del Rey Traffic Study, DKS Associates, 1991.
- Source 8: Traffic Study for Villa Venetia Apartments, Kaku Associates, 2000.
- Source 9: Traffic Study for Admiralty Way Corridor Improvement Project, Kaku Associates, 2003.
- Source 10: Village at Playa Vista Draft EIR, PCR Services Corporation, 2003.

**Comment 25-15**

Remaining comments on circulation have been addressed by Los Angeles County Department of Public Works in an attached memorandum dated December 11, 2003.

**Response 25-15**

This attached memorandum referred to by the commentor provides the same comments as Comments 24-10 through 24-16 in Comment Letter 24. As a result, please see Responses 24-10 through 24-16.

**Comment 25-16**

## Parking

Regarding Cumulative Parking Impacts the DIER, notes on page 952:

“The only related project in the immediate vicinity of the Proposed Project site is related Project 40, the Playa Vista First Phase project ... Cumulative impacts, inclusive of the Proposed Project, the Equivalency Program and the off-site improvements, would be less than significant.”

Cumulative impacts are not limited to areas in the immediate vicinity of the site, but can be apparent on a regional scale. Parking is a critical issue in Marina del Rey, yet there is no discussion of parking impacts for this area. With the preservation of Area “A”, and additional population generated by the proposed Playa Vista project, the demand for coastal-related activities within Marina del Rey will increase. The proposed project will generate trips to Marina del Rey and pose increased impacts on parking for marina and other coastal-related uses, parks and visitor-serving commercial development. Include a discussion of potential parking impacts in this area and how they will be mitigated.

**Response 25-16**

Parking demands for uses within the Proposed Project are not expected to extend beyond the Proposed Project. In addition, the Playa Vista First Phase Project will provide a weekend beach shuttle to Venice Beach. The Proposed Project will provide a separate demand-responsive shuttle to the beach and other uses within the Marina del Rey area. Both of these services will provide another option to Playa Vista residents and guests. Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 893 provides a summary description of this service. There would be no significant impact to the Venice beach shuttle service since that shuttle currently does not provide service to the Proposed Project site.

The Proposed Project would extend its shuttle service as part of the project mitigation program, thus reducing the parking demand generated by the Proposed Project.

By bringing patrons and project visitors to the Marina and area beaches via shuttle rather than automobiles, the mitigation program for the project will mitigate the Proposed Project's impact on the beach and coastal resources.

### **Comment 25-17**

#### Fire Protection

The Marina del Rey LCP cites a future need for a cooperative agreement between the City of Los Angeles and the County to cover a certain portion of the Fire Department Service area (page 12-3).

There is no discussion in the DEIR of cumulative impacts on other regional fire protection and paramedic services such as those provided by the Los Angeles County Fire Department within the adjacent Unincorporated area. The DEIR also does not discuss existing County fire protection facilities that could potentially serve the new development in certain situations. Expand the discussion of impacts on fire protection and paramedic services for the Unincorporated area in the DEIR. We advise you to respond to any subsequent comments provided by Los Angeles County Fire Department.

### **Response 25-17**

The Marina del Rey LCP is discussed, generally in Response 25-6, above. The Marina del Rey Land Use Plan, February 8, 1996, states on page 12-3: "Marina del Rey has its own County-supported fire department located at the end of the Main Channel. It is anticipated that intensified Marina development [emphasis added] may necessitate expansion of the existing fire department services. This expansion could involve a cooperative agreement with the City of Los Angeles Fire Department to handle a certain portion of the service area." The policy portion of the Plan on page 12-5, states that "[t]he new fire facility shall be funded and constructed as its need is determined in the environmental studies." There is no further policy statement as to funding mechanisms.

The Proposed Project is located approximately 1.1 miles east of Marina del Rey and does not propose any Marina development as a component of its Project. The reference to a cooperative agreement between the City and County is suggestive of one means for providing services for new development in the Marina, not for the Proposed Project. The County and City may choose to explore such options in the future. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

As discussed and analyzed in Section IV.L.(1) Fire Protection, of the Draft EIR, starting on page 965, the Project site would be served by the Los Angeles City Fire Department, and would not rely on the County to provide fire protection and paramedic services. Cross jurisdictional services occur across jurisdictions throughout the region, and sometimes across even larger geographic areas. Such services are required in extreme emergencies, and are not common. The

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Los Angeles County Fire Department did submit a letter and did not specify any concerns regarding these issues.

**Comment 25-18**

## Police Protection

There is no discussion in the DEIR of impacts on law enforcement services provided by the County Sheriff, in the County Unincorporated Area. Expand the discussion of potential impacts for the Unincorporated area in the DEIR. We advise you to respond to any subsequent comments that may be provided by this Department.

**Response 25-18**

As discussed and analyzed in Section IV.L.(2) Police Protection, of the Draft EIR, starting on page 985, the Project site would not rely on the County to provide police services for the Proposed Project site. The County Sheriff has provided a comment letter on the Draft EIR. Please refer to Letter 28 for the Sheriff's comments and related responses.

**Comment 25-19**

## Parks and Recreation

The DEIR indicates County park facilities within a two-mile radius of the proposed project on page 1026. As the project is located inland, the proposed development potentially generates increased usage of parks and recreation facilities, especially those providing coastal recreation activities. The DEIR should include a discussion of potential cumulative impacts to parks and recreation facilities in Marina del Rey. We advise you to respond to any subsequent comments that may be provided by Los Angeles County Parks and Recreation.

**Response 25-19**

The Draft EIR identifies all parks within a 2-mile radius of the Proposed Project site. In so doing, it describes the parks falling within the 2-mile radius that are located in Marina del Rey (Subsection 2.2.1.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1025).

As described, in Response 25-6, above, the purpose of future land use as described in the Marina del Rey Plan is to serve a regional population with increased boating opportunities, increased visitor-serving facilities, enhanced coastal access and harbor view opportunities. As such, the Plan establishes policies and land use designations to provide recreational services for anticipated visitors. The Proposed Project population is an anticipated component of the regional population, and would contribute somewhat to the usage of the County facilities.

At the same time, the Proposed Project has been designed to meet the recreational needs on-site, without creating a necessity for Proposed Project population to seek recreational activities elsewhere, thus utilizing the Marina for its unique, intended regional function. Project impacts on parks would be less than significant. The Proposed Project includes 12.4 acres of land set aside for active recreational opportunities for the Proposed Project's population, including 11.4 acres of on-site parks within walking distance of all Project population. Further, the Applicant proposes to fund, construct and maintain the amenities and facilities on the parks within the site. While specific programming of the activities and amenities for the parks within the Proposed Project has not occurred at the present time, Subsection 3.3.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1033 states:

“In addition to providing this parkland, the Proposed Project would include the improvement of these parks with landscaping, hardscaping, walking, jogging and bicycle trails, children's play areas, recreational fields and other recreational facilities, (i.e. basketball courts, skating rings, etc.) with an emphasis on active activities, as appropriate.”

In addition to the parks proposed within the Proposed Project, project residents will have access to the park and recreational facilities contained in the adjacent First Phase Project. All residents at the Proposed Project will be members of the Centerpointe Club, which is a 26,000-sq.ft. community center located in the adjacent First Phase Project at Playa Vista. The Centerpointe Club contains numerous meeting rooms, a business center, a screening room, a fully equipped fitness center, 2 swimming pools and a spa, and will offer community programs such as exercise, dance and craft classes. This facility is intended to meet the demand for these recreational activities, thereby alleviating any potential impacts at off-site locations. When complete, the First Phase Project will also include a minimum of 28.6 acres of active open space uses, providing a wide range of recreational opportunities ranging from soccer fields, baseball fields, a concert park with an outdoor amphitheatre, an off-leash dog park, and other recreational uses. Therefore, it is expected that any impacts on the County's recreational resources by Project population would be small, and consistent with the use of the facilities in the regional serving context. The Los Angeles County Parks and Recreation Department has not submitted comments on the Draft EIR.

### **Comment 25-20**

In, summary, staff has determined that additional information analysis is required to assess impacts and develop appropriate mitigation for cumulative impacts on the provision of infrastructure and services, air quality, and land use. Further comments, to be provided by other Departments, may also be forthcoming. We request that you respond to any subsequent comments. Should you have any further questions, don't hesitate to contact me at (213) 974-6443.

### **Response 25-20**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 25-21**

As requested, we have reviewed the subject documents. The proposed project is located on a 110-acre site generally bounded by Jefferson Boulevard to the north, Campus Center Drive to the east, Bluff Creek Drive to the south, and Dawn Creek to the west in the City of Los Angeles.

The proposed project consists of the development of 2,600 dwelling units, 175,000 square feet of office space, 150,000 square feet of retail space, and 40,000 square feet of community serving uses. The project is estimated to generate approximately 24,220 trips daily, with 1,626 and 2,302 trips during the a.m. and p.m. peak hours, respectively.

We reviewed the traffic impact study under County guidelines. We agree with the study that the project alone will significantly impact the following County and or County/City intersections and roadways:

Lincoln Boulevard at Bali Way  
 Lincoln Boulevard at Fiji Way  
 Lincoln Boulevard at Marina Expressway  
 Lincoln Boulevard at Mindanao Way  
 Admiralty Way at Mindanao Way  
 Palawan Way at Admiralty Way  
 Sherbourne Drive at Centinela Avenue

The study mentions that the project will provide the following mitigation measure to reduce the impact to less than significant:

- Contribute to the design and implementation of a Transit Priority System (signal system components) along Lincoln Boulevard.
- Contribute to the design and implementation of an Expanded Internal Shuttle System serving the Marina del Rey area.
- Contribute to the design and implementation of the Adaptive Traffic Control System at the intersection of Sherbourne Drive at Centinela Avenue.
- The project shall pay its fair share of the Marina del Rey Local Coastal Plan transportation fee of \$5,690 per p.m. peak-hour trip of 68 trips, which the project added to the intersection of Lincoln Boulevard at Fiji Way. The fee will contribute to mitigate the project's impact at the intersections along Lincoln Boulevard and Admiralty Way in the County's jurisdiction. At Palawan Way and Admiralty Way, the improvement consists of providing dual left-turn lanes on the north approach. With this improvement, the north approach will consist of two left-turn lanes, one through lane, and one exclusive right-turn lane.

According to the City of Los Angeles Department of Transportation's (LADOT) interdepartmental correspondence dated August 11, 2003, the Los Angeles County Metropolitan Transportation Authority has identified Lincoln Boulevard as one of the corridors for which the Metro Rapid Bus Program will be implemented by 2008. It should be noted that the project

completion date is 2010. The proposed project shall provide design and implementation costs for the Transit Priority System (signal system components) associated with the Metro Rapid Bus Program along Lincoln Boulevard.

### **Response 25-21**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The comment lists improvements that are consistent with the improvements outlined in Subsection 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 899.

### **Comment 25-22**

We support the Expanded Internal Shuttle System as described in the traffic study and in the LADOT interdepartmental correspondence. However, the study should state who will monitor the operation of the system, who will be responsible for the maintenance of the system, and how many years the project will be responsible for the maintenance costs. We also recommend the fixed route be expanded to outlying areas should the demand materialize.

### **Response 25-22**

The comment supports the expansion of the internal shuttle system as called for as part of the mitigation program described in Section I.G, Summary of Project Impacts, of the Draft EIR in Table 1 on page 84.

The internal shuttle will be operated and funded by the Playa Vista Homeowners' Association for the life of the Proposed Project. Implementation of this system will be monitored through the MMRP. It is anticipated, as the commentor suggests, that the shuttle service may evolve over time in response to demand.

### **Comment 25-23**

For other alternative mitigation measures, the study should look at the proposed design alternatives that are being recommended for Lincoln Boulevard by the Lincoln Corridor Task Force (LCTF). We recommend the project consultant coordinate with the LCTF to integrate Playa Vista's proposals with recommendations by the LCTF. The LCTF first phase study should be completed in January 2004.

### **Response 25-23**

With implementation of the mitigation program discussed in the Draft EIR and in Section II.15, Corrections and Additions, of the Final EIR on page 216, the Proposed Project would not have any significant traffic impacts. Nevertheless, as discussed on page 7 of Appendix K-1 of the



Draft EIR, in the event the Lincoln Corridor Task Force adopts a set of regionally superior traffic improvements that are equivalent or superior in mitigating the project-related traffic impacts of the Proposed Project, prior to implementation of the Proposed Project or its mitigation measures the City may require the Proposed Project to contribute towards the implementation of the Task Force's improvements in an amount not greater than the Project improvements being superceded.

**Comment 25-24**

If the Transit Priority System and the Expanded Internal Shuttle System are used as mitigation measures, a study should be completed on the operation of these systems. The study should focus on the effectiveness of both systems mitigating the project impacts at the affected intersections. If the study finds that these systems are not mitigation the project impacts, then the project should be responsible to improve the Transit Priority System and/or the Expanded Internal Shuttle System or determine other feasible mitigation measures that can be used to mitigate the project's impact to less than significant.

**Response 25-24**

The effectiveness of the transit mitigation measures is discussed in Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455.

**Comment 25-25**

The implementation of the proposed transportation improvements should follow the Transportation Improvement Phasing Plan as described in Attachment F of the LADOT interdepartmental correspondence.

**Response 25-25**

The mitigation phasing plan approved by LADOT, which is Appendix F of the LADOT Assessment Letter, is found in Appendix K-1 of the Draft EIR. An Amended LADOT Assessment Letter is included in the Appendices to the Final EIR. The Proposed Project will be required to comply with the Phasing Plan as approved by LADOT. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 25-26**

Based on the traffic study, the cumulative traffic generated by the project and other related projects will have a significant impact at the following County and or County/City intersections:

Lincoln Boulevard at Bali Way  
Lincoln Boulevard at Fiji Way  
Lincoln Boulevard at Marina Expressway

Lincoln Boulevard at Mindanao Way  
 La Cienega Boulevard northbound at Slauson Avenue  
 Palawan Way at Washington Boulevard  
 Via Marina at Washington Boulevard  
 Admiralty Way at Bali Way  
 Admiralty Way at Mindanao Way  
 Admiralty Way at Palawan Way  
 Admiralty Way at Via Marina  
 Alvern Street at Centinela Avenue  
 La Tijera Boulevard at Slauson Avenue  
 Fairfax Avenue at Slauson Avenue  
 La Brea Avenue at Slauson Avenue  
 La Brea Avenue/Overhill Drive at Stocker Street  
 San Diego Freeway northbound on/off-ramp at Century Boulevard

### **Response 25-26**

The commentor's list is not reflective of the data in the Traffic Study in Appendix K-2 of the Draft EIR. See also Table 119 on page 847 of the Draft EIR.

### **Comment 25-27**

The County's methodology shall be used when evaluating County and/or County/City intersections as stated in the attached Los Angeles County Traffic Impact Analysis Report Guidelines. The level of service analysis for the intersections and roadways analyzed shall be conducted for the following traffic scenarios and the project's build-out shall be indicated in (b):

- (a) Existing traffic
- (b) Existing traffic plus ambient growth to the Year 2010 (preproject)
- (c) Traffic in (b) plus project traffic
- (d) Traffic in (c) with the proposed mitigation measures (if necessary)
- (e) Traffic in (c) plus cumulative traffic of other known developments
- (f) Traffic in (e) with the proposed mitigation measures (if necessary)

The study should include feasible transportation improvements that mitigate the cumulative impacts to less than significant. The project should contribute their fair share costs, as described in the Traffic Impact Guidelines, for the implementation of any mitigation measures for cumulative significant impacts.

If you have any questions, please contact Nickolas VanGunst of our Traffic Studies Section at Extension 4766.

**Response 25-27**

The methodology used in the traffic analysis for the Proposed Project was the methodology required by the Lead Agency—the City of Los Angeles. No request was made by the Los Angeles County Department of Public Works for an alternate methodology at the time of the Notice of Preparation. As stated on pages 4 and 6 of the commentor’s letter, the commentor agrees with the conclusions of the analysis in terms of the project impacts, mitigation measures and cumulative impacts of the Proposed Project.

**LETTER NO. 26**

County of Los Angeles Fire Department  
1320 North Eastern Avenue  
Los Angeles, CA 90063-3294

**Comment 26-1**

The Draft Environmental Impact Report for the Village at Playa Vista Community Development Project has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

**PLANNING DIVISION:**

We have not been able to access this document on-line. In the absence of a hard copy, we cannot comment on it.

**LAND DEVELOPMENT UNIT:**

This project is located entirely in the City of Los Angeles. Therefore, the City of Los Angeles Fire Department has jurisdiction concerning this project and will be setting conditions. This project is located in close proximity to the jurisdictional area of the County of Los Angeles Department. However, this project is unlikely to have an impact that necessitates a comment concerning general requirements from the Land Development Unit of the Los Angeles County Fire Department. Should any questions arise, please contact Inspector J. Scott Greenelsh at (323) 890-4235.

**FORESTRY DIVISION:**

The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. The areas germane to these statutory responsibilities have been addressed.

If you have any additional questions, please contact this office at (323) 890-4330.

**Response 26-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 27**

Los Angeles County Public Library  
7400 East Imperial Hwy. P.O. Box 7011  
Downey, CA 90241 7011  
(562) 940 8461, TELEFAX (562) 803 3032

December 19, 2003

**Comment 27-1**

This is in response to your request for comments on the library portion of the Environmental Impact Analysis for the proposed Playa Vista Project in the City of Los Angeles.

The closest County of Los Angeles Public library to the proposed Playa Vista Project is the Lloyd Taber-Marina Del Rey Library (4533 Admiralty Way). Based on current County Library service level guidelines, this 7,443-sq. ft. facility is suitable for its current service population. However, this service area population is exclusive of some population in adjacent Los Angeles City library service areas who may find Marina Del Rey Library closer than other Los Angeles City libraries. Our service area population projection of approximately 16,000 will exceed the capacity of the Marina Del Rey Library and would require mitigation measures.

If the construction of the new Playa Vista Library, which is located approximately 0.4 mile west of the proposed project, is completed, the proposed Playa Vista Project would not result in a significant impact on library services at the Marina Del Rey Library. However, if the Playa Vista Library is not completed, the new population from the proposed project may result in an even higher demand for library services at the Marina Del Rey Library from residents in the City of Los Angeles. This would adversely affect the service capacity of the Marina Del Rey library to adequately serve the residents of its own service area.

The County Library does not currently have a measure to mitigate the impact of existing and new population on its library services from other library jurisdictions.

If you have any questions, or need additional information, please feel free to contact me at (562) 940-8450.

**Response 27-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Draft EIR describes the Project's impacts on library services in Subsection 3.4.1 of Section IV.L.(5), Libraries, on page 1047. As indicated, the Proposed Project would be served

by the City's Playa Vista Library currently under construction, with an opening expected in April 2004 (approximately 0.4 mile from the project site), and the recently built Westchester/Loyola Village (approximately 1.0 mile from the project site), as well as the LMU library (the latter on a fee basis). As the commentor notes, there will be no significant impact on libraries with the construction of the library in the First Phase Project.

**LETTER NO. 28**

Los Angeles County  
Gary T. K. Tse, Director  
Facilities Planning Bureau  
Sheriff's Department Headquarters  
4700 Ramona Boulevard  
Monterey Park, CA 91754-2169

**Comment 28-1**

This is in response to your letter dated September 18, 2003, requesting our Department to review the Draft Environmental Impact Report (EIR No. Env-2002-6129), for the proposed Village at Playa Vista Project. We have identified several concerns that might have future impact upon the Marina del Rey Sheriffs Station and the Sheriffs Department. Below are the comments from Captain Samuel Dacus of the Marina del Rey Sheriffs Station.

It should be noted that this project is located within the City of Los Angeles, however, it is adjacent to a County unincorporated area, Marina del Rey.

**Response 28-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 28-2**

Based upon existing service ratios for law enforcement services in the planned community, the projects site population of approximately 5,720 residents and 1,180 employees of retail businesses, would generate a need for eight (8) new L.A.P.D officers. This increase in population indirectly impacts the Marina del Rey Station's operation.

**Response 28-2**

The comment paraphrases portions of Section IV.L.(2), Police Protection, and reflects the Project's affect on the demand for police officers, if current service levels in the LAPD Pacific Division were to be maintained. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 28-3**

Marina del Rey is a well known recreational area for the Southern California region. It is therefore projected that residents from Playa Vista will frequent the restaurants, shops and boating activities available in the marina. A corresponding increase in the crime rate should be expected. Secondly, these projected population increases will impact roadways in and around the marina. Response times to both emergent and non-emergent calls will be increased, not only within the marina proper, but also to the Eastern reporting districts of the Marina Station.

Current staffing only allows for two (2), one-deputy cars per shift in the marina. To mitigate this, I would recommend an increase of 4.5 deputies, with the corresponding number of vehicles, be added to the Marina Station's compliment of sworn personnel. Additional professional staff positions, in a supporting role, will also be necessary.

**Response 28-3**

As described in the Marina del Rey LCP (Section C.8, Land Use Plan, page 8-4), the following principles are intended to guide development in the existing Marina portion of the LCP study area: "The future Marina will offer: increased boating opportunities, increased visitor-serving facilities, enhanced coastal access and harbor view opportunities, and additional residential units." Any future development within Marina del Rey would be subject to review by the County and would be required to mitigate its potential impacts per requirements of the Marina del Rey LCP and review under CEQA.

The Proposed Project includes residential development, local serving retail uses and space for professional offices (i.e., doctors, dentists, banks, real estate offices, etc.). These uses are located within the City of Los Angeles 1.5 miles east of existing Marina development, and would be served by the Los Angeles Police Department. There is nothing in the nature of the proposed uses that would necessarily indicate an increase in crime in the County. Notwithstanding, some residents of the Proposed Project, as members of the regional population, could be expected to visit some of the Marina facilities from time to time. To the extent this occurs, Project population would help to support the aims of the Marina del Rey LCP and support businesses that have located within the Marina pursuant to its provisions and requirements. Increases in visitor activity may require additional policing activities. Anticipated regional growth and the Proposed Project's contribution to that growth are identified in Table 105 on page 772 of the Draft EIR. It is not expected that any such increase will be material.

The comment regarding the need for additional staffing is noted and will be incorporated into the Final EIR for review and consideration of decision makers. The basis for the commentator's estimate of the number of deputies needed is not stated.

The Draft EIR analyzes the Project's traffic impacts in Section IV.K.(1), Traffic and Circulation, starting on page 798. See also Section II.15, Corrections and Additions, of the Final EIR. The analysis evaluates impacts on 218 intersections including 25 locations in unincorporated County areas, 5 locations on Admiralty Way in the Marina, and numerous other Marina and Marina-



adjacent locations. Traffic mitigation measures are proposed for six Marina related locations on page 898 of Subsection 4.0, Mitigation. Impacts at all of the County related intersections would be less than significant. Further, the Project's mitigation measures would not only mitigate Project impacts, but would also mitigate some impacts from regional growth. As described in Subsection 6.0, Cumulative Impacts, on page 941: "On a system-wide basis, the average performance of the transportation system measured by intersection V/C ratios would be better during both peak hours under future cumulative conditions with the Proposed Project and mitigation measures than that under the future 2010 baseline conditions without the project."

**Comment 28-4**

Based on Captain Samuel Dacus' assessments, and the fact that the Marina del Rey Sheriffs Station's [sic] has no room for expansion, as well as the current outdated station infrastructures, alternatives should be considered to accommodate the increase in staffing to support the projected additional sworn and professional staffing required to support the village at the Playa Vista.

**Response 28-4**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 29**

Airport Marina Counseling Service  
Lance Lipscomb  
7891 La Tijera Boulevard  
Westchester, CA 90045

**Comment 29-1**

I am writing to you in support of the Playa Vista project and its second phase, The Village.

The Board of Directors of the Airport Marina Counseling Services met with representatives of Playa Vista. We had the opportunity to review the proposed project and to ask questions regarding related issues.

We believe that Playa Vista addresses the critical jobs/housing imbalance, provides numerous new parks and retains everything west of Lincoln Boulevard as open space. Urban planners will be pleased with The Village as it does exactly what they talk about regarding mixed-use and communities that enable residents to live, work, and play in the same neighborhood without getting in their cars.

The Village is the final Playa Vista project that will result in completing the tapestry that began many years ago.

**Response 29-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**LETTER NO. 30**

Ballona Wetlands Land Trust  
P.O. Box 5623  
Playa del Rey, California

**Comment 30-1**

The attached comment letter on the above-referenced DEIR is submitted by the Playa Vista Phase Two EIR Committee of the Ballona Wetlands Land Trust. This comment letter constitutes a joint effort on the part of many individuals who took part in reading the DEIR, reaching out to experts for review of the most significant sections of the DEIR, and drafting the comment letter's text.

We'd like to thank the LA City Planning Department in advance for thoroughly reviewing and considering these comments. As you know, fully complying with the letter and spirit of the California Environmental Quality Act (CEQA) will ensure that the decision-makers, and the public they represent, are fully informed about the potential environmental impacts of proposed projects before formal decisions are made. We fully recognize this is often times a difficult, albeit invaluable, public duty. We therefore wish to work closely with Department staff to ensure thorough documentation of this proposed project and offer creative solutions to the negative impacts the proposed project would have on our communities and the environment.

To that end, based on the substantial deficiencies and inaccuracies in the DEIR, we respectfully request that the Department issue a revised DEIR, and re-circulate it for public review. Thank you.

Sincerely,

Members of the Playa Vista Phase Two DEIR Committee

cc: Councilmember Cindy Miscikowski

**Response 30-1**

The comment provides background information on the letter submittal in light of the organization's review of the Draft EIR. Specific comments regarding the review of the Draft EIR and responses follow.

The comment also requests that a revised Draft EIR be issued and re-circulated. CEQA Guidelines Section 15088.5(a) requires a lead agency to re-circulate an EIR when "significant new information is added to the EIR..." This CEQA Guidelines Section further defines new significant information to include the following circumstances:

- 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 that 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.

With regard to the Draft EIR, no such circumstances have occurred. There is no evidence of new significant environmental impacts from the Project or from a new mitigation measure that has been identified subsequent to circulation of the Draft EIR. There is no evidence of a substantial increase in the severity of significant environmental impacts identified in the Draft EIR. There is no evidence of feasible project alternatives or considerably different mitigation measures which would avoid significant impacts and which have been rejected by the Applicant. The Draft EIR was prepared in accordance with CEQA guidelines and has not been demonstrated to be deficient or inaccurate. In addition, the Draft EIR circulation process of 120 days, from August 21, 2003, to December 22, 2003, provided substantial opportunity for meaningful public review and input. As such, the Draft EIR has met the requirements of CEQA and need not be re-circulated.

As described in CEQA Guidelines Section 15088.5(b), recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The Corrections and Additions to the Draft EIR make only minor changes and the information contained in the responses to comments merely clarify and amplify the information in the Draft EIR.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-2**

Comments to the Environmental Impact Report  
for the  
Proposed Playa Vista Phase II Development  
Written and compiled by the Ballona Wetlands Land Trust's Playa  
Vista Phase Two DEIR Committee

Committee Members  
David Brown, ALA  
David Dichner, Certified Public Accountant, member, National Assoc. of Valuation Analysts

Dean Francois, Redondo Beach Public Works Commissioner  
 Joe Geever, Environmental Programs Director, Surfrider Foundation -- South Bay Chapter  
 Dr. John Montgomerie, Emeritus Professor of Medicine, Keck School of Medicine, University of Southern California  
 Kathy Knight, Sierra Club - Airport Marina Group  
 Laurel Roennau, Transportation Planner  
 Mary Davis, Director, Ballona Wetlands Land Trust  
 Rex Frankel, President, Ballona Ecosystem Education Project  
 Sabrina Venskus, Attorney at Law  
 Tom Geever, ALA, Licensed California Architect and General Contractor

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## Response 30-2

This comment provides background information on the letter submittal, and provides a Table of Contents that lists the topics addressed in the letter. Specific comments regarding the review of the Draft EIR and responses to those comments follow.

**Comment 30-3**

## SECTION I: EXECUTIVE SUMMARY

This section fails to address the alternatives that were not considered.

**Response 30-3**

The Draft EIR provides a full discussion of the Alternatives Considered but Rejected in Subsection 3.2 of Section VII, Alternatives, on page 1263. The Executive Summary provides a discussion of the alternatives analyzed in the Draft EIR in Section I.F on page 9. Although not required by CEQA, a further explanation regarding rejected alternatives will be added to the Executive Summary.

Please refer to Section I, Executive Summary, of the Final EIR for the revision to the Draft EIR located in Volume I, Book 1, Section I.F.

**Comment 30-4**

The summary references project objectives which are outdated and have been conveniently described so that other alternatives were not considered. The objectives are not detailed until Section II C. See our comments in Section II C and change accordingly in this section as well.

**Response 30-4**

The Executive Summary beginning on page 1 of the Draft EIR provides a brief summary of the proposed actions and their consequences pursuant to Section 15123 of the CEQA Guidelines. As noted in this comment, specific comments on the objectives and responses to those comments follow.

**Comment 30-5**

Under Discretionary Actions Requested and Permits Required (Section 2.0), the DEIR should state that the applicant is seeking an increase in entitlements—about 20 times what the current zoning allows under the Specific Plan.

**Response 30-5**

The section cited, Section 2.0 of the summarized Project Description that is provided in the Executive Summary, accurately identifies amendments to the plan and zoning maps and proposals to amend the entitlements. The statement in this comment regarding the increase in development density is not accurate. As compared to the existing amounts of development

described in the Specific Plan, the Proposed Project would increase the amount of development for residential use by 2,600 units, but would also reduce the amount of development for retail uses by 465,000 sq.ft. (76 percent less than allowed under the current Specific Plan), and the amount of development for office uses by 1,583,050 sq.ft. (90 percent less than allowed under the current Specific Plan). The Project would also specifically provide for 40,000 sq.ft. of community serving uses whereas the existing Specific Plan specifies no amount, but anticipates such uses commensurate with other development. Also, 600 hotel rooms permitted under the Specific Plan would not be built (a 100% reduction). Subsection 3.4.1.1.4.2 of Section IV.G, Land Use, on page 636, provides a detailed comparison of the provisions of the existing plans and the Proposed Project. Subsections 4.2 and 4.3 of Section VII, Alternatives, on pages 1278 and 1300, respectively, provide comparative analyses of impacts that would occur pursuant to existing regulations versus those of the Proposed Project.

### **Comment 30-6**

## **SECTION II: PROJECT DESCRIPTION**

### **C. Statement of Objectives**

This section requires complete overhaul. The objectives are inconsistent with one another. Many objectives are construed to eliminate certain viable alternatives.

For example, on pages 171 & 172, bullet 7 states that an objective is “to provide up to 2600 new houses and apartments to help meet market demands...” This should be removed. Obviously if we are attempting to create jobs and subsequent housing in a same community consistent with other objectives, we are not filling existing housing market demands. For the same reason, bullet 1 and 11 should also be removed. Bullet 13, “improve transportation systems ... brought about by the project” is simply a result and a mitigating factor and should not be an objective.

The 14th or last bullet on page 172 should be eliminated. It is illogical to include as an objective the creation of construction jobs. Any development or action that spends money creates jobs. In addition, these jobs are temporary, then taxing the states’ unemployment system.

On pages 173 & 174, bullet 1 assumes population growth and need for employment. This should be eliminated. Bullet 2 is inconsistent with itself. One cannot encourage the development suggested and conserve existing neighborhoods and related districts. The proposed project does not conserve neighborhoods anyway.

### **Response 30-6**

Section II.C, Statement of Objectives, of the Draft EIR on page 171 includes a statement of the Applicant’s objectives that is consistent with the requirements of Section 15124(b) of the CEQA Guidelines. The Project Objectives state the underlying purpose of the Project and are sufficient for developing and analyzing a reasonable range of alternatives. The bullets referred to are individual aspects of the overall objectives that include the provision of housing to meet demand

in a mixed-use concept. The proposed 2,600 new housing units would contribute to the supply of housing in the region. The Proposed Project provides housing at a much larger ratio of housing to jobs than the regional average, thus supporting the objective of “net” housing growth. This occurs in the context of a community that includes employment and the benefits of a mixed-use, neighborhood oriented configuration. (The Draft EIR analyzes the jobs/housing ratio in Subsection 3.4.5 of Section IV. J, Population, Housing and Employment, on page 774. As indicated, the six-county SCAG region is forecasted to have a jobs/housing ratio in 2010 of 1.36, and a ratio in the Local Area of 2.76. The Proposed Project would have a jobs/housing ratio of 0.45, improving the Local Area to a ratio that is closer to the regional average.) Development provided in higher density projects, such as the Proposed Project, redirects development pressure away from surrounding existing land use. Thus, the comment is incorrect in its conclusion that bullets 1, 7, and 11 should be removed.

Bullet 13 is also appropriate. Bullet 13 states: “To improve the transportation systems in the area in a manner that addresses changes brought about by the Proposed Project.” The Proposed Project includes as Project Design Features transportation improvements that have been incorporated into the Project Design, prior to the implementation of mitigation measures that are required to reduce Proposed Project impacts. As described in Subsection 3.3 of Section IV.K.(1), Traffic and Circulation, on page 837, the Proposed Project not only includes a system of internal streets, it also includes two regional roadway improvements (the completion of Bluff Creek Drive and the widening of Jefferson Boulevard) and the implementation of an internal shuttle system that would then be extended as described in the proposed mitigation measures.

Bullet 14 has been cited out of context. It states in full: “To create thousands of jobs and provide a substantial boost to the local economy.” This objective is not inconsistent with other objectives, nor does it detract from purpose of the Proposed Project as stated. Construction jobs are not temporary to the extent construction workers move from one construction project to another. There is no evidence submitted that construction workers are a drain on the State’s unemployment system.

Finally, with respect to bullets 1 and 2 on pages 173 and 174, respectively, these bullets are City of Los Angeles adopted objectives and policies, as stated on page 174 and as discussed further in Section IV.G, Land Use, of the Draft EIR. As discussed in Subsection 3.0 of the Draft EIR, beginning on page 626, the Proposed Project would provide continuity with adjacent developments and would be consistent with these policies.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-7**

The project description needs to include a statement that the applicant is requesting a major change to the current Specific Plan. Specifically, the project description should mention that the proposed Project requires a major upzoning in Area D-2.



**Response 30-7**

Section II.B, Project Characteristics, of the Draft EIR on page 168 specifically states the Proposed Project is requesting an amendment to the Specific Plan. (See also Subsection 3.4.1.1.4.2 of Section IV.G, Land Use, on Page 636.) Please see Response 30-5.

**Comment 30-8****SECTION III: GENERAL DESCRIPTION OF ENVIRONMENTAL SETTING**

Please address the following comments and respond to the following questions in a revised DEIR:

a) The description of the environmental setting is inaccurate

The baseline is established at the time the Notice of Preparation (NOP) is issued. CEQA Guidelines § 15125. The NOP for the Phase Two project was first issued in 1995, and then again in November, 2002. In 2003, several months after the second NOP was issued for this project, the applicant began illegally stockpiling dirt in the proposed Project area, south of Runway Road.<sup>1</sup> At around the same time, the applicant excavated 125,000 cubic yards of native and non-native soil to construct a very large stormwater detention basin. These activities included surcharging, filling delineated wetlands and non-delineated wetlands, grading, and dewatering surface water. As such, the environmental setting in 2003 was significantly different than it was in 2002, the year this proposed Project's NOP was issued.

This section of the DEIR should delete any references to the landowner's activity after the NOP was issued. Language that should be deleted is located on p182 and 183, specifically,

“Currently, one of the stockpiling permits allows up to 500,000 cubic yards of excavated soils to be stored within the southern portion of the Proposed Project site south of Runway Road, generally west of Building 45. In addition, the City of Los Angeles Department of Public Works has approved the excavation and maintenance of temporary detention basins near the 500,000-cubic yard stockpile as part of the adjacent [SWPPP] and Erosion Control Plan.”

Footnote 1 When this activity was noticed by members of the public, the City Department of Building and Safety (DBS) was immediately notified. After determining that Playa Vista developers did not have the City's approval to engage in this activity, DBS issued the developers an “after-the-fact” permit on 5/9/03.

**Response 30-8**

As contemplated by the First Phase Playa Vista EIR, as construction progresses on the First Phase Project residential area, the Proposed Project site has been utilized to support First Phase

construction activities. All activities have been conducted in compliance with local, state and federal permits. The biological baseline for the Proposed Project is addressed in Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity in the Project Area, on page 474. See also Response 30-9.

The referenced stockpile has been permitted and in use since 2001. Similarly, the extension of the referenced temporary detention basin was completed in September 2002.

### **Comment 30-9**

b) The DEIR should refer to the ongoing litigation regarding this site, Ballona Wetlands Land Trust v. City of Los Angeles, et al., (Los Angeles Superior Court, Case No. BS085234).

This case is about whether Respondents (“the City”) violated the California Environmental Quality Act (“CEQA”) by issuing permits for mammoth excavation, surcharging and stockpiling projects within the Ballona Wetlands ecosystem without conducting environmental review. Petitioner Ballona Wetlands Land Trust (“Petitioner”) alleges that the City violated CEQA by issuing permits for these construction activities without any environmental review, authorizing the excavation of 125,000 cubic yards (“cu”) of potentially contaminated dirt to construct a water quality basin, as well as the stockpiling 500,000 cu of potentially contaminated fill in Area D-2.

On or about the month of March, 2003, for the first time, Petitioner became aware of the construction activities at issue in Area D-2. Petitioner requested that the City explain whether or why it had permitted such construction activities given that the CEQA process for the Phase Two project had commenced but was not yet completed. Initially, the City was unsure what the status was of Playa’s authorization to engage in construction activities in the Phase Two area and informed Petitioner that Department staff would have to do some research to determine whether Playa developers were acting legally. Petitioner responded by requesting that the City issue a stop-work order.<sup>1</sup> The City refused to do so.

After several meetings between representatives of the City and Playa, as well as discussions with Petitioner’s representatives, the City conceded that Playa had acted without all the necessary permits. For the activities that lacked a necessary permit, the City issued an after-the-fact permit to Playa. This after-the-fact permit claimed, for the first time, that the activity was a component of the Phase One project and had been previously analyzed in the Phase One EIR.

After initially refusing to accept Petitioner’s appeal of the permits, the City finally accepted Petitioner’s appeal of the permits to the Board of Building and Safety Commissioners (“Commission”) on July 29, 2003. By that time, Playa had completely destroyed almost all habitat contained in Area D-2.

The Commission denied Petitioner’s appeal in reliance on the City Staff and City Attorney’s conclusion that the construction of the detention basin and the stockpile had been anticipated and adequately considered in the Phase One EIR. Petitioner then bought an action against the City

and Playa in Los Angeles Superior Court. As of the date of this comment, the litigation is still ongoing.

Footnote 1

Indeed, Petitioner's repeated request for a stop work order was neither extraordinary or unjustified: on several previous occasions, in response to the public's complaints, the City Department of Building and Safety issued stop work orders to Playa for engaging in questionable, if not illegal, unpermitted activities at the Playa Vista development site. See Exhibit 2.

### **Response 30-9**

As contemplated by the First Phase Playa Vista EIR, as construction progresses on the First Phase Project residential area, the Proposed Project site has been utilized to support First Phase construction activities. All activities have been conducted in compliance with local, state and federal permits. The biological baseline for the Proposed Project is addressed in Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity in the Project Area, on page 474.

As addressed in the above-referenced Topical Response, as anticipated by the First Phase EIR, the City Department of Building and Safety issued a stockpile modification for the area south of Runway Road on January 1, 2001 (Modification No. 8543). Since 2001, the stockpile has supported construction grading activities within the First Phase Project in Area D. After reviewing its permits, the City Department of Building and Safety decided to issue a grading permit to support the previously issued stockpile modifications. It issued a grading permit for the stockpile on May 9, 2003 (Permit No. 03030-10000-01227). To support annual erosion control plans approved by the City Department of Public Works, the City Department of Building and Safety issued two grading permits for the development and expansion of Basin C, the first issued on September 9, 2001 and the other issued on August 13, 2002 (Permit Nos. 01LA17739 (tracking no. 01030-10000-02066) and 02LA31883 (tracking no. 01030-10001-02066)).

In July 2003, the City's Board of Building and Safety Commissioners denied an appeal by the commentor of these permits. See City of Los Angeles Board of Building of Safety Commissioners File No. 030128, which is incorporated herein by reference and included in the reference library for the Final EIR. This file includes information provided by the commentor, the Applicant and City staff as well as the proceedings of the Board of Building and Safety Commissioners. The commentor since has filed a court challenge against the City and the Applicant regarding these permits. The challenge has not yet been resolved. An outcome either for or against the petitioners is not likely to affect the Proposed Project. In a comment offered by James Henrickson (Comment 30-20) on behalf of Ballona Wetlands Land Trust, Dr. Henrickson agrees that "[t]he vegetation of Area D-2 has been completely removed by grading including both the upland and wetland habitats." Dr. Henrickson also states that "Area D has been modified by human activity for a long time." Thus, an order requiring the Applicant to restore the area of the challenged stockpile and temporary detention basin to conditions before

construction of the basin and the stockpile would merely clear the Proposed Project site for development.

As discussed in Subsection 2.2 of Section IV.D, Biotic Resources, of the Draft EIR on page 526, previous studies encompassing about 30 years of field surveys within the former Playa Vista Planning Area, including Dr. Henrickson's vegetation study from the First Phase EIR, were reviewed as part of the analysis for the Biotic Resources section in the Draft EIR. The copies of photographs attached as Exhibit 3 to the comment letter appear to have been taken in February 1996, February 1997, and July 2003. Furthermore, Dr. Henrickson's vegetation study occurred in 1990. As a result, the field surveys conducted in December 2002 and February 2003 more accurately depict the vegetation conditions in November 2002, when the City issued the NOP for the Proposed Project.

The remaining comments are noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-10**

## SECTION IV: ENVIRONMENTAL IMPACT ANALYSIS

### A. EARTH

#### (1) Potentially Active Faults

Commenter: Walter Mersch, Scientific Geochemical Services

Comment:

According to the DEIR (page 224) the Charnock Fault is the closest potentially active fault and is located less than one mile from the east side of the site. On September 16, 2000, a magnitude 3.2 (also reported as 3.3) earthquake occurred in the vicinity of the Playa Vista site. In order to determine the possible relationship of this with the Charnock Fault, Playa Vista hired Davis & Namson, Consulting Geologists, to conduct an investigation.

With regard to the September 16, 2000 earthquake, Davis & Namson' state a "Vertical projection of the earthquake focus to the earth's surface intersects the surface just northeast of the Playa Vista project site and about 1.0 mile west of the postulated Charnock Fault." (emphasis added). The earthquake focus is defined as "The true center of an earthquake, within which the strain energy is first converted to elastic wave energy".<sup>2</sup> The point on the surface directly above the focus of an earthquake is the epicenter. Therefore, the vertical projection of the September 16, 2000 earthquake's focus intersects the surface at a point (epicenter) located approximately at Playa Vista's office complex (12555 Jefferson Boulevard (see attached document)).

On page 226 of the DEIR, paragraph two states in part,

“On September 16, 2000, a magnitude 3.3 earthquake occurred, with the epicenter believed to be in the vicinity of Marina del Rey, approximately 2 miles northwest of the Proposed Project site. A technical assessment of the subject event was completed by Davis & Namson Consulting Geologists (see Appendix D-1) for copy assessment letter.” (emphasis added).

#### Request for Response

- Why, if Davis & Namson, as well as Caltech, located the 9/16/00 earthquake epicenter on the immediate north side of the Playa Vista Project site along Jefferson Boulevard, does the DEIR state it is located two miles away to the northwest?
- Please provide the necessary seismic information and data that relocates the September 16, 2000 earthquake focus from almost directly under the Playa Vista Project site to a point two miles to the northwest.

Footnote 1 DEIR Appendix D-1, Davis & Namson letter to Mr. David Nelson, Playa Vista Company, April 25, 2001

Footnote 2 American Geological Institute, Glossary of Geology, page 113

#### Response 30-10

The Draft EIR stated in Subsection 2.2.2.2.2 of Section IV.A, Earth, of the Draft EIR on page 226, that the September 16, 2000 earthquake’s epicenter was located near Marina del Rey, approximately 2 miles to the northwest of the Proposed Project site. However, this statement contained a typographical error; it should have been “northeast” and not “northwest.” As discussed in Appendix D-1 of the Draft EIR, it has been determined by qualified professionals that the vertical Projection of the earthquake focus was, in fact, located just ***northeast*** of the eastern half of the adjacent Playa Vista First Phase Project site, approximately 1.0 mile west of the postulated Charnock fault. Therefore, the statement in the Draft EIR should have indicated that the vertical Projection of the earthquake was located in the vicinity of Marina del Rey, approximately 2 miles ***northeast*** of the Proposed Project site. This typographical error has been corrected as part of the Corrections and Additions that are provided in conjunction with the Responses to Comments. As such, no additional data is needed as evidence to place the earthquake focus at a location 2 miles northwest of the Proposed Project site.

Please refer to Section II.3, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

#### Comment 30-11

(2) Subsidence

Commenter: Dr. Douglas E. Hammond, Dept. of Earth Sciences, USC

Comment:

The Project area contains organic-rich sediments. The current water table is quite high, protecting sediments from oxygen and slowing the decay rate of the organics. The construction plan will lower the water table, particularly around the building foundations where pumping will occur to keep basement parking lots from flooding. This reduction in the water table will lead to some compaction and subsidence, and will be possibly amplified by acceleration of the decomposition rate of organic rich sediments.

**Request for Response:**

Because the issue of potential subsidence resulting from long-term dewatering of the project is a factor of potential importance in construction of both the buildings and in planning gradients for drains, it must be addressed in the DEIR, and related mitigation measures must be identified.

**Comment:**

Regarding the DEIR's discussion of the potential effect of the proposed Project on the water table, it states that due to the large flows through the system, there will not be a significant impact to the water table. If the area is losing 10 acre feet per year, as noted in the DEIR, this could add up over a few decades, resulting in a significant drop in the water table unless hydraulic conductivity and ground water gradients are sufficient to supply enough to offset the drop. A drop in the water table would not only lead to increased subsidence, but could cause increased sea water intrusion in the underlying aquifers.

**Request for Response:**

- Please provide a detailed description of mitigation measures that will be imposed on the project to prevent potential subsidence. In the event subsidence does occur, please describe what measures will be taken to ensure the safety of the project buildings, residents and workers.
- Please also describe how and when (how often) the applicant or responsible agency will measure the rate of subsidence, if any, over the life of the project.

**Response 30-11**

The potential for subsidence is discussed in the Draft EIR. As discussed in Subsections 2.2.2.4 and 3.4.1.3 of Section IV.A, Earth, of the Draft EIR on pages 237 and 253, respectively, subsidence over the past 50 years at the Proposed Project site has been minimal. Group Delta Consultants' "Evaluation of Subsidence Due to Lowering of Groundwater, Village at Playa Vista, Playa Vista Development, Playa Vista Project," dated April 15, 2003, (Appendix D-6 of the Draft EIR) concluded that development of the Proposed Project (including operation of associated dewatering systems) would not result in subsidence at the Proposed Project site. The Draft EIR identifies on page 237-238, that the area over the Playa del Rey production area, located to the west of the Project site, experienced only about 0.3 feet of subsidence over the last 45 years (as surveyed by the City of Los Angeles, Department of Public Works and confirmed by Group Delta Consultants). Group Delta Consultants also found that areas closer to the site

have experienced less than 2-inches of subsidence over the last 26 years (page 238). The maximum decline in the water table associated with construction of a 2 level garage with associated methane controls will not result in significant subsidence (Appendix D-6 of the Draft EIR). Based on the analysis presented in the Draft EIR it was concluded that “the combined effect of operations of the dewatering systems and the excavation of garages would result in a net heave (ground level rise) of approximately 0.5 inch (See Appendix D-6).” See Section 3.3, beginning on page 245, regarding Project design features. As there are no significant impacts regarding subsidence, mitigation is not required.

The precise quantities of dewatering during construction and long-term operation of dewatering systems is dependent on local conditions around each building. Therefore, qualitative analyses were conducted in the Draft EIR (Appendix F-1 of the Draft EIR on page 2-34). The typical low permeability of the upper Bellflower Aquitard sediments will limit the distance to which changes in water level will propagate (Appendix F-1 of the Draft EIR on page 2-37). There will be no significant impact on freshwater-saltwater interface resulting from construction and long-term operation of dewatering systems.

The analyses discussed above, as well as previous geotechnical studies (please refer to Appendices D-6 through D-9 of the Draft EIR), considered the effect of organic constituents contained in on-site soils, with conclusions indicating no net subsidence. These potentially organic rich sediments that would be dewatered in the vicinity of the structures will be covered with substantial fill material, limiting the intrusion of oxygen from the atmosphere. These sediments are typically fine grained in nature and contain substantial clay content. This soil characteristic results in a high degree of moisture retention, which also limits the ability of oxygen to impact the sediments.

As discussed in Section IV.A, Earth, of the Draft EIR on page 267, all dewatering discharges will be conducted in accordance with the requirements of permits obtained from the RWQCB or the City’s Department of Public Works.

### **Comment 30-12**

#### **B. AIR QUALITY**

Commenter: Dr. John Montgomerie, Emeritus Professor of Medicine, Keck School of Medicine, University of Southern California

#### **Comment**

The Draft EIR does not adequately assess the impact of air emissions from increased vehicular traffic on sensitive receptors, such as schools, daycare centers, hospitals, and senior citizen homes.

Request for Response:

Please include an analysis of air impacts resulting from emissions from project construction and operation on all sensitive receptors that are located near project-related impacted roads and intersections.

### **Response 30-12**

Subsection 3.4.1.2 and Subsection 3.4.2.3 of Section IV.B, Air Quality, of the Draft EIR provide an in depth analysis of potential localized construction and operational impacts related to the Project. As discussed in the referenced subsections, sensitive land use receptors in the vicinity of the Project site and the Project's proposed off-site roadway improvements were included in the air dispersion modeling analysis to determine localized pollutant concentrations. Specifically, the local construction impacts from construction operations focused on NO<sub>2</sub>, CO, and PM<sub>10</sub> emissions and their impact on 19 nearby sensitive receptors, including schools, hospitals, rest homes, day-care centers, and a sampling of locations throughout the residential areas adjacent to the Project site. These receptors were selected based on their location and their proximity to the Project site and the six off-site roadway improvements. Results of the dispersion modeling indicated that none of the receptors would be significantly impacted based on the SCAQMD's Localized Significance Threshold Methodology. Therefore, as the receptors with the highest potential for pollutant concentrations would not result in a significant impact, it was concluded in the Draft EIR that no significant impacts are anticipated to occur at any other locations in the study area, such as the community of Mar Vista.

Furthermore, intersections near the receptors with high Project traffic volumes and decreased levels of service (i.e., greatest change in an intersection's volume-to-capacity due to Project generated traffic) were evaluated in the Draft EIR to assess the potential for local carbon monoxide concentrations to exceed national or state thresholds. Since significant impacts would not occur at the intersections with the highest traffic volumes that are located adjacent to sensitive receptors, it was concluded in the Draft EIR that no significant impacts would be anticipated to occur at any other locations in the study area. This is because the conditions yielding CO hotspots would not be worse than the conditions at the analyzed intersections. Thus, the sensitive receptors included in the analysis would not be significantly affected by CO emissions generated by the net increase in traffic from the Project. Since the Project does not cause localized air quality impacts related to mobile sources, the emissions from the Project were concluded to be less than significant.

The Draft EIR also provides an extensive analysis of regional construction and operational impacts. Please see Subsection 3.4.1.1 and Subsection 3.4.2.2 of Section IV.B, Air Quality, in the Draft EIR for a detailed discussion of these regional impacts.

### **Comment 30-13**

Comment:



The Draft EIR fails to adequately consider and analyze health risks associated with air quality impacts generated by the Project. For example, children in schools, daycares, and parks are at risk of asthma and other respiratory problems from the increased emissions.

#### Request for Response

Please include a risk assessment for emissions-related health impacts, especially to children that congregate in facilities near project-related (both individually and cumulatively) impacted intersections and roads.

#### **Response 30-13**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The potential health risk impacts from the Project were analyzed in conformance with the SCAQMD's recommended approach for assessing air toxics and provided in Section IV.B, Air Quality, in the Draft EIR. Under the SCAQMD methodology, the impacts of the Project on both regional and local air quality are considered. Moreover, if a project would not result in a localized air toxics impacts, then regional air toxics impacts would be similarly considered less than significant.

An assessment of the primary air toxic pollutant of concern from construction activities (i.e., diesel exhaust emissions) was conducted to assess this potential risk during construction of the Proposed Project. Sensitive land use receptors in the vicinity of the Project site and the Project's proposed off-site roadway improvements were included in the health risk modeling. As discussed in Subsection 3.4.1.2 of Section IV.B, Air Quality, in the Draft EIR, the results of this analysis yield a maximum offsite individual cancer risk of 5.7 in a million, which is less than the significance threshold of 10 in one million. Therefore, as the receptors with the highest potential for pollutant concentrations would not result in a significant impact, it was concluded in the Draft EIR that no significant impacts are anticipated to occur at any other locations in the study area. As discussed in Subsection 3.4.2.3 of Section IV.B, Air Quality, in the Draft EIR, potential localized air toxic impacts from Project-related mobile source emissions would be minimal since the proposed Project is primarily residential and office/retail development and does not include any facilities (e.g., warehouse distribution and truck terminals) that would substantially change the number of heavy-duty trucks on the surrounding roadway network resulting in an increase of diesel particulate emissions. Therefore, given the minimal mobile source air toxics generated by the Project and considering that none of the allowed land uses associated with Project development have the potential to emit high levels of potentially toxic air contaminants, it was concluded in the Draft EIR that operation of the Project would not be anticipated to emit carcinogenic or toxic air contaminants that individually or cumulatively exceed the maximum individual cancer risk of ten in one million. As such, a less-than-significant impact on human health would occur.

The Draft EIR also provided an analysis of potential impacts on ambient particulate concentrations (PM<sub>10</sub>), NO<sub>2</sub>, and CO from Project related construction activities. For post-construction operations, the analysis addressed local area concentrations of a specific pollutant, carbon monoxide (CO), generated by mobile sources. Results of the localized analysis indicated that the receptors with the highest potential for pollutant concentrations would not result in a significant impact and, therefore, it was concluded in the Draft EIR that no significant localized impacts would occur as a result of the Proposed Project. Subsection 3.4.1.2 and Subsection 3.4.2.3 of Section IV.B, Air Quality, in the Draft EIR contain a detailed discussion of localized air quality impacts.

**Comment 30-14**

Comment and Request for Response:

The Draft EIR fails to consider regional health risks from air quality impacts generated by the project.

**Response 30-14**

Please see Responses 30-12 and 30-13 for a comprehensive discussion of regional health risks from air quality impacts generated by the Proposed Project.

**Comment 30-15**

Comment

The Air Quality Management Plan has only one employee for this facility to enforce the Plan and to evaluate cost effective technologies. This is inadequate. There should be at least two employees for this purpose, to ensure compliance.

**Response 30-15**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-16**

Comment

The Draft EIR fails to satisfy applicable law because it fails to consider and analyze the impacts associated with air emissions of toxic gases, such as BTEX, from the methane mitigation system in both Playa Vista Phase One and Phase Two developments.

The AQMD has identified toluene [*sic*] emissions at the location of some Phase One building methane vents.

#### Request for Response

The City must identify proper mitigation measures and a mitigation plan to protect the health and safety of residents, shoppers, and/or workers in the event that toxic gases such as toluene are found to be emitting from this Project's methane mitigation system's vents. In addition, scrubbers should be required as part of the gas mitigation system so that toxic chemicals rising with the methane gas through the vents are remediated prior to release. Finally, the Draft EIR must identify who will pay for the scrubbers, who will be responsible for maintaining them, who will ensure they are properly functioning, and how often they will be tested for proper function.

#### Response 30-16

The SCAQMD has not identified toluene emissions at the building methane vents. In August 2002, the SCAQMD quantified emissions from permanent methane venting wells in the adjacent First Phase Project that were designed and constructed to vent methane gas from the "50-Foot Gravel" aquifer, and not from methane mitigation system building vents that collect gas from the shallow unsaturated soils immediately beneath the building foundations. Of the samples collected by SCAQMD, only toluene and xylenes were present in the vent tube above detection limits and the concentrations detected in the well gas were very low. Neither of these chemicals is known or suspected to cause cancer by the Office of Environmental Health Hazard Assessment of California EPA. Moreover, any such small amounts of toluene and xylenes would be diluted hundreds of times in mixing with the air and would be well below any detection limits. The SCAQMD did not require that any controls or other mitigation be added to the vent systems. As a result, the implementation of scrubbers as part of the building mitigation systems is not necessary.

#### Comment 30-17

### C. WATER RESOURCES

#### (1) Hydrology

Commenter: Dr. Douglas E. Hammond, Dept. of Earth Sciences, USC Comment:

The Project area contains organic-rich sediments. The current water table is quite high, protecting sediments from oxygen and slowing the decay rate of the organics. The construction plan will lower the water table, particularly around the building foundations where pumping will occur to keep basement parking lots from flooding. This reduction in the water table will lead to some compaction and subsidence, and will be possibly amplified by acceleration of the decomposition rate of organic rich sediments.

#### Request for Response:

Because the issue of potential subsidence resulting from long-term dewatering of the project is a factor of potential importance in construction of both the buildings and in planning gradients for drains, it must be addressed in the DEIR, and related mitigation measures must be identified.

Comment:

Regarding the DEIR's discussion of the Project's potential impact on the water table, it states that due to the large flows through the system, there will not be a significant impact. If the area is losing 10 acre feet per year, as noted in the DEIR, this could add up over a few decades, resulting in a significant drop in the water table unless hydraulic conductivity and ground water gradients are sufficient to supply enough to offset the drop. A drop in the water table would not only lead to increased subsidence, but could cause increased sea water intrusion in the underlying aquifers.

Request for Response:

- Please provide the data that supports the DEIR's conclusion that the project will not have a significant impact on the water table.
- Please provide a detailed analysis and discussion of how the applicant will ensure that the water table is not significantly impacted over the next several decades, despite the need for long-term dewatering.
- Please provide a detailed description of mitigation measures that will be imposed on the project to prevent potential subsidence. Please describe what measures will be taken to ensure the safety of the project buildings, residents and workers in the event that subsidence does occur.
- Please also describe how and when (how often) the applicant or responsible agencies will measure the rate of subsidence, if any, over the life of the project.

### **Response 30-17**

Please see Response 30-11 above.

### **Comment 30-18**

(2) Water Quality

The Ballona Wetlands Land Trust hereby incorporates by reference DEIR comments submitted by the Santa Monica Baykeeper and Heal the Bay

### **Response 30-18**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The Heal the Bay comments have been incorporated into the Final EIR.

That letter is presented as Letter 36, inclusive of Comments 36-1 through 36-39 and Responses 36-1 through 36-39. Santa Monica Baykeeper has not submitted comments on the Draft EIR.

### **Comment 30-19**

Commenter: Sabrina D. Venskus, Esq.

Please address the following comments and respond to the following questions in a revised DEIR:

#### Comment

With regard to both construction and operation-related dewatering, the DEIR states that dewatering will be necessary to keep the underground parking lots from flooding. Since groundwater is contaminated at the site, will testing of the dewatered water be conducted? Who will do the testing? If it is contaminated, where will the dewatered water be discharged?

### **Response 30-19**

As stated in Subsection 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 737, the effluent from the dewatering systems will be evaluated for potential contamination and, if necessary, treated prior to discharge. The permittee for the discharge will be responsible for collecting and analyzing all effluent samples.

Testing of the treated groundwater prior to discharge will be performed by a California-certified environmental laboratory in accordance with the monitoring program specified in applicable permits, including NPDES Permit No. CAG994004 issued by RWQCB and the Industrial Waste Discharge Permit (IWDP) W-502105 issued by the Department of Public Works. The Applicant is authorized to discharge groundwater from dewatering activities to the storm drain system at three on-site locations, as necessary, and to the sanitary sewer system. Because the areas that may be dewatered are near areas of known or suspected contamination, the Applicant will maintain groundwater treatment facilities on-site to treat any groundwater contamination in excess of discharge criteria that may be encountered prior to discharge.

### **Comment 30-20**

#### D. BIOTIC RESOURCES

1) Commenter: Dr. James Henrickson, Visiting Scholar, University of Texas, Austin

I am the author of the 1991 “Botanical Resources of Playa Vista” report which was published in the Draft Playa Vista Master Plan Program Environmental Impact Report (“PEIR”). I was a member of the research team assembled by then-landowner Maguire Thomas Partners between 1990 and 1991 to determine the biological resources on the 1087-acre Playa Vista property.

Background: Water flow from Centinela [C]reek, and other drainages, introduced sufficient fresh water to most of Area D. This resulted in a mix of freshwater wetland species in the lower drainages and a mix of Coastal Sage Scrub species on the higher, seasonally drier terraces. Much of this area was subject to seasonal flooding during periods of winter rains, and this resulted in a higher diversity of species than those present on adjacent slopes with Coastal Sage Scrub vegetation. In my opinion, based on environmental conditions, much of the Ballona Wetlands Ecosystem consisted of an interface between freshwater and saltwater vegetation with the site being strongly flooded with freshwater following winter storms, and becoming increasingly brackish and saline during the summer, when less water is introduced through the drainages. However, even in Area D, with the strong inundation of fresh water from winter rains, the site would be expected to be well watered and develop a dense and diverse vegetation component.

Area D has been modified by human activity for a long time. The rather uniform elevation, presence of adjacent water, and in some areas the perched water table, made the site attractive to agriculture. In 1924 Ballona Creek was channelized, and in the 1940's [sic], then-landowner Summa Corporation filled wetlands to develop the eastern portion of Area D (Area D-3), which constituted approximately 100 acres of the approximately 500 total acres in Area D. In addition, Summa Corporation channelized and re-routed Centinella [sic] Creek, and built a narrow runway through the middle of Area D.

Sometime in the early 1980's [sic], Summa filled the western portion of Area D (Area D-1), changing the elevations from 5-15 ft to 12-22 ft, and even higher along the fill ridge immediately South of, and parallel to, Jefferson Boulevard. Not all of area D was filled, however, especially the southern portion of Area D. These unfilled areas retained their original elevations.

During the time of my study in 1990, Area D consisted primarily of disturbed filled flats, but, in spite of their artificial nature, they had developed some native plant components. Also the filled areas tended to hold winter rain water—there was no dedicated system of drainage for the fill areas. Therefore, after winter rains, pools would form and the well soaked soils, in some areas, were able to support populations of wetland plants. This was particularly true of the areas along Teale Street that were never filled. Water from adjacent fill areas would drain into these low areas, and several of them formed a component of wetland plants, willows and associated herbaceous wetland species.

Area D-2, the area subject to the current DEIR, contained a large flat-topped ridge of fill that extended for about 2200 ft parallel to Jefferson Blvd.. The flora of most of the upland flats consists of weedy non-native species. In the spring various Chess grasses, (*Bromus diandrus*, *B. rubens*, *B. mollis*,) Wild oats (*Avena barbata*), Wild barley (*Hordeum leporinum*), Black Mustard (*Brassica nigra*), Storksbill (*Erodium botrys*, *E. cicutarium*), Bur Clover (*Medicago polymorpha*), Sweet clover (*Melilotus indicus*), Ox-tongue (*Pichris echiodes*), Star thistle (*Centaurea melitensis*), Wild lettuce (*Lactuca serriola*) and Stephanomeria (*Stephanomeria virgata*), are the common annual herbs. In areas graded each year the very colorful Garland chrysanthemum (*Chrysanthemum coronatum*) developed strongly. Later in the summer

Horseweed (*Conyza canadensis*), Telegraph weed, (*Heterotheca grandiflora*), Sweet fennel (*Foeniculum vulgare*), Malacothrix (*Malacothrix saxatilis*), Australian saltbrush (*Atriplex semibaccata*) are the common perennial herbs. But the flats also contain a number of shrubs including the native Seep willows (*Baccharis salicifolia*), Coyote brush (*Baccharis pilularis* ssp. *consanguinea*), Tree tobacco (*Nicotiana glauca*), Castorbean (*Ricinus communis*) and the giant perennial Pampas grass (*Cortaderia atacamensis*).

The flora that developed on the disturbed site, as opposed to the undisturbed areas along Teale Street, consisted of those species whose seeds were able to be dispersed to the site. The wettest areas, where water could accumulate, could also have seeds brought in by birds who would travel from adjacent wetlands into this area and transport seeds on the mud of their feet. The end product was a mixture of moist and drier habitats with moderate diversity in species.

Regional and Local Importance of the Habitat in Area D-2: The mostly weedy upland areas provide habitat, feeding and resting areas, and for some species breeding areas, for birds and reptiles that are characteristic of open habitats in Southern California. The areas are wet during the winter months and develop good insect populations that are important as feeding areas to insectivorous wildlife, but during the summer months, the area is more stressful to wildlife and activity is reduced. Because of the disturbed nature of this site, the species that occur on the upland areas occur elsewhere in disturbed areas in the region. In the depressions left after filling most of the site, there are some wetland areas, which could play a more important role as wildlife habitat and were designated as wetland habitat and were to be inspected by the Department of Fish and Wildlife. While these areas were small as compared to the overall size of the site, the presence of year-around water is significant for the biological use of the habitat. These areas contained willows (*Salix lasiolepis*, *S. laevigata*), Mule fat (*Baccharis salicifolia*), cattails (*Typha domingensis*) and tules (*Scirpus californicus*, *S. olneyi*), all of which are considered wetland plants. I consider these habitats, while small in acreage, to be potentially significant areas that could play a more important role in wildlife viability.

Potential for restoration of these habitats: The vegetation of Area D-2 has been completely removed by grading, including both the upland and the wetland habitats. Only two palm trees remain. Regarding redevelopment of the upland habitats, as the sites previously developed their vegetation without intervention of man, if given 10 years or so, the habitats would probably redevelop much as they did in the past depending on the introduction and establishment of seeds from adjacent areas. But in the intervening years, the site would be an eyesore. As for the wetland habitats, which still retain wetted soils, redevelopment would be dependent on introduction of the proper species. Natural redevelopment would be slow and dependent on a myriad of outside factors affecting establishment of component species.

### **Response 30-20**

The report to which the commentor refers, *Botanical Resources of Playa Vista*, was reviewed as part of preparation of the Draft EIR and is cited in Table 2-1 of Appendix G, Biotic Resources, and is therefore consistent with the information provided in the Draft EIR. As the commentor notes, the Proposed Project site has very little, if any, vegetation remaining and any restoration or

“natural redevelopment of” habitat would be “slow and dependent on a number of factors ...”  
The Riparian Corridor component of the Proposed Project is designed to accelerate re-establishment of wetland habitat on the Project site.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration by decision-makers.

### Comment 30-21

2) Commenter. Sabrina D. Venskus, Esq.

Please address the following comments and respond to the following questions in a revised DEIR:

a) The DEIR uses an inappropriate baseline for determining significance of impacts. Figure 34, “Project Site Vegetation Map,” confirms that the DEIR uses an inappropriate baseline to analyze impacts to biotic resources. The map reflects the condition of the site as it existed on February 18, 2003. This is inappropriate.

The baseline is established at the time the Notice of Preparation (NOP) is issued. CEQA Guidelines §15125. The NOP for the Phase Two project was first issued in 1995, and then again in November, 2002. Several months after the second NOP was issued for this project, the applicant began illegally stockpiling dirt to the south of Runway Road.<sup>2</sup> At around the same time, the applicant began excavating the area to construct a very large stormwater detention basin. As a consequence, the Playa Vista developers destroyed virtually all of the existing habitat.

Destruction of the area’s habitat is a travesty. As succinctly illustrated by Frank Hovore and Associates, “[Playa Vista] Project implementation would eliminate the existing riparian and freshwater habitats in all areas except [Area] B, incrementally reducing the number of individuals of all organisms occurring therein... Creation of a [Riparian Corridor] for the project along the southern portions of Area D and into the extreme eastern portion of Area B could provide replacement ecosystems for these losses, ***provided that they are established and functioning prior to the elimination of existing sites.***” (Playa Vista Phase One/Master Plan EIR, Appendix J-9, Page I-3) (emphasis added).

Please revise the baseline and reevaluate the impacts to biotic resources accordingly. Please see photographs of the site prior to 2/18/03, located at Exhibit 3. Please also refer to Dr. Henrickson’s comments above, as well as Henrickson’s vegetation map located in the Playa Vista Draft Programmatic Environmental Impact Report which more accurately reflects the condition of the land at the time this proposed Project’s NOP was issued.

Footnote 2

When this activity was noticed by members of the public, the City Department of Building and Safety (DBS) was immediately notified. After determining that Playa



Vista developers did not have the City's approval to engage in this activity, DBS issued the developers an "after-the-fact" permit on 5/9/03.

### **Response 30-21**

The City issued the NOP for the Proposed Project on November 14, 2002. As discussed in Subsection 2.2 of Section IV.D, Biotic Resources, of the Draft EIR on page 526, Figure 34 (Project Site Vegetation Map) is based on plant and wildlife surveys conducted on December 18, 2002; February 13, 2003; and February 18, 2003, all within a reasonable time corresponding to the issuance of the NOP for the Proposed Project in November 2002.

As contemplated by the First Phase Playa Vista EIR, as construction progresses on the First Phase Project residential area, the Proposed Project site has been utilized to support First Phase construction activities. All activities have been conducted in compliance with local, state and federal permits. The biological baseline for the Proposed Project is addressed in Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity in the Project Area, on page 474.

In particular, as anticipated by the First Phase EIR, the City Department of Building and Safety issued a stockpile modification for the area south of Runway Road on January 1, 2001 (Modification No. 8543). Since 2001, the stockpile has supported construction grading activities within the First Phase Project in Area D. To support annual erosion control plans approved by the City Department of Public Works, the City Department of Building and Safety issued two grading permits for the development and expansion of Basin C, the first issued on September 9, 2001, and the other issued on August 13, 2002 (Permit Nos. 01LA17739 (tracking no.01030-10000-02066) and 02LA31883 (tracking no. 01030-10001-02066), respectively). After reviewing its permits during the spring of 2003, the City Department of Building and Safety issued a grading permit to support the previously issued stockpile modifications on May 9, 2003 (Permit No. 03030-10000-02535). Accordingly, the City permitted and the Applicant commenced the referenced activity over a year before the City issued the NOP for the Proposed Project.

In July 2003, the City's Board of Building and Safety Commissioners denied an appeal by the commentor of these permits. See City of Los Angeles Board of Building of Safety Commissioners File No. 030128, which is incorporated herein by reference and included in the reference library for the Final EIR. This file includes information provided by the commentor, the Applicant and City staff as well as the proceedings of the Board of Building and Safety Commissioners. The commentor since has filed a court challenge against the City and the Applicant regarding these permits. The challenge has not yet been resolved. An outcome either for or against the petitioners is not likely to affect the Proposed Project. In a comment offered by James Henrickson (Comment 30-20) on behalf of Ballona Wetlands Land Trust, Dr. Henrickson agrees that "[t]he vegetation of Area D-2 has been completely removed by grading including both the upland and wetland habitats." Dr. Henrickson also states that "Area D has been modified by human activity for a long time." Thus, an order requiring the Applicant to restore the area of the challenged stockpile and temporary detention basin to conditions before

construction of the basin and the stockpile would merely clear the Proposed Project site for development.

As discussed in Subsection 2.2 of Section IV.D, Biotic Resources, of the Draft EIR on page 526, previous studies encompassing about 30 years of field surveys within the former Playa Vista Planning Area, including Dr. Henrickson's vegetation study, were reviewed as part of the analysis for the Biotic Resources section in the Draft EIR. The copies of photographs attached as Exhibit 3 to the comment's letter appear to have been taken in February 1996, February 1997, and July 2003. Furthermore, Dr. Henrickson's vegetation study occurred in 1990. As a result, the field surveys conducted in December 2002 and February 2003 more accurately depict the vegetation conditions in November 2002, when the City issued the NOP for the Proposed Project.

The remaining comments are noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

### **Comment 30-22**

b) The DEIR is deficient because it fails to consider all relevant biotic studies and reports related to the proposed Project area, including those contained in the Playa Vista Phase One/Master Plan EIR.

The DEIR lacks existing, available data about the proposed Project area's biota. Thus, the conclusions that the DEIR draws in this section cannot be supported at this time. We suggest that the DEIR consider and include the following reports and studies:

1. "Botanical Resources, Playa Vista," by James Henrickson, Ph.d. [*sic*], located in the Phase One/Master Plan EIR, Appendix J-2.
2. "Bird Survey of Ballona Wetlands" by Kennon Corey, located in the Phase One/Master Plan EIR, Appendix J-8 (pointing out that Area D has the greatest species diversity, second only to Area B).
3. "Ballona Wetlands/Playa Vista Biota - Amphibians, Reptiles and Mammals," by Frank Hovore and Associates, located in located in the Phase One/Master Plan EIR, Appendix J-9.

### **Response 30-22**

The reports and studies referenced by the commentor were reviewed and considered in preparation of Section IV.D, Biotic Resources, and Appendix G of the Draft EIR. Citation of these documents, and many other relevant studies not mentioned by the commentor, can be found in Table 2-1 and the References section of Appendix G and are included in the reference library for the Draft EIR.

The First Phase EIR was certified by the City in 1993. The Master Plan Program EIR was an informational document that was circulated with the First Phase EIR and provided the basis for the cumulative impacts analysis in the 1993 EIR. Since only the First Phase Project was being considered for approval in 1993 and the Master Plan was not being considered for approval at that time, the Master Plan Program EIR was not separately certified. In addition, six of the 17 lawsuits filed against the First Phase Project concerned compliance with CEQA. None of these lawsuits has succeeded. Courts have upheld the First Phase EIR's compliance with CEQA in all court challenges to the First Phase EIR. See Topical Response TR-13, First Phase Project Litigation History, on page 482.

### Comment 30-23

c) The DEIR inappropriately concludes that restoration of a small area of high quality habitat in an urban context (i.e., 10.2 acre riparian corridor,) mitigates the loss of 60.9 acres of open space that has, in the recent past, supported a diverse array of wildlife and birds.

There is no evidence contained in the record to support the conclusion that the Riparian Corridor will mitigate the loss of the habitat in Area D-2. This is especially true now that the developer has purposefully wiped out all living organisms on the subject property under the auspices of Phase One-related mitigation (see discussion of Ballona Wetlands Land Trust v. City of Los Angeles, above). In fact, this atrocious conduct has probably significantly reduced any likelihood that the Riparian Corridor will succeed in replacing the values lost to development in Area D. As succinctly illustrated by Frank Hovore and Associates, "Creation of a [Riparian Corridor] for the project along the southern portions of Area D and into the extreme eastern portion of Area B could provide replacement ecosystems for these losses, *provided that they are established and functioning prior to the elimination of existing sites.*" (Playa Vista Phase One/Master Plan EIR, Appendix J-9, Page I-3) (emphasis added). Since almost all of the existing habitat in Area D has been eliminated (albeit illegally on approximately 111 acres) prior to the establishment and functioning of the Riparian Corridor, it is highly doubtful that the Riparian Corridor will replace habitat values lost in the proposed project area. In any event, the present record certainly does not support a contrary finding.

Furthermore, the suggestion that the Riparian Corridor will contain "high quality" habitat is unsupported by substantial evidence in the record. As stated below, without reviewing the HMMP, it is not possible to conclude that the habitat will be of any higher quality than the 60.9 acres of habitat destroyed as a result of the proposed Project.

### Response 30-23

As indicated in Table 66 of Section IV.D, Biotic Resources, of the Draft EIR on page 529, the majority of area referenced by the commentor is occupied by non-native vegetation. Subsection 3.4 of Section IV.D, Biotic Resources, of the Draft EIR provides significant scientific evidence to support the conclusion that the Proposed Project as a whole would result in a net gain of 10.2 acres of native habitat. (See Appendix G of the Draft EIR by Dr. Edith Read.) That

analysis also discusses habitat quality in terms of diversity and abundance of native species, based on Section II.B, Project Characteristics.

With respect to the comment regarding loss of habitat in the area, please see Responses 30-9 and 30-21.

As a requirement of the Section 404 Permit, the three volume Habitat Mitigation and Monitoring Plan (HMMP) was developed to describe the habitat goals and water-related issues necessary to establishing and maintaining the habitat in the Freshwater Wetlands System. The HMMP was previously approved by the Army Corps of Engineers and the California Department of Fish and Game, and is available in the reference library for the Draft EIR. As the Draft EIR concludes, given the lack of the existing habitat within the Proposed Project site and the significant improvements to habitat resulting from the Habitat Creation/Restoration Component, there is no significant impact on biotic resources other than a loss in raptor foraging habitat and a short-term impact on nesting habitat for migrant birds.

#### **Comment 30-24**

d) The DEIR is inaccurate because it concludes that the proposed Project will not interfere with wildlife movement and migration corridors.

Open, undeveloped coastal land is rare in Southern California, especially in the Los Angeles basin. The proposed Project area contained upland habitat integral to the overall viability of the Ballona Wetlands ecosystem. Any reduction in the amount of this upland habitat will have a negative impact on wildlife movement and migration. This is obvious by the mere fact that during destruction of the habitat in this area early this year (2003), there was a notable increase in the number of wild animals and birds invading yards on the bluff, above the project site. The same thing happened during the construction of Phase One.

#### **Response 30-24**

The commentor provides no data to support the contention that there was an increase in wild animals and birds invading yards on the Westchester Bluffs in 2003 or during construction of the First Phase Project. As indicated in Table 66 of Section IV.D, Biotic Resources, of the Draft EIR on page 529, the majority of area referenced by the commentor is occupied by non-native vegetation. Subsection 3.4 of Section IV.D, Biotic Resources, of the Draft EIR provides significant scientific evidence to support the conclusion that the Proposed Project as a whole would result in a net gain of 10.2 acres of native habitat. (See Appendix G of the Draft EIR by Dr. Edith Read.) That analysis also discusses habitat quality in terms of diversity and abundance of native species, based on Section II.B, Project Characteristics.

In addition, because there is no evidence that bird flight paths have become established at any consistent location or direction over the site of the Proposed Project, it is not anticipated that the Proposed Project would adversely affect their movement. As stated in Subsection 2.2.1.4 of Section IV.D, Biotic Resources, of the Draft EIR on page 535, certain bird species have been

observed flying or foraging over the site. However, these observations do not mean that the site is a wildlife movement corridor, which is defined as a linkage between areas of core habitat and which is applied typically applied to mammalian wildlife rather than birds (see Appendix G-2 of the Draft EIR, page 35).

As stated in Section II.B, Project Characteristics, of the Draft EIR on page 154, the Riparian Corridor component of the Proposed Project is the last segment of a 25-acre riparian corridor that will feed into the Freshwater Marsh. Construction of the west segment of the Riparian Corridor is expected to be completed by late 2005 (Subsection 2.3 on page 539). As indicated in Subsection 3.3.3 on page 544, monitoring data contained in the Ballona Freshwater Marsh Annual Report, December 2003 (located in the reference library for the Final EIR), have demonstrated rapid colonization of the habitat by wildlife, with the number of breeding bird species significantly greater than expected for a newly constructed habitat. This information indicates that the habitat is either already established (Freshwater Marsh) or scheduled for establishment (First Phase of the Riparian Corridor) prior to impacts of the Proposed Project. As also stated in Subsection 3.5 of Section IV.D, Biotic Resources, of the Draft EIR on page 547, the Riparian Corridor component of the Freshwater Wetlands System is expected to have a beneficial effect of establishing a native wildlife habitat corridor in place of the fragmented, largely non-native vegetation that currently exists.

### **Comment 30-25**

e) The DEIR is deficient because it does not contain the Habitat Mitigation and Monitoring Plan (“HMMP”) required by the U.S. Army Corps of Engineers and California Department of Fish and Game for the Riparian Corridor.

The HMMP should be included in the DEIR’s Technical Appendices, so that the public, advisory agencies, and the decision-making body can assess whether the Riparian Corridor will mitigate the long-term impacts associated with loss of wetland and upland habitat.

For all of the reasons stated above, the DEIR cannot credibly make a finding of “no significant impact” as it relates to biotic resources.

### **Response 30-25**

As a requirement of the Section 404 Permit, the three volume Habitat Mitigation and Monitoring Plan (HMMP) was developed to describe the habitat goals and water-related issues necessary to establishing and maintaining the habitat in the Freshwater Wetlands System. The HMMP was previously approved by the Army Corps of Engineers and the California Department of Fish and Game, and is available in the reference library for the Draft EIR. As the Draft EIR concludes, given the lack of the existing habitat within the Proposed Project site and the significant improvements to habitat resulting from the Habitat Creation/Restoration Component, there is no significant impact on biotic resources other than a loss in raptor foraging habitat and a short-term impact on nesting habitat for migrant birds.

**Comment 30-26**

## E. NOISE

No comment

**Response 30-26**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-27**

## F. LIGHT AND GLARE

No comment

**Response 30-27**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-28**

## G. LAND USE

Commenter. Rex Frankel, Ballona Ecosystem Education Project

The DEIR is deficient because there is no baseline land use description. The DEIR fails to describe what is currently allowed under the existing Specific Plan. It therefore fails to provide the necessary information about the impacts resulting from increasing the applicant's legal entitlements to build.

**Response 30-28**

The Draft EIR describes the existing land uses on the Project site and in adjacent areas in Subsection 2.2 of Section IV.G, Land Use, on page 621. The Draft EIR describes the land use provisions of the existing Specific Plan in Subsection 2.1.4.3 on page 619. In particular, Figure 48 on page 622 illustrates the existing specific plan zoning designations and Table 85 on page 623 describes the amounts of allotted development. Table 85 indicates the total amount of development allowed, the amount of development that was allotted to the Playa Vista First Phase Project and the remaining development allowed.

**Comment 30-29**

## Request for Response

The DEIR needs to describe the environmental impacts that would result from a project that complies with the existing Specific Plan and compare that degree of impact to the degree of impact of the Proposed project which requires increased zoning through a change to the Specific Plan.

**Response 30-29**

Alternative 2, No-Project—Development Permitted by Existing Specific Plan and Zoning, on pages 1278 through 1299 addresses a scenario under which no amendments to the Specific Plan would occur and compares that Alternative to the impacts of the Proposed Project. The Draft EIR also analyzes the environmental impacts that would occur from the Proposed Project assuming the amendments to the Specific Plan would be implemented.

**Comment 30-30**

## Comment

The current zoning allowed by the Specific Plan prohibits more than 108,000 square feet of commercial space. It does not allow any additional residential units. Based on the Project description, the development includes 325,000 square feet of office and retail and 2600 residential units. Therefore, the applicant is seeking a mammoth increase in entitlements—about 20 times what the current zoning allows under the Specific Plan. The DEIR does not provide a justification for amending the Specific Plan to increase the square footage of commercial and residential space.

**Response 30-30**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Table 88 on page 639 of Section IV.G, Land Use, compares the amount of development allowed within the Specific Plan area with the amount of development proposed for the Proposed Project. As indicated, the Proposed Project would increase the amount of development for residential use by 2,600 units, but would also reduce the amount of development for retail uses by 465,000 sq.ft. (76 percent less) and reduce the amount of development for office uses by 1,583,050 sq.ft. (90 percent less). The Project would also specifically provide for 40,000 sq.ft. of community serving uses whereas the existing Specific Plan specifies no amount, but anticipates such uses commensurate with other development. In addition, 600 hotel rooms that would be permitted under the Specific Plan, would not be built (a reduction of 100 percent). The Proposed Project would not increase entitlements about 20 times as suggested by the commentator. The changes to

the Specific Plan are consistent with the concept of a mixed-use community. The analysis of Alternative 3, in Section VII, Alternatives, beginning on page 1258 of the Draft EIR, provides a comparative analysis of the amount of residual development allowed in the Specific Plan, after development of the First Phase Project and the Proposed Project. As indicated, density type impacts (e.g., traffic) are less under the Proposed Project than the development amounts specified in the Specific Plan.

**Comment 30-31**

Request for Response:

The DEIR should include a traffic generation analysis which compares how much traffic would result if the applicant conformed with current zoning and Specific Plan (resulting in no more than 108,000 square feet of office and retail) to that of the proposed Project (resulting in 325,000 square feet of office and retail and 2600 residential units).

**Response 30-31**

Trip generation analyses and comparisons to the Proposed Project are presented in Subsections 4.2.2.K and 4.3.2.K of Section VII, Alternatives, of the Draft EIR on pages 1286 and 1310, respectively, for two different interpretations of the existing specific plan: Alternative 2, No Project Development Permitted by the Existing Specific Plan and Zoning, and Alternative 3, Existing Specific Plan Buildout.

**Comment 30-32****H. MINERAL RESOURCES**

No comment

**Response 30-32**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-33****I. SAFETY/RISK OF UPSET**

(1) Soil Gas

Commenter: Walter Merschat, Scientific Geochemical Services



## Background

I obtained my B.S. and M.S. in Geology from Ohio University in 1967 and 1971, respectively. I have over 30 years experience in the field of geology, which includes extensive work with several major oil companies such as Union Oil Company of California and Gulf Oil Company, as well as worldwide consulting projects specializing in exploration and environmental geochemistry.

I am a Certified Petroleum Geologist (CPG 4252) with the American Association of Petroleum Geologists and a Professional Geologist (PG 51) with the Wyoming Geological Association.

I am presently President of Scientific Geochemical Services and have been so employed since 1987. As part of my duties, I routinely consult on oil and gas exploration, associated environmental impacts, and related geology issues. I specialize in collecting soil gas samples for both exploration and environmental projects. I also issue reports interpreting the results of the soil gas analyses. I have successfully conducted soil gas surveys in many parts of the United States as well as Mexico, Panama, Peru, Argentina, Egypt, Yemen, Ethiopia, and Namibia. In California, I collected samples at the Playa Vista site and the Port of Oakland.

In 1999, the City of Los Angeles hired Exploration Technologies, Inc. (ETI) as its independent peer reviewer to investigate possible methane gas seepage at the Playa Vista development site. Earlier testing by Playa Vista consultants (Camp Dresser and McKee) was found to be questionable; therefore, new testing was required. Dr. Victor Jones, President of ETI, called me and stated he needed someone he could rely on to collect approximately 60 samples at the Playa Vista site.

After I collected the first 60 samples and continuing through 2000, and 2001, I and my crew followed the direction of Dr. Victor Jones and collected over one thousand six hundred soil gas samples spaced over the entire Playa Vista site, including Area D-2. The City of Los Angeles and Dr. Victor Jones insisted on my sampling effort in order to maintain a consistent sampling protocol and methodology.

During the approximately three year period (1999, 2000 & 2001) that I spent working at the Playa Vista site, I met and worked with numerous other consultants, contractors, and Playa Vista employees. Through personal communication, field observations, and reviewing reports and maps, I became familiar with the geologic as well as geochemical aspects at the Playa Vista site. Because of my extensive involvement with sampling at the Playa Vista site, I became familiar with virtually all of the results both from laboratory analyses and real time field measurements.

## Response 30-33

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-34**

## Comment

Based upon my experiences working at the Playa Vista site and in oil and gas development, particularly in the field of exploration and environmental geochemistry, and after reviewing the DEIR, I am concerned that the analysis (or lack thereof) presented in the DEIR is woefully inadequate with respect to numerous critical environmental impacts associated with some aspects of the geology as well as the geochemistry (soil gas).

**Response 30-34**

The commentator expresses general dissatisfaction with the Draft EIR. Specific comments and responses follow.

A detailed discussion regarding soil gas assessments and data is provided in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 700-717, and is supported by Appendices J-4 to J-10 and J-14, and documents in the reference library of the Draft EIR. These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477.

**Comment 30-35**

On page 70 of the DEIR under the heading Soil Gas, the first sentence reads, “Soil gas surveys conducted in 1999 and 2000 found some sampling locations with elevated methane concentrations, and only very low, if any, concentrations of hydrogen sulfide and BTEX at the Proposed Project site.”

Before I correct the misrepresentations as presented by this DEIR statement, I must explain that starting with Gulf Research in the 1980’s and continuing to today, I have personally collected and am familiar with the analytical results of tens of thousands of soil gas samples taken from around the world with the same sampling methodology and analyzed with the same laboratory protocol as the samples that I took at the Playa Vista site. I can say that the methane values and seeps at Playa Vista were some of, if not the highest, I have ever seen.

The methane seepage at Playa Vista was (and may still be) so strong and widespread that I was actually able to light (ignite with a match) many areas of the ground. This was so intriguing to me that I photographed (camcorder) the process of directing methane seepage through a funnel and igniting it, or, simply placed a 3 foot by 3 foot piece of plastic on the ground, sealed the edges with clods of dirt, let the methane fill and raise the plastic off the ground, then poked a hole in the plastic and lit a match. A small explosion followed.

## Request for Response

The DEIR should state with accuracy the nature and scope of the methane samples. The DEIR contains fundamental inaccuracies because it states that “some” samples contained “elevated” levels of methane, when in fact a great many samples contained extremely high levels of methane.

#### Comment

Based on sample analyses from around the world, an average value of natural or ambient levels of soil gas methane of approximately 5 parts per million (“ppm”) can be expected. From over one thousand six hundred (1600) samples that I collected at the Playa Vista site, hundreds of samples had elevated levels of methane. Again, the DEIR is far from the truth because it states “some” of the samples had elevated levels of methane.

#### Response 30-35

It is unclear what the commenter means by ambient levels of soil gas methane. Ambient levels generally refer to atmospheric or breathing zone levels. Soil gas levels are subsurface gas concentrations. The data for the Proposed Project site referred to by the commenter is subsurface soil gas data and, thus, should not be compared to average ambient levels.

As discussed in Section 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting on page 700, soil gas surveys designed and completed or overseen by LADBS’s peer reviewer, ETI, sampled 226 locations in the Proposed Project site. In general, low concentrations of methane were detected in soil gas in the Proposed Project site. The lower explosive limit (LEL) for methane is 50,000 parts per million by volume (ppmv). The Department of Toxic Substances Control, in its July 2003 “Advisory on Common Remedies for Methane in Subsurface Soils at School Sites” recognizes 5,000 ppmv (or 10% of the LEL) as a commonly utilized “action level” above which mitigation measures are recommended. The Advisory also notes that “a detection of methane up to 200 ppmv may be normal.” Of the 226 samples taken at the Proposed Project site, 61 samples detected concentrations above 200 ppmv, and only 28 samples detected concentrations above 5,000 ppmv. Only 10 samples detected concentrations above the LEL. All buildings at the Proposed Project site are required to include a methane mitigation system.

Please see Topical Response TR-12, Soil Gas, on page 477 for a further discussion regarding the methane data in the Proposed Project site.

#### Comment 30-36

#### Comment

At every sample location soil gas samples were collected in specially prepared glass containers and shipped daily to laboratories for methane and BTEX analyses. Additionally, soil gas samples were collected and injected into an instrument to obtain real time hydrogen sulfide readings. In several areas in the western part of the Playa Vista site (south of Jefferson and East of Lincoln) hydrogen sulfide was detected in both the field instrument and by smell as it

emanated from the ground and sampling equipment. Playa Vista personnel told me that these places were either where the past owners brought in contaminated fill material or places where past operations tested aircraft engines. Playa Vista personnel showed me no hard evidence of the source of the fill or potentially contaminated testing sites.

### Request for Response

Again, by stating that only low, if any, concentrations of hydrogen sulfide and BTEX were detected, the DEIR is only partially accurate. The DEIR uses the term “if any,” thus implying there may not be any samples containing elevated levels of hydrogen sulfide and/or BTEX. This is simply incorrect. While there were not many elevated samples of hydrogen sulfide or BTEX, suggesting that there might not be any at all is totally misleading. The DEIR should be corrected in this regard.

### Response 30-36

The Draft EIR did not intend to suggest that there were not any samples containing elevated levels of hydrogen sulfide and/or BTEX. As indicated in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset of the Draft EIR, of the 226 samples taken in the Proposed Project site, approximately 67 percent did not exceed the detection limit for hydrogen sulfide and over 70 percent did not detect any of the four BTEX constituents. Subsection 2.2.4.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 715, indicates that all soil gas samples taken at the Proposed Project site for the baseline methane assessment from October 2000 through January 2001 were analyzed for hydrogen sulfide and BTEX, and that “[t]he majority (over 60 percent) of the samples taken throughout the Proposed Project site indicated no hydrogen sulfide, based on a detection limit of 0.003 ppmv.” As the commenter notes “there were not many elevated samples of hydrogen sulfide or BTEX.” Aside from location 9735, which is discussed in response 30-38, below, the highest concentration of hydrogen sulfide detected was 1.000 ppmv. The detected BTEX constituents were all well below the site-specific health based remediation goals that have been approved by OEHHA and the RWQCB for the Playa Vista First Phase Project site. ETI concluded that the detected hydrogen sulfide is indicative of background levels naturally occurring from recent sedimentary deposits. ETI also concluded that there are generally very low levels of BTEX contained in the soil gas, with essentially no benzene and only modest levels of toluene and total xylenes. The hydrogen sulfide and BTEX data is also discussed in Topical Response TR-12, Soil Gas, on page 477.

### Comment 30-37

Since many of the samples were collected from freshly disturbed soil (surcharge), artificially low results were obtained. This information should be reflected in the DEIR and appropriate mitigation measures should be adopted to mitigate potential BTEX and Hydrogen Sulfide contamination at the proposed Project site.

**Response 30-37**

There was no surcharge or new stockpiling within the Proposed Project site during the sampling for the baseline methane assessments. Issues regarding hydrogen sulfide and BTEX are addressed in Subsection 2.2.4.2, Subsection 3.4.3, and Subsection 3.4.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 714-15, 727-28, and 731-733, respectively, which is supported by Appendices J-4 to J-10 and J-14 of the Draft EIR. Hydrogen sulfide and BTEX are also addressed in Topical Response TR-12, Soil Gas, on page 477.

As discussed on page 733 of the Draft EIR, there is no indication that levels of BTEX and hydrogen sulfide will be significant during operation of the Proposed Project. Accordingly, no mitigation measures for operation of the Proposed Project are required. With respect to construction, the Project Design Features described in Subsection 3.3, Section IV.F, Safety/Risk of Upset, on pages 720-722 of the Draft EIR provides that construction activities shall comply with Cal-OSHA safety requirements. In addition, the last mitigation measure on page 740 of the Draft EIR requires the Project to comply with Cal-OSHA requirements during construction activities, which is when hydrogen sulfide might be encountered.

**Comment 30-38**

## Comment

As stated earlier, during my sampling work at the Playa Vista site, soil gas samples were collected in specially prepared bottles to be shipped to laboratories for methane and BTEX analyses. Also, at each location, a soil gas sample was injected into a field instrument for real time Hydrogen Sulfide measurements.

Page 715 of the DEIR, states that “Although the supplemental soil gas survey conducted in November 2000 originally reported a hydrogen sulfide concentration of >50 ppmv at Location 9735, it is believed that such a reading was an error.” It is simply not true that the reading was possibly an error. Even though nearby samples did not find this same magnitude of Hydrogen Sulfide, the Hydrogen Sulfide reading at Location 9735 was real, and not in error. I remember this particular sample location, and also remember injecting several samples into the field instrument to confirm this high reading, which obtained the same results, i.e., > 50 ppmv.

## Request for Response

The DEIR should correct this above-mentioned inaccuracy.

**Response 30-38**

A single reading showing a concentration of hydrogen sulfide above the upper detection limit of the instrument (>50 ppmv) was detected at Location 9735 on November 17, 2000 (see Appendix J-8 of the Draft EIR). During the subsequent January 2001 soil gas survey (see

Appendix J-9 of the Draft EIR), additional samples were taken at and around Location 9735 and hydrogen sulfide levels were found to be less than 0.03 ppmv at all of the newly sampled locations and below detection limit (0.003 ppmv) at the 9735 location. Additionally, none of the other nearby (i.e., within 100 feet) locations on the November 17, 2000, survey exhibited high levels of hydrogen sulfide. Of the 226 soil gas samples collected within the Proposed Project site between October 1999 and April 2001, the majority (approximately 67 percent) did not exceed the detection limit of 0.003 ppmv. Given the above data, the initial detection at Location 9735 is lower and conflicts with re-sampling measurements and the near vicinity measurements. This reading may have been anomalous (i.e., a very temporary localized condition). Aside from Location 9735, the next highest concentration of hydrogen sulfide detected was 1.000 ppmv at a location in the southwest portion of the Proposed Project site. ETI found that hydrogen sulfide encountered during the soil gas surveys is indicative of background levels naturally occurring from recent sedimentary deposits. Please also see Response 30-46 and Topical Response TR-12, Soil Gas, on page 477.

Please refer to Section II.13, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

### **Comment 30-39**

#### Comment

In general, the DEIR appears to downplay the magnitudes, as well as the very existence, of elevated levels of soil gases (especially methane). In reality, the Playa Vista site had some of the highest and wide spread (numerous) elevated levels of methane samples that I have ever collected. Furthermore, because the Playa Vista site was undergoing development at the time I was requested to conduct the sampling, the sampling I did at the Playa Vista site was often times in areas where surface soil was removed or in fresh surcharge material, thus making low readings questionable. Simply put, by sampling areas of fresh surcharge (cover) the methane gas (if present below the surcharge) did not have adequate time to migrate upward and be detected.

Additionally, I have reviewed my field maps as well as several maps in the DEIR. I am concerned to learn that large portions of the Playa Vista Phase Two site lack sufficient sample density to determine the presence or absence of methane or other vapors of concern. The testing must be done on at least fifty-foot centers to adequately describe the soil gas characteristics of the site.

#### Request for Response

Please conduct the necessary testing at fifty-foot centers so that the soil gas characteristics for the Phase Two site can be adequately described, analyzed, and mitigated, if necessary.

**Response 30-39**

The Draft EIR did not downplay the existence of elevated soil gases, including methane. The Draft EIR contains approximately 3,500 pages addressing the issue of soil gas and safety/risk of upset issues. As discussed in Section 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting at page 700, soil gas surveys designed and completed, or overseen, by ETI, the independent peer reviewer for LADBS, sampled 226 locations within the Proposed Project site between October 2000 and January 2001. The protocols for these investigations, including the extent of and procedures for sampling, were developed by or in consultation with ETI and LADBS. The sampling locations, procedures and resulting data from these assessments are reported in Appendices J-7 to J-9. As reported in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, pages 707 to 716, and Appendices J-4 to J-10 and J-14 to J-15, low methane concentrations were detected in soil gas within the Proposed Project site.

Approximately 70 percent of the locations sampled had methane at concentrations less than 100 ppmv. These methane studies provide a baseline of soil gas data. There was no surcharge or new stockpiling within the Proposed Project site during the sampling for the baseline methane assessments. In addition to these baseline assessments, as suggested by the commentor and as described in Subsection 2.1.3.3 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, on pages 669-670 and 738-739, respectively, and Appendix J-14, prior to issuance of building permits, prospective builders will complete additional soil gas assessments for individual projects. Data from these investigations will be used to define appropriate mitigation measures for the particular buildings. The methane assessments are also discussed in Topical Response TR-12, Soil Gas, on page 477.

**Comment 30-40**

## Comment

Finally, as mentioned several times above, the Playa Vista site contained some of the highest methane levels of soil gas that I have ever collected. When soil gas values are elevated to this extent and humans occupy homes, apartments, and other buildings constructed over the pre existing methane seeps, additional testing to determine the present location and magnitude of methane accumulations at the Phase One development is necessary. Methane mitigation systems may be present in/under the buildings, but has the construction activity just directed the methane to other areas?

## Request for Response:

In order to properly and accurately characterize the proposed project site's methane contamination, the entire Playa Vista site must be properly characterized, which requires additional testing in both the Phase One development area and the proposed Phase Two development area. The DEIR fails to recognize the need for this additional precautionary investigation, and therefore, the DEIR should be revised to do so.

**Response 30-40**

As described in Subsection 2.1.3.3 and 4.0 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, on pages 669-670 and 738-739, respectively, and Appendix J-14, aside from the baseline soil gas assessments, prior to issuance of building permits, prospective builders will complete additional soil gas assessments at the time each individual building site is to be developed. Data from these additional investigations will be used to define appropriate mitigation measures for the particular buildings. The methane mitigation measures for the Proposed Project are discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 738. The methane assessments and mitigation measures are also discussed in Topical Response TR-12, Soil Gas, on page 477, and as described in Appendix J-14 of the Draft EIR.

Please also see Response 30-39.

**Comment 30-41****(2) Groundwater Contamination**

Commenter. Rex Frankel, Ballona Ecosystem Education Project

Comment:

As stated on page 435 of the DEIR, there are six study areas within the proposed project site that were identified as potential sources of impacted groundwater that could potentially impact the proposed project site.

Missing from the baseline analysis is a map showing the groundwater contamination plumes under the site. These are contained in the Phase One draft EIR, page V.C.2.A-8, and in the Dreamworks mitigated negative declaration/SEIR's 1994 McLaren-Hart report. As these maps show, a great deal of the southern half of this project has groundwater contaminated with volatile organic chemicals.

Request for Response:

The extent of this known contamination must be mapped and revealed in the DEIR.

**Response 30-41**

The known site contamination is described in detail in subsection 2.2.3 of Section IV.I, Safety/Risk of Upset of the Draft EIR on pages 682-700. In addition, the issue of the extent of the contamination also is addressed in Appendices J-3 and J-15 of the Draft EIR. Appendix J-3 is a comprehensive soil and groundwater investigation of the Proposed Project site from 2002, submitted to RWQCB on May 15, 2002. Figure 10, Total Petroleum Hydrocarbons and Volatile Organic Compound Concentrations in Groundwater, of the Draft EIR in Appendix J-3



graphically illustrates the extent of groundwater contamination based on the findings of the 2002 field investigation. Appendix J-15 is an addendum report performed in 2003 that further characterizes soil and groundwater in the Proposed Project site. Figures 10 and 11 in Appendix J-15 of the Draft EIR illustrate the extent of volatile organic compound concentrations detected in the Bellflower Aquitard and Ballona Aquifer, respectively.

### **Comment 30-42**

Comment:

The issue of how long the cleanup of these sites will take is not explained adequately. Merely stating that the developer will comply with the law does not give the public or decision-makers assurance that this land will be clean, which is especially worrisome given the applicant's plan to site over 5000 people upon it. It is not appropriate to grant land use entitlements, along with a huge increase in Specific Plan density, including the addition of residential development, to a site where the Specific Plan prohibits it, when the land is loaded with industrial contamination and there is no assurance of when, or if, it can be cleaned up.

The statement on page 682 that "it is reasonable to assume that substantial additional progress would be made between now and 2010" is not supported by any evidence. In fact, there is no evidence that there has been any substantial progress on remediating the groundwater plume since it was first discussed in the Phase One EIR. That EIR was prepared in 1992. It is now 2003. Despite the fact that Playa Vista has attempted to remediate the groundwater plume for the past 11 years, there has been no substantial progress. There is no reason to believe that substantial progress will be made over the next 7 years. It is also likely that chemical removal amounts may start out large as the easiest-to-reach chemicals are removed first, then toxic removal rates will drop off. It is inappropriate to plan a major population center on top of land which may never be clean enough for people to live on it.

Request for Response:

The DEIR must show how much progress has been made in the cleanup of the groundwater plumes since their discovery in the mid 1980's. The public and decision-makers have a right to know how much contamination was in the groundwater when it was discovered, how much has been cleaned up thus far, and how much is projected to be cleaned up with current available technology by 2010 or longer.

– The DEIR must explain the likelihood that the land will be cleaned up during the life of the project.

### **Response 30-42**

A description of the ongoing remediation activities in the adjacent First Phase Project is discussed in Section IV.I, Safety/Risk of Upset, of the Draft EIR. As described in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 666 and 667,

all remediation-related work at Playa Vista (for both the adjacent Playa Vista First Phase Project and Proposed Project sites) is being completed in compliance with Cleanup and Abatement Order (CAO) 98-125, issued by the California Regional Water Quality Control Board, Los Angeles Region (RWQCB) in December 1998.

As described in detail for each study area in Subsection 2.2.3.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR starting on page 683, some investigations and remediation of the Proposed Project site were completed prior to issuance of the CAO (as described in McLaren's 1987 and 1990 reports, Appendices J-12 and J-13, respectively, of the Draft EIR). Pursuant to the CAO, a work plan for a broad investigation of the Proposed Project site was submitted on November 20, 2001, and was formally approved by the RWQCB on February 20, 2002 (this approval is included in Appendix J-3 of the Draft EIR). In order to expedite the work, field activities for the investigation at the Project site were initiated on January 21, 2002, and completed on March 8, 2002. The report (Appendix J-3 of the Draft EIR) presenting the results of these investigations was submitted to the RWQCB on May 15, 2002. Section 6 of the report included specific recommendations for additional characterization activities. In a meeting on January 24, 2003, the RWQCB approved these recommendations.

The second phase of field activities at the Project site was conducted from February 18 through May 1, 2003, culminating with the submittal of an addendum report on August 6, 2003 (Appendix J-15 of the Draft EIR). The August 6, 2003 report is currently under review by the RWQCB. The data presented in Appendices J-3 and J-15 of the Draft EIR are discussed in detail in Subsection 2.2.3.2.1 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 687 through 694. Once the RWQCB completes its review of the August 6, 2003, report, a Remediation Plan will be submitted by the Applicant, which will specify the remedial approaches and technology(ies) to be implemented to reduce contaminant levels to acceptable levels as indicated in the Draft EIR. Under the CAO, soil and groundwater remediation will be ongoing for a number of years, as deemed appropriate and necessary by the RWQCB under authority of the Porter-Cologne Water Quality Act of 1970.

The Project Applicant is responsible for compliance with the conditions of the CAO. In the event the development of the Proposed Project is completed before a comprehensive closure is granted by the RWQCB, an economically viable entity will be identified to carry out any remaining environmental responsibilities until site closure is secured.

### **Comment 30-43**

Comment:

The plan as shown on page 1032 of the DEIR locates both active parkland and wildlife habitat/Riparian Corridor on the toxic sites. But, this is not a "brownfield" owned by a financially-deserving developer who got stuck with polluted land and deserves a break. It is improper for Playa Capital, LLC to place responsibility for their toxics problem on the public by tying completion of Phase 2 park mitigation measures to their success at cleaning up their toxic mess.

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Request For Response:

- Please explain how the applicant will ensure that the park sites are clean enough for human use if the contamination cannot be remediated.
- If the park sites end up proving to not be clean enough for people to use, please explain how the applicant will otherwise meet the PRP requirement of 4 acres per 1000 people for this project.

**Response 30-43**

Residual chemical contamination from past industrial operations that occurred at the Proposed Project site will be remediated to achieve protection of people that may live, work or recreate in the Proposed Project site from unacceptable cancer risks or non-cancer health hazards. As addressed in Subsection 2.1.2.3 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, starting on page 666, existing contamination in the Proposed Project site that represents a risk to human health will be addressed through the use of health-based remediation goals (HBRGs).

HBRGs are permissible concentrations of chemicals in soil, groundwater and soil gas that ensure protection of workers, residents and people recreating in the Proposed Project site and are based on risk protection levels established by U.S. EPA and Cal-EPA. HBRGs, as an expression of acceptable cancer risk and non-cancer hazard targets, are used to determine where remediation may be necessary, and to guide the development of remediation alternatives to achieve clean-up.

Based on existing site characterization data for the Proposed Project site, it is anticipated that the areas of contamination can be adequately remediated for their intended purpose. As such, there is no reason to believe that the ability of the Proposed Project to meet the City's park requirements would be precluded.

The remaining comment is noted and will be incorporated into the Final EIR for review and consideration of the decision-makers.

**Comment 30-44**

Request for Response:

Instead of burying key information in the Technical Appendices, please include in the DEIR Summary the toxic sites location map, (located at Appendix J-15, Figure 2). Burying this significant information in the Technical Appendices does not further the "informed public" goal of CEQA.

**Response 30-44**

The areas of potential concern are shown in Figure 57 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on page 684. Information contained in the Appendices is not “buried,” as suggested by the commentor. Information contained in the Appendices supplements and clarifies information presented in the Draft EIR.

**Comment 30-45**

Comment:

Three of the six toxic sites are described in the DEIR as being capable of qualifying for “No Further Action” status from the Regional Water Quality Control Board, meaning that Playa Capital’s experts believe the 3 sites are sufficiently remediated. Two of those three NFA sites are in areas planned for development. But two of the three sites that don’t qualify for an NFA designation are in the parks and habitat areas. Therefore, areas which will benefit the developer are considered “clean”, speeding up development. However, areas that will serve to mitigate the impacts of the development, and benefit the general public, are being located on top of unremediated toxic sites, with no guarantee of when or if they will be safe for public use, or, in the case of the Riparian Corridor, for wildlife use.

Request for Response:

- Please provide analysis as to how the Riparian Corridor habitat values might be affected by the toxic contamination.
- Please provide information about whether the contaminated groundwater might mix with the water in the Riparian Corridor and if so, how that will affect the habitat values of both the Riparian Corridor itself, and the Freshwater Marsh.

**Response 30-45**

The Riparian Corridor, to be constructed as part of the Proposed Project, will be constructed outside of any areas with residual surface soil contamination and will use only uncontaminated materials for construction. If contamination is found within the area proposed for the Riparian Corridor, the contamination will be remediated, as appropriate under the Cleanup and Abatement Order issued by the Regional Water Quality Control Board, prior to construction of the Riparian Corridor. Portions of the Riparian Corridor that may have any potential to come in contact with areas of groundwater contamination will be lined with an approved liner, which will form a barrier to groundwater intrusion. It is not anticipated that there will be any adverse impact to downstream habitat in the Freshwater Marsh.

As addressed in detail in Section IV.C.(2), Water Quality, of the Draft EIR, monitoring of water quality in the Riparian Corridor and the Freshwater Marsh is required as part of approvals for

these habitat restorations. These data can be used to evaluate the quality of water entering the Freshwater Wetlands System in the future. See also Response 30-43, above.

Please see Response 30-43 for a discussion of Project site soil and groundwater characterization and remediation efforts.

### **Comment 30-46**

#### (3) HYDROGEN SULFIDE GAS

Commenter. Dr. John Montgomerie, Emeritus Professor of Medicine, Keck School of Medicine, University of Southern California

The Draft EIR is inadequate for the following reasons, which are described in detail below:

### **Response 30-46**

The comment provides background information on the letter submittal. Specific comments regarding the review of the Draft EIR and responses follow.

### **Comment 30-47**

A. The DEIR fails to satisfy applicable law because it does not adequately describe the extent and levels of hydrogen sulfide contamination at the site.

#### 1. Evidence of presence of Hydrogen Sulfide and Measured Levels

The DEIR reports many estimations of hydrogen sulfide but still fails to recognize high levels of hydrogen sulfide recorded in the past.

As outlined in the draft EIR (P715) ‘In addition to methane, all soil gas samples from the October through January 2001 surveys were analyzed for hydrogen sulfide, and BTEX. The majority (over 60 percent) of the samples taken throughout the Proposed Project site indicated no hydrogen sulfide, based on a detection limit of 0.003 ppmv. The highest concentration of hydrogen sulfide detected was 1.000 ppmv at a location (No. 9724) in the southwest portion of the Proposed Project site. (Although the supplemental soil gas survey conducted in November 2000 originally reported a hydrogen sulfide concentration of >50 ppmv at Location 9735, it is believed that such a reading was an error. During the December 2000 soil gas survey, additional samples were taken at, and around, Location 9735 and hydrogen sulfide levels were found to be less than 0.03 ppmv at all of the newly sampled locations. Additionally, none of the other nearby (i.e., within 100 feet) locations during the November 2000 survey exhibited high levels of hydrogen sulfide).’

This high level that was discounted is consistent with other earlier high levels detected. As discussed later, the fact that this measure could not be repeated some time later does not mean it was an error. The DEIR fails to note that there have been many records of very high levels of hydrogen sulfide. At Ballona there have been numerous anecdotal reports of the detection of the odor (the smell of rotten eggs) by persons in the area. There are written reports of hydrogen sulfide in the water; work stoppages and an archeological investigation that had to be halted because of toxic levels of hydrogen sulfide on Ballona. On Dec 13th 1998 when a well bore was being placed 3 workers became ill because of the hydrogen sulfide. There are reports of extraordinarily high measurements of 500 and 2000 parts per million leaking from the S. Calif. Gas Co. wells.

### **Response 30-47**

As described in Response 30-38, a single reading showing a concentration of hydrogen sulfide above the upper detection limit of the instrument (>50 ppmv) was detected at Location 9735. During the subsequent January 2001 soil gas survey (see Appendix J-9 of the Draft EIR), additional samples were taken at and around Location 9735 and hydrogen sulfide levels were found to be less than 0.03 ppmv at all of the newly sampled locations and below detection limit (0.003 ppmv) at the 9735 location. Additionally, none of the other nearby (i.e., within 100 feet) locations on the November 17, 2000, survey exhibited high levels of hydrogen sulfide. Of the 226 soil gas samples collected within the Proposed Project site between October 1999 and April 2001, the majority (approximately 67 percent) did not exceed the detection limit of 0.003 ppmv. Given the above data, the initial detection at Location 9735 is lower and conflicts with re-sampling measurements and the near vicinity measurements. This reading may have been anomalous (i.e., a very temporary localized condition).

Of the 226 soil gas samples collected within the Proposed Project site between October 1999 and April 2001, the majority (approximately 67 percent) did not exceed the detection limit of 0.003 ppmv. Aside from Location 9735, the next highest concentration of hydrogen sulfide detected was 1.000 ppmv at a location in the southwest portion of the Proposed Project site. ETI found that hydrogen sulfide encountered during the soil gas surveys is indicative of background levels naturally occurring from recent sedimentary deposits.

As described in Subsection 2.2.4.1 of Section IV.I, Safety/Risk of Upset of the Draft EIR, on page 709, the soil gas surveys conducted for the adjacent Playa Vista First Phase Project site and the Proposed Project site provide the most reliable, comprehensive and representative data for defining the overall hydrogen sulfide characteristics of the sites. Other data sources, such as boring logs and construction safety field monitoring logs provide anecdotal evidence of the presence of hydrogen sulfide. Boring logs and other subsurface investigation reports completed for portions of the adjacent Playa Vista First Phase Project and the Proposed Project sites include mention of sulfurous odors, potentially hydrogen sulfide. Construction safety field monitoring logs indicate occasional hydrogen sulfide concentrations greater than those noted above. These potential occurrences of hydrogen sulfide are temporary conditions, which dissipate quickly once the area has been exposed to the atmosphere. As described in Subsections 3.3 and 3.4 of Section IV.I, Safety/Risk of Upset of the Draft EIR, on pages 721-733, Cal/OSHA worker safety

requirements (i.e., air monitoring during subsurface excavation activities) anticipate and specify worker protection measures (i.e., protective equipment/clothing, safety plans and training) for such occurrences. Existing site health and safety procedures and risk management protocols will protect construction workers and maintenance workers against such exposures. Given the low concentration of hydrogen sulfide detected within the Proposed Project site and the planned land uses and development activities, no significant exposure of occupants to hydrogen sulfide is expected.

Please see Topical Response TR-12, Soil Gas, on page 477 for a further discussion of hydrogen sulfide.

Please refer to Section II.13, Corrections and Additions, of the Final EIR for a revision to the Draft EIR

### **Comment 30-48**

2. The DEIR does not adequately describe the methods used to measure the hydrogen sulfide

The DEIR does not describe the technical methods of storage and measurement of the hydrogen sulfide samples used to evaluate risk. The only technical details of measuring hydrogen sulfide were that the samples were obtained by vacuum and the limits of detection seemed to be 3 parts per billion. Samples obtained by vacuum would be very difficult to obtain without contamination with air. The samples are likely to be grossly contaminated by ambient air because the sampling tube would be impossible to seal.

### **Response 30-48**

The methods and instrumentation for sampling and analyzing hydrogen sulfide are described in the soil gas monitoring reports in Appendix J of the Draft EIR. Please also see Topical Response TR-12, Soil Gas, on page 477, for a discussion of the collection of hydrogen sulfide data.

### **Comment 30-49**

3. The DEIR does not adequately describe the potential sources the difficulties in detecting hydrogen sulfide and possible effect of earthquakes and weather.

The DEIR states that ‘Natural sources of hydrogen sulfide include subterranean emissions (e.g., caves, wells, coal pits, springs), volcanoes, and bacterial decomposition of sulfur in soil, groundwater and gastrointestinal tracts. Hydrogen sulfide may be released spontaneously from microbial decomposition of sulfur-containing compounds. Within the adjacent Playa Vista First Phase Project and Proposed Project sites, sources of hydrogen sulfide are likely to include shallow organic material, either naturally occurring (i.e., ancient swamp) or imported to the site years ago.’ The DEIR seems to be alluding to the local collections under the degraded wetlands.

As noted earlier, the DEIR states, “the supplemental soil gas survey conducted in November 2000 originally reported a hydrogen sulfide concentration of >50 ppmv at Location 9735. It was believed that such a reading was an error because additional samples were taken at, and around, Location 9735 and hydrogen sulfide levels were found to be less than 0.03 ppmv at all of the newly sampled locations and none of the other nearby (i.e., within 100 feet) exhibited high levels of hydrogen sulfide.”

Although they believed this was an error it is almost certainly not an error. It demonstrates the difficulties in detecting hydrogen sulfide. The probe probably detected hydrogen sulfide in a fissure or crack.

Hydrogen sulfide does not move uniformly through the soil. This is especially true for gas that may be under pressure. Pockets of hydrogen sulfide below the site may be tracking to the surface through fissures or cracks. The gas will find the path of least resistance. The distribution of subsurface gases will also be influenced by earthquakes and subsurface water levels which can also be dependent on a number of factors including rains.

### **Response 30-49**

ETI found that hydrogen sulfide encountered during the soil gas surveys is indicative of background levels naturally occurring from recent sedimentary deposits. Such deposits consist of naturally occurring organic-rich material. The highest concentration of hydrogen sulfide detected was greater than the upper bound of the instrument detection limit (50 ppmv) on November 17, 2000, at Location 9735 (see Appendix J-8 of the Draft EIR). This reading may have been anomalous (i.e., a very temporary localized condition). Aside from Location 9735, the next highest concentration of hydrogen sulfide detected at the Project site was 1.000 ppmv. For a further discussion of hydrogen sulfide, please see Response 30-47 and Topical Response TR-12, Soil Gas, on page 477.

### **Comment 30-50**

B. The draft EIR fails to satisfy applicable law because it fails to consider and measure human health risks of hydrogen sulfide (“H<sub>2</sub>S”) [*sic*].

The DEIR analysis inaccurately minimizes the risks of hydrogen sulfide. It does not adequately consider the risks of H<sub>2</sub>S [*sic*] gas to human health and does not adequately consider the medical evidence that low levels of hydrogen sulfide are toxic to humans.

The only risk outlined in the draft EIR (P713) “is [the possibility] that the combination of an elevated hydrogen sulfide pocket and the confined space of an excavation could lead to an ambient air concentration in excess of worker health criteria.”

Hydrogen sulfide is a toxic gas that kills approximately 50-80 persons every year in the USA and has maimed others, such as that which occurred at the Texaco oil refinery in Long Beach in 1992. As outlined in the draft EIR, hydrogen sulfide is corrosive and is an irritant to the eyes



and respiratory tract at low concentrations. The California Office of Environmental Health Hazard Assessment (OEHHA) recognizes 8 parts per billion by volume (ppbv) as the inhalation reference exposure level for chronic toxicity (i.e., long-term exposure limit). At this level many persons can detect an odor and this level may exacerbate asthma in children. Recent medical research has also shown that exposure to hydrogen sulfide at low levels may produce brain and other body damage.

Dr. Kaye Kilburn at USC School of Medicine conducted a study that included the incident at the 1992 Long Beach Texaco refinery explosion. This study found that persons exposed to 1 part per million of hydrogen sulfide for even very short periods of time may develop brain damage (Environmental Epidemiology and Toxicology 1:217-216 1999).

Dr. Marvin Legator and his colleagues noted that even lower levels of hydrogen sulfide in the range of 10 to 700 parts per billion may produce a range of disorders (Archives of Environmental Health 56: 123-131 2001).

### **Response 30-50**

Hydrogen sulfide levels in the Proposed Project site have been characterized in detail. Of the 226 soil gas samples collected within the Proposed Project site between October 1999 and April 2001, the majority (approximately 67 percent) did not exceed the detection limit of 0.003 ppmv. As described in Subsection 2.2.4.1.2.2 of Section IV.I, Safety/Risk of Upset, of the Draft EIR, on page 713, an evaluation of public health impacts and a health risk assessment for BTEX and hydrogen sulfide were conducted using data Exploration Technologies, Inc. (ETI) collected from the adjacent Playa Vista First Phase Project site and the Proposed Project site. Both studies found the risk associated with BTEX and hydrogen sulfide to be insignificant. Subsequent data collected between October 2000 and January 2001 (Appendices J-7, J-8, and J-9 of the Draft EIR) in the Proposed Project site is consistent with the initial ETI data set. The evaluation of public health impacts did note that there was a potential risk to workers in the confined space of an excavation where the gas may collect and not dissipate rapidly. The Draft EIR provides that construction activities shall comply with Cal/OSHA safety requirements to address such potential risk. Mitigation plans have been developed to address naturally occurring oilfield gases. Please refer to Topical Response TR-12, Soil Gas, on page 477.

The exposure levels mentioned by the commentor refer to levels as measured in the breathing zone or ambient air. The hydrogen sulfide data collected at Playa Vista is generally from approximately 4 feet below the subsurface. Hydrogen sulfide gas in the subsurface dissipates rapidly when it reaches ambient air. Concentrations in ambient air at the Proposed Project site are anticipated to be below any level of significance.

### **Comment 30-51**

C. The DEIR does not adequately consider need for mitigation of the hydrogen sulfide during operation.

While the DEIR does recognize some level of risk of hydrogen sulfide, it only recognizes risk in terms of construction stage of the project, not operation stage. This is inadequate.

As noted in the DEIR (P721) Air monitoring for Methane, Hydrogen Sulfide, Volatile Organic Compounds, and Petroleum Hydrocarbons shall be conducted as follows during sub-surface work activities:

‘Monitor continuously for hydrogen sulfide (H<sub>2</sub>S) [*sic*] in personnel breathing zone spaces during all sub-surface work. Monitor for H<sub>2</sub>S [*sic*] in trenches and excavations prior to and during entry. If H<sub>2</sub>S [*sic*] meter reads 10 parts per million by volume (ppmv) or more, stop work and evacuate personnel from areas with high H<sub>2</sub>S [*sic*] readings until readings have dropped below 10 ppmv.’

By contrast under ‘Operations’ the DEIR reaches the amazing conclusion that there is no risk from hydrogen sulfide. ‘With respect to hydrogen sulfide and BTEX, only very low, if any, concentrations were found to occur on-site and are not considered to pose a significant safety/risk of upset hazard for long-term operation of uses within the Proposed Project.’ How does the City draw this conclusion when data indicates otherwise?

Hydrogen sulfide present during construction will not necessarily disappear during ‘operations’. Hydrogen sulfide may leak to the surface through a fissure or crack and collect in an inhabited space. People digging in their yards could encounter hydrogen sulfide gas. This needs to be addressed in the DEIR.

In another section of the DEIR (under Cumulative Impacts, P740) there was again recognition of risk from the hydrogen sulfide. The report concludes that proposed mitigation measures recommended for methane safety would adequately address hydrogen sulfide health risks and, therefore, were appropriate.

The applicant has attempted to mitigate the methane by placing membranes under the buildings. They have not considered the possible effects that hydrogen sulfide could have on the membranes. It is difficult if not impossible to mitigate hydrogen sulfide because it is corrosive and may corrode the methane membranes. This is another reason to question the long-term effectiveness of the methane membranes.

### **Response 30-51**

Issues regarding hydrogen sulfide and BTEX are addressed in Subsections 2.2.4.2, 3.4.3 and 3.4.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 714-15, 727-28, and 731-733, respectively, which is supported by Appendices J-4 to J-10 and J-14 of the Draft EIR. Hydrogen sulfide and BTEX also are addressed in Topical Response TR-12, Soil Gas, on page 477, above. As discussed on page 733 of the Draft EIR, there is no indication that levels of BTEX and hydrogen sulfide will be significant during operation of the Proposed Project. Accordingly, no mitigation measures for operation of the Proposed Project are required. The Draft EIR provides that construction activities shall comply with Cal/OSHA safety requirements.

Topical Response TR-12, Soil Gas, also provides a discussion of hydrogen sulfide and building mitigation systems. There is no evidence, during decades of successful operation of methane mitigation systems with membranes, in many California jurisdictions, and in locations with orders of magnitude higher levels of hydrogen sulfide than the subject project, that the systems have been compromised by hydrogen sulfide. The mitigation systems have worked well in extreme environments such as hazardous waste landfills, even in many cases without the multiple layers of protection proposed for the Playa Vista development. The membrane material must pass rigorous ASTM tests for hydrogen sulfide and BTEX permeability, acid exposure, oil resistance, heat aging, chemical incompatibility and other tests. The vent pipes of high-density plastic, also used in industrial sewer and gas pipelines for decades, have not been compromised by hydrogen sulfide or sulfuric acids at normal temperatures.

It should also be noted that, according to the available data, former office and factory buildings and tunnels at the Proposed Project site apparently operated safely for decades without the higher level of gas mitigation proposed for the Proposed Project.

### **Comment 30-52**

(4) California Health & Safety Code §§25220 et seq.

Commenter: Sabrina D. Venskus, Esq.

Please address the following comment in a revised DEIR:

The California Health and Safety Code §§25220 et seq., requires a person to apply to the California Department of Toxic Substances Control (“DTSC”), prior to construction of buildings, for a determination as to whether the land should be designated a hazardous waste property or a “border zone property,” if that person knows, or has probable cause to know, that disposal of hazardous waste has occurred on the property that person owns or leases. Cal. Health and Safety Code §25221 [hereafter undesignated section references are to the Health and Safety Code].

Section 25221 (a) states,

“any person as owner, lessor, or lessee who (1) knows, or has probable cause to believe, that a significant disposal of hazardous waste has occurred on, under, or into the land which he or she owns or leases or that the land is within 2,000 feet of a significant disposal of hazardous waste, and (2) intends to construct or allow the construction on that land of a building or structure to be used for a purpose which is described in subdivision (b) of Section 25232, within 1 year shall apply to the [DTSC] prior to construction for a determination as to whether the land should be designated a hazardous waste property or a border zone property pursuant to Section 25229.”

Section §25232(6) sets forth the type of land uses that require compliance with §25221:

“none of the following shall occur on the land without a specific variance approved in writing by the department for the land use and land in question:

1) construction or placement of a building or structure on the land which is intended for use as any of the following, or the new use of an existing structure for the purpose of serving as any of the following:

- (A) a hospital for humans
- (B) a school for persons under 21 years
- (C) a day care center for children
- (D) any permanently occupied human habitation other than those used for industrial purposes

2) Subdivision of such land, except that this paragraph shall not prevent the division of a parcel of land so as to divide that portion of the parcel which is designated a border zone property from other portions of such parcel not so designated.

Once an application is received by DTSC, it must determine whether the land should be designated as hazardous waste property or border zone property. §25221.1. A determination results in either a hearing or a statement of “no known hazard.” If the DTSC determines that a hearing is warranted, then a building moratorium is recommended by DTSC to the local land use authorities. §25221.1. In addition, the land then becomes subject to the requirements, restrictions, provisions, and liabilities contained in chapter 6.5 of Division 20 of the Health and Safety Code. §25230(a)(2). Finally, if after the requisite hearing is held, the land is determined to be a hazardous waste property, then any development that occurs on the site must obtain a specific variance approved in writing by the DTSC for the land use and land in question. §25232.

As Playa Capital is aware, and the DEIR acknowledges, disposal of hazardous waste has occurred on the Phase Two property. Playa Capital intends to construct buildings and structures to be used for purposes described in § 25232(6). These purposes include residences and possibly daycare facilities, preschools, or private schools, and other uses that trigger Section 25221. Therefore, Playa Capital is legally required to apply to the DTSC for a Section 25229 determination prior to construction.

The DEIR makes no mention of the foregoing. Section IV(I), paragraph 2.1.2 of the DEIR should be revised to address the applicant’s compliance with the above-referenced statute.

### **Response 30-52**

The Proposed Project will comply with all applicable laws affecting the Proposed Project site.

Please refer to Section II.13, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

**Comment 30-53****J. POPULATION, HOUSING AND EMPLOYMENT**

Commenter: David Dichner, Certified Public Accountant; member, National Assoc. of Valuation Analysts

The main questions raised by my review of the DEIR, and should be addressed in a revised DEIR, are as follows:

1. Do these jobs, houses, and population fit the overall plan for the region and local area?
2. If they do, is this the right place to put them? Does the site have unique values that are not being maximized with this proposed use, and could the houses, people, and jobs just as well be developed elsewhere in the general area, in sites without these unique values & potentials?
3. If it is the right place for them, and the development does proceed, can the unique values of the site be better preserved?
4. Does the DEIR use circular reasoning? That is, have they limited themselves to looking to see if the development is consistent with SCAG's expectations, which themselves anticipate the increase in population and commercial space caused by the proposed Project?

**Response 30-53**

The jobs and housing proposed by the Project do fit within overall area and regional plans, and the Project site is appropriate for the proposed uses. The Draft EIR analyzes Proposed Project development in the context of overall plans for the region and local area in Sections IV.G, Land Use, and IV.J, Population, Housing and Employment.

The analysis of regional and local plans within the Land Use section addresses Project development in the context of the SCAG Regional Comprehensive Plan and Guide and the City of Los Angeles General Plan inclusive of the Westchester Community/District Plan. The analysis cites applicable policies and land use guidelines and evaluates the Project for consistency with those plans. As indicated in the Summary of Land Use Impacts on page 647: "Implementation of the Urban Development Component would be compatible with the land use/density designation in the Community Plan and Specific Plan, and the adopted environmental goals and policies of the community, and impacts regarding the regulatory framework would be less than significant. Development of the Proposed Project would support policies for mixed-use, clustered development, enhancement of jobs/housing balance, efficient provision of infrastructure, and emphasis of public transit and non-motorized transportation. Further, the Proposed Project would support such activity at a location identified for such uses in existing plans."

It may be noted that the City's Framework Element includes Long Range Land Use Diagrams that identify areas where more clustered types of development can occur. Development provided in higher density projects, such as the Proposed Project, redirects development pressure away from surrounding existing land uses. As described in Subsection 3.4.1.1.4.1, the Long Range Land Use Diagram contained in the Framework designates the area around the intersections of Jefferson and Lincoln Boulevards and Culver and Lincoln Boulevards as the approximate area for a Regional Center. Under the concept presented there, regionally serving uses would be concentrated at the intersection of Jefferson and Lincoln Boulevards and extended/blended eastward into related uses in adjoining areas, including the Proposed Project site. As described in Subsection 3.4.1.1.4.2, the site is designated for light/limited industrial uses (which includes commercial development) and High/Medium Density Residential uses.

In summary, based on the above, the Proposed Project is consistent, from a land use perspective with regard to the regional and local plans that are applicable to the Project site.

SCAG regional projections provide advisory information to various jurisdictions and public agencies (e.g. technical staff and decision-makers) to be used for land use planning and the provision of various community services. Under CEQA, anticipated growth in itself is not necessarily a significant impact. Significant impacts occur when development causes significant changes to the physical environment. Nonetheless, Table 105 on page 772 of Volume 1 of the Draft EIR identifies the housing, population and employment growth forecasted to occur within various geographies that include and surround the Project site. A clear conclusion that can be drawn from this data is that growth across all three of these demographic variables is anticipated to occur and that the Project represents a subset (i.e., less than 100 percent) of the growth forecasted to occur through 2010. As these forecasts are the bases for the regional and local plans that include the Project site, it is reasonable to conclude that the jobs, houses and population attributable to the Proposed Project do fit into the overall plan for the region and local area. Furthermore, the Project has a substantial positive effect in terms of regional and local plans by co-locating housing and jobs and providing a large number of housing units in the local area thereby substantially improving the jobs/housing ratio within this geography, and the resultant environmental benefits that accrue to everyone as a result of the increment of additional housing being proposed as part of the Project (see page 774 of Volume 1 of the Draft EIR).

Furthermore, the existing Playa Vista Area B, C, and D Specific Plans and the Marina del Rey/Ballona Land Use Plan allow the development of up to 8,837 residential units, 5,900,000 sq.ft. of office uses, 1,070,000 sq. ft. of retail uses, and 2,400 hotel rooms within the Former Playa Vista Master Plan Area. As these plans collectively constitute local land use plans, the Proposed Project, inclusive of the Playa Vista First Phase Project, constitute less than two-thirds of the housing development and approximately one-half of the office and retail development anticipated to occur in the local area.

With respect to alternative site analysis, such an analysis is presented in Section VII, Subsection 4.7 of Volume 1 of the Draft EIR. This analysis concluded that development of the Proposed Project at the selected alternative site in Carson would not avoid impacts that would be

encountered at the Playa Vista site and that worse impacts with regard to air quality and earth resources would occur with the development of the Proposed Project at the alternative site.

SCAG is the federally designated Metropolitan Planning Organization (MPO) for the southern California region. SCAG, in this capacity, is responsible for the preparation of regional plans that guide development within its jurisdictional boundaries consistent with applicable federal legislation. The demographic forecasts upon which these regional plans are based represent SCAG's official forecasts. As no other similarly sanctioned forecasts are available, the demographic comparisons provided in the Draft EIR, to these official forecasts, are not "limited," as suggested by the commentor. SCAG has submitted a comment letter on the Draft EIR and has not objected to any of the analysis provided in the Draft EIR. As the comment letter noted, the "approach [in the Draft EIR] to discussing consistency or support of SCAG policies is commendable...." See Comment Letter No. 19.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

#### **Comment 30-54**

##### Comment

Population and housing units' increases for the area are projected at 56,299 and 8,441 respectively, or about 6.5 persons per housing unit increase. On two lines, housing units decline while population increases. This seems unusual. Some explanation is warranted, if nothing else to assure that it is not an error.

#### **Response 30-54**

This comment references data presented in Table 111 on page 794 of Volume I of the Draft EIR, specifically population and housing growth between 2002 and 2010. The conclusion in the comment that the average household size is 6.5 persons per housing unit is a misinterpretation of the data because the growth forecasts include changes in the structure of existing as well as future households. What data supports is the general demographic trend toward larger household sizes. The correct comparison is to compare average household sizes in 2002 and 2010 and then draw conclusions based on that data. For example, the average household size, not taking vacant units into account, in 2002 was 2.06 persons/unit, compared to a forecast of 2.18 persons/unit in 2010. Comparing these two averages, one concludes that SCAG is forecasting a 5.5 percent increase in the average household size over the 2002-2010 period.

The decline in the number of housing units, while population increases, is a statistical anomaly that results from using forecasts from two data sets. The data presented in Table 111 on page 794 of Volume I of the Draft EIR, was obtained from two sources—the City's web site (for 2002 data) and SCAG's forecast of growth at the census tract level (for 2010 data). Two data sets were used as a determination was made during the preparation of the Draft EIR that demographic information at the Community Plan level needed to reflect the data presented on the

City's web site at the time the Draft EIR was prepared. However, while the City's web site reports current demographic forecasts, the web site does not provide forecasts of future conditions. As such, SCAG data was used to forecast 2010 demographic conditions. For the Westwood and West L.A. Community Plan Areas, there was a minor discrepancy between the two data sets. This discrepancy was recognized during the preparation of the Draft EIR and concluded that using a consistent methodology and providing a conservative analysis was more important than deviating from a consistent application of a methodology to reconcile what are small anomalies in the context of the overall growth forecasted to occur within the related projects study area. Furthermore, if the anomalies were corrected, the housing unit increase for the related projects study area would have increased, thereby reducing the Project's cumulative impact as identified in the Draft EIR. Therefore, the application of the standard methodology serves to also provide a conservative analysis.

### **Comment 30-55**

#### Comment

The DEIR compares the houses, jobs, and population increase to the SCAG RCPG and RTP: This approach begs the question of whether the RTPs and RCPGs over the years have been changed to accept the fait accompli of Playa Vista, which now enables Playa Vista to conform to the RTC and RCPG. If so, then the fact the Proposed project conforms with the RTC and RCPG is meaningless. The question then becomes, what other area plans or agencies should be considered in the DEIR, but are not?

### **Response 30-55**

Please refer to Response 30-53. The regional plans anticipate the population, employment, and housing growth reflected in the Playa Vista Project. The Playa Vista Project has been under consideration by regional and local planning agencies for over a decade. Forward planning by regional and local agencies is designed to anticipate growth within the region and subregion.

All relevant local and regional plans have been addressed in the Draft EIR. In addition to the analyses of plans within Sections IV.G, Land Use, and IV.J, Population, Housing and Employment, the Draft EIR includes a discussion of impacts from cumulative growth within the analysis of the each of the environmental topics in Sections IV.A through IV.P.(3) of the Draft EIR. Each of those analyses discusses the growth described in this Draft EIR to the growth anticipated by the plans, agencies/decision-makers responsible for governance over each of the environmental topics.

### **Comment 30-56**

#### Comment



Page 343 discusses the price mix. The DEIR states there will be affordable housing. The developer here is a wholesaler, who will sell pieces of the property to retailers for development.

Request for Response:

- Is there a specific price-point allocation for a particular percentage of units of the housing mix which is binding on the retailers?
- If so, how will it be enforced?
- Are the developers bound to contractually bind all buyers/builders down the chain?

### **Response 30-56**

Page 343 of the Draft EIR does not include the comments cited. The purpose of CEQA is to identify the potential impacts of the project on the physical environment. Economic and social impacts, pursuant to CEQA Guidelines Section 15131, need only be analyzed to the extent that there is an effect on the physical environment. As the issues raised in the comment are purely economic in nature, they are not within the purview of CEQA. As discussed in Section IV.J, Population, Housing and Employment, of the Draft EIR, the Proposed Project is anticipated to provide a range of housing types and sizes at corresponding cost levels. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-57**

Comment

In addition to questions of law, there will inevitably be questions of fairness in dealing with the applicant. The landowner is entitled to treatment in accord with the laws. However, remember that not everything can be quantified. In such circumstances, the bigger picture is relevant.

The legal, political, and business setting in which the current landowner acquired this property should be considered. This property was acquired not based on raw land value, but as a business in trouble. The acquisition price for the entire 1087 acres was approximately \$100 million, which represented around 70% (a little less than that if I recall) of what had been lent on the property (not its value, just its encumbrance!) by a consortium of banks.

The low price was due to the fact that lenders and all the potential buyers knew that political, legal, and environmental questions would inevitably delay the length of time for obtaining entitlements, decrease the density, and increase the costs of development relative to a normal land acquisition. In fact, they knew it might not be developable at all. Indeed, the ultimate acquirer was an “opportunity fund” (also known as a “vulture fund”). These funds basically make high risk investments, knowing some won’t work out. They are looking for very high rates of return, similar to venture capital investments, not normal real estate investments. Access to the minutes of the buyers’ investment committee (and related studies) where this investment was first considered would be instructive in this regard. In sum, the same deference you might otherwise have owed the Hughes family as long time owners is not owed to Playa Capital, L.L.C.

**Response 30-57**

The comment raises no environmental issues related to the Proposed Project. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-58**

## Comment

Pages 743-745 refer extensively to SCAG's RCPG. The rest of the section discusses how the proposed project fits into the RCPG. But on page 794, SCAG expectations show housing decreases while showing population increases. This seems remarkable.

## Request for Response

Please explain the seeming contradiction stated above.

**Response 30-58**

Please see Response 30-54.

**Comment 30-59**

## Comment

On October 30, 2003, I spoke with a SCAG employee (Jeffrey Smith) who informed me that SCAG had been contacted about this DEIR, had reviewed it, and believed that the data used was used correctly. He stated that SCAG would have obtained its population expectations for the area from the City of Los Angeles. I expect that the City of Los Angeles did anticipate population increase from the proposed Playa Vista development, so there does appear to be some circularity in the DEIR's measuring the acceptability of population increase relative to SCAG's projections. This makes it even more remarkable that the DEIR concludes that the increase in population from the proposed Project is unacceptable.

**Response 30-59**

Please see Responses 30-54 and 30-55. As shown in Table 105 on page 772 of the Draft EIR, the proposed Project's population growth represents only a fraction of the growth forecasted to occur within each of the geographic areas analyzed. Therefore, the Project is consistent with SCAG's projections. This conclusion is supported by SCAG in their comment letter (see Comment Letter No. 19, SCAG). Further, the DEIR does not state that "the population increase from the proposed project is unacceptable" (see pages 771-773 of Volume 1 of the Draft EIR).

**Comment 30-60**

## Comment

Page 769: Section 3.3 anticipates 5720 population increase, and 1180 job increase.

## Request for Response

Are the housing costs of the proposed Project consistent with the types of jobs created by the Project? This is not discussed in the DEIR and should be. The discussion should include consideration of low wage workers in the proposed hotels and restaurants, dry cleaners, etc. For all those high priced attorneys, executives, video game programmers, and entertainment industry craftspersons, there are support people with low to moderate wages. How many low to moderate income jobs will be created, and how many of those workers will be able to afford to live at either Playa Vista or the surrounding communities? There is no discussion of this in the DEIR. Not even a half hearted attempt.

**Response 30-60**

As discussed in Section IV.J, Population, Housing and Employment, of the Draft EIR, the Proposed Project is anticipated to provide a range of housing types and sizes at corresponding cost levels and will provide housing opportunities for workers in the surrounding jobs-rich area.

The Draft EIR provides a listing of the applicable policies in Subsection 2.1.2.1 of Section IV.J, Population, Housing and Employment, on page 746-748. The various features of those policies have been incorporated into the impact analysis in Subsection 3.4.3 on page 772: “The Proposed Project would meet or exceed all of the relevant housing policies contained in the Housing Element of the City General Plan and other relevant plans. The Project would provide housing across a wide range of sizes and rental costs that would also meet American with Disabilities Act (ADA) and equal opportunity practices and requirements. The Project would meet other City Housing Element policies by providing an integrated mixed use development with enhanced public realm streets, streetscapes and landscaping that encourage pedestrian activity and provide a network of bicycle trails that allow accessibility throughout the Project site. The Project by itself, but also in conjunction with the adjacent Playa Vista First Phase Project, would create a residential and commercial center that is transit accessible and designed to facilitate the reduction of vehicle trips and vehicle miles traveled by locating commercial/retail uses in proximity to proposed residential development and employment sites. As the Proposed Project would be compatible with the City’s adopted housing policies, a less-than-significant impact would occur.”

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-61**

## Comment:

Page 769: Section 3.4: The DEIR is cryptic with regard to applying significance threshold factors (Section 3.2). Further, the RTCP planned population growth would occur with or without this project, so the project is in addition, contrary to what the DEIR states. It is clear that the proposed Project would have a significant impact on population and housing growth, because “the project would cause growth” and “accelerate development in an undeveloped area that exceeds projected/planned levels for the year of project occupancy buildout.” The DEIR itself states that the population increase from the proposed Project is unacceptable.

**Response 30-61**

The discussion cited in the comment is provided as an explanation of how the significance thresholds established in Subsection 3.2 of Section IV.J, Population, Housing and Employment, of Volume I of the Draft EIR, relate to the significance thresholds set forth in the Draft Los Angeles CEQA Thresholds Guide (see page 768 of Volume I of the Draft EIR). SCAG’s forecast is their technical opinion as to what is anticipated to occur in the portion of the City of Los Angeles within which the Project is located. The analysis appropriately focuses on how the Project is consistent with, or exceeds, SCAG’s growth forecast. As shown in Table 105 on page 772 of Volume I of the Draft EIR, the proposed Project’s population, housing and employment growth represents only a fraction of the growth forecasted to occur within each of the geographic areas analyzed. Therefore, the Project is consistent with SCAG’s projections. This conclusion is supported by SCAG in their comment letter (see Comment Letter No. 19, SCAG). Further, the DEIR does not state that “the population increase from the proposed project is unacceptable” (see pages 771-773 of Volume I of the Draft EIR).

**Comment 30-62**

## Comment

Page 770: The DEIR dismisses the second threshold factor (unanticipated infrastructure) question by stating that the Project is not an infrastructure project. This would only be true if the proposed Project was truly a redevelopment, not requiring new infrastructure. Instead, because this Project is located on unimproved, raw land, this Project requires extensive new infrastructure, including a sewer system, roads, street lights, and is therefore an infrastructure project.<sup>3</sup>

## Request for Response

The DEIR should address the second threshold criteria as outlined above.

Footnote 3 Also known as “urban sprawl”

**Response 30-62**

The Draft EIR does not dismiss the second threshold as suggested by the commentor, but rather refers the reader to Section V of the Draft EIR wherein the issue of infrastructure capacity of the nature raised by the threshold is appropriately addressed.

**Comment 30-63**

## Comment

The DEIR states that shade and scale are to be considered (page 173). A short drive to Jefferson and Lincoln Boulevards prove that the applicant did not consider shade and scale in its Phase One development. The actual Phase One is nothing like what's described. The 4 story buildings are massive, sitting on land above street level so that they are as high above ground as any 5 ½ story structure. They look more like prisons than the wonderful open housing the developer's public relations department is selling. Why should we believe that the applicant will truly consider shade and scale this time around?

**Response 30-63**

The Playa Vista First Phase Project is being developed in accordance with the development standards identified and analyzed in the Playa Vista First Phase EIR (1993) and required in the First Phase Project's Conditions of Approval. Development height for the Proposed Project, as is the case with the First Phase Project, is established as a maximum distance above mean sea level therefore providing guaranteed heights regardless of the ground elevation. Therefore, the shade/shadow analysis presented in Section IV.F.(1), Natural Light—Shading, of Volume 1 of the Draft EIR, is an accurate depiction of future conditions. The same conclusion applies to all analyses of building scale as presented throughout the Draft EIR.

**Comment 30-64**

## Comment

Section 3.4.2, Page 771, estimates 1.7 million hours of construction work. Page 763 of the DEIR states, "This indicates there is currently a surplus of workers ... to accept job opportunities associated with new development projects." The long term effects of Playa Vista will detrimentally impact parts of the Santa Monica Bay ecosystem, and parts of the Pacific Migratory Flyway crucial to migratory birds, will destroy open space, create traffic problems, and other negative consequences that will persist into our grandchildren's grandchildren's lives.

## Request for Response

The DEIR discusses the short term gains of temporary construction jobs created by the Project (p771). But the DEIR doesn't explain how these temporary jobs justify the long term impacts of the project. With regard to permanent jobs, (p763), the DEIR assumes that the jobs that are created are particularly unique to Project itself. It ignores the fact that these jobs could go somewhere else. For instance, a set number of checkers will be employed whether on this site or another.

### **Response 30-64**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The purpose of an EIR is to identify the physical impacts of the Project on the environment and to identify project alternatives and mitigation measures to reduce the Project's significant impacts, if any, to the extent feasible.

Statements made in the comment concerning the Proposed Project's long term effects are addressed in the EIR. The Proposed Project would not have a significant impact on the Santa Monica Bay or on wildlife movement/migration corridor, including the Pacific Migratory Flyway as discussed in Sections IV.C.(2), Water Quality, and IV.D, Biotic Resources, of the Draft EIR. The Proposed Project also would not have significant impact on open space/habitat as discussed in Section IV.D. The Draft EIR also analyzes the Proposed Projects traffic impacts and concludes that traffic impacts would be mitigated to a less than significant level as discussed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR, and Section II.15, Corrections and Additions, of the Final EIR. With respect to employment, the Draft EIR identifies the employment to be generated by the Proposed Project for the purposes of assessing how this employment growth would affect the environment. Refer to Response No. 30-53 for a discussion of the process for analyzing Project impacts at an alternative location.

### **Comment 30-65**

#### **K. TRANSPORTATION**

##### **(1) Traffic**

a) Commenter: Laurel Roennau, Transportation Planner

##### **1) Methodology Used to Measure Impacts on Intersections is Questionable Comment**

The methodology used in this DEIR to evaluate existing mobility is inaccurate, misleading and outdated. Congestion cannot be resolved by studying individual intersections. Effective solutions cannot be found in modifications of intersection geometry or operation alone.

Growth on the Westside of the LA basin has reached a point where conventional identification and mitigation of critical congestion points are no longer feasible. In the past, a traffic study for

a new local project might be based on, say, twenty intersections, with two or three projected to operate at LOS E or F at a “future” condition. Normally these locations have been reasonably amenable to mitigation, usually by physical modification of the site (lane added, parking removed, etc.). Now there are no mitigations left, and the label of “significantly impacted” no longer means that something needs to be fixed, but rather that another location for imminent gridlock has been identified. All too often, traffic studies (EIRs) are approved based on “overriding considerations” which are brushed aside as not available or not feasible.

The traffic analysis methodology used in this DEIR is based on the Highway Capacity Manual (HCM). It uses the TRAFFIX computer program and provides congestion information on selected intersections under various conditions. The method is outdated and results in inaccurate identification of locations subjected to unacceptable congestion, both existing currently and in the projected future. Mitigation of such impacts is usually limited to physical modification of the streetscape to increase the capacity of affected intersections and promotes vehicle mobility at the expense of pedestrian safety and convenience.

A more realistic program is being studied at the Institute of Transportation Studies at UC Irvine, which considers not only individual intersections but a total urban area. The program is data-intensive and uses input of origin-destination patterns, demographic information, type of trip and many other factors not considered in TRAFFIX. As a result a much wider variety of options is offered for mitigations.

The HCM methodology is used to determine the level of service (LOS) at each selected intersection based on street counts of existing traffic during peak traffic hours, AM and PM (“existing LOS”). Future LOS values are then estimated by adding an ambient growth factor to the measured values and adding the traffic from cumulative projects affecting those locations, as well as anticipated changes to the roadway configuration in the study area. Cumulative projects are projects which have been approved (have building permits) but have not received a certificate of occupancy (future LOS). These LOS represent the traffic situation expected in the study area at some specified future date. The final step is to add the traffic generated by the new project (“future plus project LOS”) which values are then measured against criteria of “significance” to determine which impacted intersections are projected to have adverse congestion in the future.

#### Request for Response

How does the methodology used for the Playa Vista Phase Two Draft EIR (“PV II EIR”) account for “spillover traffic,” i.e., demand in excess of intersection capacity?

#### Comment

There are a number of pitfalls in this process which may occur. Selection of intersections to be studied may be inadequate; the ambient growth factor may be incorrect; the cumulative projects list and planned street modifications will almost certainly change between the “existing” condition and the projected situation. All of these problems and more are evident in the PV II EIR.

**Response 30-65**

Several statements and assumptions in the comment require clarification because they are not correct. First, the comment is incorrect when it states that the methodology is “inaccurate, misleading and outdated.” The traffic analysis for the Proposed Project was conducted using state-of-the-art traffic engineering model. Please see Topical Response TR-1, Playa Vista Transportation Model, on page 445 for a more detailed discussion of this model.

Second, the comment is incorrect when it states that “the traffic analysis methodology used in this Draft EIR is based on the Highway Capacity Manual (HCM)” and “uses the TRAFFIX computer program ...” In fact, the traffic projections have been prepared using a focused travel demand model based on the Southern California Association of Governments regional model and the City-adopted model, with substantial additional detail added in the Westside area. As such, the model takes into consideration various factors suggested in the comment as “more realistic” including: consideration of the total urban area (incorporating socioeconomic/land use and traffic growth throughout the Los Angeles metropolitan region), input of origin-destination patterns, demographic information, type of trip, etc. The travel demand model is discussed in Subsection 3.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 829 and in Chapter III and Appendix 1B of Technical Appendix K of the Draft EIR. This is also discussed further in Topical Response TR-1, Playa Vista Transportation Model, on page 445.

The HCM intersection analysis method and the Traffix computer program was used only as a supplemental analysis of study intersections in the City of Santa Monica, since that is the method preferred and requested by the City of Santa Monica in their response to the Notice of Preparation for the Village at Playa Vista EIR dated January 14, 2003 (see Volume 3 (Part 3 of 5) of Appendix K of the Draft EIR). The City of Los Angeles approved CMA (Critical Movement Analysis) methodology based on the Highway Research Circular 212, Transportation Research Board document was used to analyze signalized intersection and the Highway Capacity Manual (HCM2000) unsignalized intersection analysis methodology was used to analyze unsignalized intersections. All the intersection supply characteristics, including number of lanes, type of traffic control and signal phasing were all field checked, photographed and verified for accuracy prior to use in the traffic analysis for this study.

Because a focused travel demand model was used, the comment is also incorrect when it describes the approach as adding an ambient growth factor to existing traffic counts, adding traffic from related projects, and then adding traffic generated by the Proposed Project. In fact, the travel demand model generates both existing and future trips by type based on population and employment forecasts by traffic analysis zone throughout the region, and distributes these trips using a gravity model. As such, ambient growth is part-and-parcel of the regional socioeconomic inputs to the model and related projects are not explicitly added but are also part of the socioeconomic growth inputs.

In fact, the analysis of related projects is conservative. The traffic analysis was conducted using a transportation model based on the Southern California Association of Governments (SCAG)



regional model, which included the socioeconomic and land use growth anticipated by SCAG for the entire region. Interpolation between 2000 and 2015 socioeconomic datasets produced land use and traffic growth patterns for the Year 2010 to be used as the Future Cumulative Base projections. To check the validity of the SCAG projections, each of the cities within the study area was asked to supply a list of their related background projects, including projects in development or anticipated to be developed and open by 2010. This list was compared against the land use assumptions for each traffic analysis zone “TAZ” to determine whether each TAZ included sufficient land use growth to accommodate the related projects. Additional land use development was added to those TAZs that did not have sufficient growth based on SCAG’s forecast. While additional development was added where required, corresponding reductions in land use was not taken in those instances where the cumulative development was less than that forecasted by SCAG. Thus, the amount of cumulative land use development assumed in the traffic model exceeded that assumed in the related projects list. See Topical Response TR-3, Related Projects, on page 453 for a discussion of how the future model trips were reviewed to ensure that they were sufficient to encompass the known related projects.

In addition, the model accounts for spillover traffic by assigning traffic to the shortest travel paths. When a particular corridor becomes oversaturated and projected travel speeds decline, traffic is assigned to alternative routes but not residential streets.

Finally, the comment concludes that “selection of intersections to be studied may be inadequate; the ambient growth factor may be incorrect; the cumulative projects list and planned street modifications will almost certainly change between the ‘existing’ condition and the projected situation.” The Proposed Project evaluated 218 intersections in a 100 square mile area. The selection of these intersections is discussed further in Topical Response TR-7, Study Intersections, on page 463. The growth projections are conservative and the cumulative impacts analysis analyzes growth beyond just the known related projects list, as discussed above. Further, the street modifications assumed in the 2010 Baseline Condition include only funded and programmed transportation system improvements in the study area.

## **Comment 30-66**

### 2. Selected Intersections Comment

This traffic study evaluates 218 intersections which might be expected to experience adverse impacts from the proposed development. Twenty three of these intersections are located within Santa Monica (“SM”), which made it possible to compare data and results from the PV II EIR with corresponding data for projects in SM. Some anomalies were immediately apparent. “Existing” data were available for the two studies, with traffic counts taken less than a year apart. It would be reasonable to assume that street traffic would increase with time, but these data (V/Cs for 2002 and 2003) show that traffic volume decreased at eight of the 23 locations—in one location by a factor of three (PV 11 counts in 2003 were one-third as large as those taken a year earlier for the SM study). Further, in comparing the “future without project” level of service (V/C) values for the two studies, all but three of the PV II values are lower than those calculated for the SM projects—a counter-intuitive situation.

The implication of these observations is that these unexpectedly lower V/C values reflect traffic improvement with time. More likely is that the two sets of traffic counts were taken with different ground rules. And small differences at the beginning of a study can become major discrepancies when considering mitigation requirements.

### **Response 30-66**

The commentor is comparing existing volume/capacity (V/C) and level of service (LOS) data from the January 2002 Draft Santa Monica Master Environmental Assessment (MEA) to the data presented in the Draft EIR (Table 115 on page 815, Table 119 on page 856, and Attachment C to Appendix K-1 of the Draft EIR). The commentor appears to be interpreting differences in V/C ratios shown in the Santa Monica MEA and the Draft EIR as representing differences in traffic counts. This is incorrect. The traffic counts used in the Draft EIR for the 23 study intersections in Santa Monica were obtained from the same City of Santa Monica January 2002 Draft MEA referenced in the comment letter. In fact, the traffic counts used in the January 2002 Draft MEA were conducted in 1999, and the counts were factored upwards to represent 2003 existing baseline conditions for use in the Draft EIR. Thus, the existing volume data used in the Draft EIR was actually higher than the count data used in the January 2002 Santa Monica Draft MEA. Also see Response 30-69.

The commentor suggests that the lower V/C ratios shown in the Draft EIR at certain locations for existing and future conditions necessarily suggest lower volumes. This is not correct. The differences in existing V/C ratios are a result of the different level of service methodologies used by the City of Los Angeles and the City of Santa Monica. The City of Los Angeles uses the critical movement analysis (CMA) method of intersection capacity analysis (see Subsection 3.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 830), while the City of Santa Monica uses the operational methodology from the Highway Capacity Manual.

The Critical Movement Analysis (CMA) Planning Methodology used by the City of Los Angeles is based on the Transportation Research Board's Circular 212-Interim Materials on Highway Capacity. This methodology measures a signalized intersection's performance based on the average volume-to-capacity ratio computed using the amount of traffic, lane configurations and number of signal phases at the intersection

The Highway Capacity Manual (HCM) methodology used by the City of Santa Monica determines the level of service at a signalized intersection based on the average control delay experienced per vehicle. This measure of intersection performance is based on a number of factors including magnitude of traffic, type of signal control, lane geometry and other factors such as on-street parking, bus operations near the intersection and pedestrian volumes at crosswalks.

The differences in future V/C ratios are the result of a combination of the different level of service methodologies used and the different forecasting methods used (see Response 30-65 and

Topical Responses TR-1, Playa Vista Transportation Model, on page 445, and TR-3, Related Projects, on page 453.

A more relevant comparison than V/C ratio would be the number of intersections at higher levels of service. Using the City of Santa Monica methodologies, the January 2002 Santa Monica Draft MEA indicates that five of the 23 Santa Monica study intersections operate at LOS E or F under existing (year 1999) conditions, increasing to 15 under year 2009 future conditions. Using the Los Angeles methodologies, the Draft EIR shows that 13 of the 23 Santa Monica study intersections operate at LOS E or F under existing (year 2003) conditions, increasing to 16 under year 2010 future conditions.

It should be noted that, as a result of the State's acquisition of Area A and portions of Area B and the passage of SB 666, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. As discussed in Subsections 3.1 and 5.1.5 of Section 4-K.(1), Traffic and Circulation, of the Draft EIR on pages 828 and 931, respectively, the Traffic Report included an analysis of the Proposed Project's impacts under the no Playa Vista Drive bridge and road baseline. Under either baseline scenario, the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

### **Comment 30-67**

Congestion already exists in each of the communities surrounding the Proposed Project, and some of their intersections have been included in the study. There have been important omissions, however. For example, in Santa Monica, two requested locations which are considered to be potential critical congestion points were omitted:

- Main Street/Olympic Drive - recently opened for traffic, and
- 4th St./I-10 on- and of ramps.

The above two locations are access points for the Santa Monica Freeway which will be a major connector for traffic between Playa Vista and all points north and east of the Lincoln/Rose city-line intersection, and should be included in the Study.

Request for Response

Why were these locations omitted?

### **Response 30-67**

The Draft EIR evaluated numerous intersections within Santa Monica that are closer to the Proposed Project site than the suggested intersections. The Draft EIR concluded that the

Proposed Project would not have significant traffic impacts at any of these intersections. As discussed in Topical Response TR-7, Study Intersections, on page 463, intersections farther away from the studied intersections would experience the same or even less project traffic, and consequently even less incremental impacts. Because of the less than significant volume/capacity increases the Proposed Project would add to the studied intersections, it is clear that intersections located farther from the Proposed Project would not be significantly impacted.

### **Comment 30-68**

#### Comment

Other locations near the city lines (e.g. on Lincoln at nearby points north and south of Rose) should be added to the Study so that traffic counts can be compared to assure that consecutive values are reasonable.

### **Response 30-68**

A total of seven intersections along Lincoln Boulevard north of Washington Boulevard were analyzed as part of the traffic impact analysis for the Village at Playa Vista project: Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Rose Avenue, Lincoln Boulevard/Ocean Park Boulevard, Lincoln Boulevard/Pico Boulevard, Lincoln Boulevard/I-10 eastbound ramps, Lincoln Boulevard/I-10 westbound ramps, and Lincoln Boulevard/Wilshire Boulevard. The Draft EIR determined that the Proposed Project would have a significant impact at Lincoln Boulevard/Venice Boulevard before mitigation, but would not have significant impacts at the intersections north of Venice Boulevard. See Figure 65 on page 809 of the Draft EIR for a map illustrating all of the study intersections. Also See Response 30-67 and Topical Response TR-7, Study Intersections, on page 463.

### **Comment 30-69**

#### Request for Response

Traffic counts used in the PV II EIR at intersections which have also been studied in recent SM EIRs should be compared for consistency.

### **Response 30-69**

Traffic counts for the 23 study intersections within Santa Monica were the most recent available from the Santa Monica Citywide Traffic model maintained by the City of Santa Monica at the time the traffic study for the Draft EIR was prepared, and were the same as those used by the City of Santa Monica in the January 2002 Draft Santa Monica Master Environmental Assessment (MEA). Since the traffic counts used by the City of Santa Monica in the January 2002 Draft MEA were conducted in 1999, these counts were factored upwards to represent 2003 existing baseline conditions for use in the Draft EIR. Thus, the existing volume data used in the

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Draft EIR was actually higher than the count data used in the January 2002 Santa Monica Draft MEA. See also Topical Response TR-7, Study Intersections, on page 463.

**Comment 30-70**

Request for Response

In addition to the three omitted locations noted above, please add the following intersections to the Traffic Model:

- Gateway and Pico
- 7th and San Vicente
- 7th and Wilshire
- 14th and Wilshire
- 20th and Wilshire
- Lincoln and California
- Lincoln and Sunset
- Lincoln and Marine
- Lincoln and Ashland
- Washington Boulevard and Abbot Kinney
- Abbot Kinney and California
- Abbot Kinney and Main Street

**Response 30-70**

As discussed in Topical Response TR-7, Study Intersections, on page 463, the Draft EIR concluded that the Proposed Project would not have significant traffic impacts at any of these intersections. Please also see Response 30-67.

**Comment 30-71**

Request for Response

What criteria were used to select specific intersections for inclusion in the Traffic Study?

**Response 30-71**

Section IV.K.(1), Traffic & Circulation, of the Draft EIR beginning on page 828 describes the process used in selecting intersections for the Traffic Study (see also Technical Appendix K-2, Volume XX of the Draft EIR). As described therein, the approximately 100-square mile study area was established by reviewing the travel patterns and the potential traffic impacts of Proposed Project traffic. Within the study area, 218 intersections were selected for detailed study in the following three steps:

1. The 105 intersections from the Playa Vista First Phase Project EIR were included.
2. Adjacent and nearby cities and jurisdictions were given the opportunity to add additional intersections to the study list. These included the Cities of Santa Monica, Culver City, Inglewood, El Segundo, Manhattan Beach, Hawthorne, Hermosa Beach, and the County of Los Angeles.
3. Additional intersections were added after the results of the modeled traffic assignments were investigated so that all locations where Project traffic might have a significant impact were included.

Information regarding the process used to select intersections for analysis in the Draft EIR, is also discussed in Topical Response TR-7, Study Intersections, on page 463.

### **Comment 30-72**

#### Comment

It is interesting to compare volume/capacity ratios at the selected intersections at four operational conditions, as follows:

- 2003 measured traffic counts (existing baseline)
- 2010 projected baseline (including roadway improvements, ambient growth, cumulative projects and their mitigations etc.), without the Proposed Project
- 2010 projected baseline with Proposed Project, and
- 2010 projected baseline with Proposed Project and required mitigations.

These conditions are summarized in the EIR in Attachment C of Appendix K-1, Volume XX.

#### Comment

It would be expected that the 2003 baseline values are lower than the 2010 baseline values. This is true for 201 of the study intersections; the remaining 15 locations show improved mobility (lower V/C), due to roadway improvements and cumulative project mitigations which more than offset ambient growth.

It would also seem likely that the 2010 + Project V/C would be worse (higher) than the 2010 baseline alone, and that addition of the Proposed Project mitigations would improve (or at least not degrade) mobility. Adding the Proposed Project does indeed increase the V/C at all intersections, but may or may not include ambient growth and local development projects—cumulative—used by SM. Surprisingly, adding the mitigation program does nothing to improve mobility at most of the selected intersections, including all locations in SM.

#### Request for Response

How do you explain the fact that your numbers show essentially no change between V/C values for the 2010 Baseline, 2010 B. plus Project and 2010 B. plus P. plus Mitigations (M)? Is this true for the other (non-SM) studied intersections as well? Please plot the boundaries of influence of the Proposed Project for B plus P and for B plus P plus M.

### **Response 30-72**

See Topical Response TR-3, Related Projects, page 453, for further discussion of the manner in which related projects were included. The volume/capacity (V/C) ratios in Attachment C of Appendix K-1 show minor changes between the 2010 baseline and 2010 plus Proposed Project scenarios (up to 0.004 increase) at the study intersections in Santa Monica due to the relatively low magnitude of project-generated traffic that is expected to travel through these intersections. There is essentially no change in V/C ratios at the Santa Monica study intersections between the 2010 plus Project and 2010 plus Project with mitigation scenarios because the mitigation program is directed at the study locations which are projected to be significantly impacted. No intersections in Santa Monica would be significantly impacted, therefore no mitigation measures were proposed at these locations. This is not the case at non-Santa Monica study intersections (as discussed in the Draft EIR, significant project impacts are projected at 54 intersections before mitigation. Mitigation measures were proposed at all these locations to alleviate the Proposed Project's significant impacts).

Further, as discussed in response 30-66, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

A new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

Regarding boundaries of influence, Figure 74 on page 867 in Section IV.K.(1), Traffic and Circulation, of the Draft EIR illustrates the intersections that are projected to be significantly impacted by the Proposed Project before mitigation.

### **Comment 30-73**

Request for Response

Were neighboring jurisdictions given an opportunity to endorse the “existing” traffic counts within their boundaries?

### **Response 30-73**

As discussed in Subsection 2.2.3.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR beginning on page 808, traffic counts for the 209 study intersections that currently exist were collected and were factored to represent a standardized 2003 base year. LADOT, the City of Culver City, and Los Angeles County representatives reviewed the existing traffic counts utilized in the study for intersections within their jurisdictions. Counts for study intersections within Santa Monica were the most recent available from the Citywide Traffix model maintained by the City of Santa Monica at the time the traffic study for the Draft EIR was conducted.

### **Comment 30-74**

#### **3. Significant Impacts**

Environmental impacts associated with transportation are threefold: congestion, noise and air quality. Noise and air quality are dealt with, if at all, in other sections of this report. Transportation is the movement—or mobility—of people and goods, which is impaired—or impacted—when congestion occurs. The methodology selected and used in the Traffic Study for the Proposed Project is primarily concerned with motor vehicles moving—or not moving—through intersections, presumably because current computer software provides models which measure that kind of congestion. Non-motorized vehicles and pedestrian traffic are not easily quantified and have not been reviewed in this comment report; the EIR should establish policies and goals for these modes as well.

### **Response 30-74**

The mobility of people and goods has been addressed in the Draft EIR. Transportation System Improvements to roadways, transit system, and signal system have been identified to address the Proposed Project’s impacts, as discussed in Section IV.K.(1), Traffic and Circulation, of the Draft EIR, and Section II.15, Corrections and Additions, of the Final EIR.

Non-motorized improvements to be provided as part of the Proposed Project, including new bikeways and pedestrian improvements, are discussed in Subsection 3.3.4 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 840.

Section IV.K.(3), Bicycle Plan, of the Draft EIR beginning on page 953 addresses the bikeways serving the area surrounding the Proposed Project, the future continuity of the bikeway system, existing City and County bikeway plans, and the new linkages included in the Proposed Project. The section presents an analysis of the impacts that would occur for the Proposed Project and for the Proposed Project’s secondary impacts that would occur from the implementation of the



Proposed Project's off-site mitigation measures and concluded that Proposed Project impacts would be less than significant.

The potential for Proposed Project impacts on pedestrian safety was also considered in the Draft EIR. See Subsections 3.2.4 and 3.4.8.2 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 834 and 878, respectively.

### Comment 30-75

Intersections analysis offers several areas where problems may occur. Some of these will be discussed in the sections which follow.

A significant traffic impact occurs if a project "substantially increases traffic relative to existing load and capacity" or "exceeds an established level-of-service standard" (CEQA Deskbook, 1999, p.43). By that criterion, the 23 Santa Monica intersections included in the PV II EIR operated at significant impacts at three LOS E and one LOS F locations in 2002 (based on city-wide SM 2002 counts), compared to eight LOS E and three LOS F locations in 2003 (PV II EIR, - pp856-7), an improbable increase in traffic over one year; but not impossible. (See Table 1 below).

**TABLE 1**  
SIGNIFICANTLY IMPACTED (LOS E & F) INTERSECTIONS  
(23 Santa Monica Locations Only, PM Peak Hour)

Year	Condition	Source	Los E	Los F	Total
2002	Baseline (existing)	Santa Monica (2002 MEA)	3	1	4
2003	Baseline (existing)	PV II EIR	8	3	11
2009	Baseline (projected, no project)	Santa Monica (2002 MEA)	2	13	15
2010	Baseline (projected, no project)	PV II EIR	8	8	16
2010	Baseline + Project	PV II EIR	8	8	16
2010	Baseline +Project + Mitigations	PV II EIR	8	8	16

This increase did, however, trigger curiosity about possible other discrepancies between the two studies done on the same locations at about the same time. In going from the PV II EIR 2003 baseline to the PV II EIR 2010 baseline, traffic degraded to "significant" at five more locations (from 11 to 16), a not unexpected shift over 7 years. A more surprising result is the repetition of 16 significantly impacted locations (the same locations) when the proposed Project is added to the mix; an increase in LOS E & F would be expected with the addition of 24,220 daily car trips. Even more perplexing is that including the mitigations does nothing to improve the situation; i.e. the V/Cs for baseline with no project, baseline with project, and baseline with project and mitigations all have identical values at all SM locations used in this study.

Santa Monica is a community where most residents and employees have for years identified traffic as its most serious problem. The City determined in 2002 that five of its twenty-three local sites studied by the PV II EIR were already at LOS E or F. In 2003, the PV II EIR declared that eleven of those sites operated at LOS E or F. Furthermore, in the draft 2002 Master Environmental Assessment document, Santa Monica projected an increase to fifteen significantly impacted locations by 2009, while PV II EIR (no project, 2010 baseline) anticipates sixteen such sites by 2010.

Again, using the same twenty-three Santa Monica intersections as a sample group, it was determined that there were sixteen significantly impacted - LOS E & F - intersections in the PV II EIR 2010 baseline condition. Surprisingly, addition of the Proposed Project with its 24,220 new car trips does not change the number or location of impacted intersections in that city - in fact, most of the volume/capacity values increase by only 0.001.

Even more curious is the observation that V/C values for all twenty-three intersections in Santa Monica are identical for “2010 Baseline with Proposed Project” and for “2010 Baseline with Proposed Projects and with Mitigations” (see pp. 921-923, Table 130, PV II EIR).

In other words, adding 50,000+ car trips from PV Phase I and 24,220 car trips from PV II will increase SM intersections’ PV II EIR V/C values by only 0.001, and then there will be no improvement at all after all of the traffic mitigations have been installed (including 75 roadway improvements, none in Santa Monica). But still the three (SM) [or eight (PV II)] “existing” LOS E and F intersections and the four intersections (SM) [or eight (PV II)] which will be added prior to the Proposed Project will all be improved to operate acceptably (LOS A through D). This seems unlikely; if true, it would lead one to believe that other elements of the mitigation program must be more effective in eliminating congestion than one might expect (see discussion of Transit Mitigations).

### **Response 30-75**

Whether or not an intersection is operating at LOS E or F is not the sole determinant of whether a project has a significant impact at that location. The commentor’s own suggestion that a project must substantially increase traffic implies that a project’s impact must exceed a certain threshold to be considered significant. The significance of Proposed Project impacts at the 23 study intersections in Santa Monica was evaluated using threshold impact criteria established by the City of Los Angeles (see Subsection 3.2.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 832). The intersections also were evaluated using impact criteria established by the City of Santa Monica (see Volume 3 (Part 3 of 5) of Appendix K of the Draft EIR). The Draft EIR determined that the Proposed Project would not have significant impacts at any of the 23 study intersections located within the City of Santa Monica under either method of analysis.

The increase in LOS E and F locations noted by the commentor is not over one year and is due not only to differences in traffic volumes but also to differences in level of service methodologies used by Los Angeles and by Santa Monica (also see Response 30-66). The data

from the Santa Monica Master Environmental Assessment (MEA) is incorrectly interpreted by the commentor as being 2002 traffic data. In fact, the traffic counts used in the January 2002 Draft Santa Monica MEA were conducted in 1999. Since the Draft EIR used this data and factored it up using annual growth factors of 1.63 percent and 0.91 percent for A.M. and P.M. peak hours, respectively, to represent 2003 existing conditions, the differences noted by the commentor are actually across a four-year period, not a one-year period.

A few corrections should be noted to the “Table 1 Significantly Impacted (LOS E& F) Intersections” included in the comment:

- The title of the table incorrectly implies that the table shows the number of intersections significantly impacted by the Proposed Project. Actually, the table shows the number of intersections operating at LOS E or F conditions under existing and projected future conditions. As discussed above, using significance criteria from both the City of Los Angeles and the City of Santa Monica, the Draft EIR determined that the Proposed Project would not have significant impacts at any of the 23 study intersections located within the City of Santa Monica.
- The baseline (existing) data from the Santa Monica 2002 MEA represents 1999 count data (not 2002 conditions as shown in the table).
- The number of LOS E, LOS F, and total LOS E&F intersections for baseline (existing) from the Santa Monica 2002 MEA should be 3, 2, and 5 (not 3, 1, and 4 as shown in the table).
- The number of LOS E, LOS F, and total LOS E&F intersections for 2003 baseline (existing) from the Draft EIR should be 9, 4, and 13 (not 8, 3, and 11 as shown in the table).

The number of study intersections in Santa Monica that are projected to operate at LOS E and F does not change when the project traffic is added due to the relatively low magnitude of project-generated traffic that is expected to travel through these intersections. The volume/capacity (V/C) ratios in Table 119 on pages 856 and 857 of the Draft EIR show minor changes between the 2010 baseline and 2010 plus Proposed Project scenarios (up to 0.004 increase, not the 0.001 mentioned by the commentor) at the study intersections in Santa Monica.

The number of Santa Monica study intersections that are projected to operate at LOS E and F again does not change (with essentially no change in V/C ratios) with the project mitigation measures because the mitigation program is directed at the study locations that are projected to be significantly impacted by the Proposed Project, not at the intersections in Santa Monica.

In the first paragraph on page 36 of the comment letter, the commentor states that “the three (SM) [or eight (PVII)] ‘existing’ LOS E and F intersections and the four intersections (SM) [or eight (PV II)] which will be added prior to the Proposed Project will all be improved to operate acceptably (LOS A through D).” The portion of the statement regarding improvement is not accurate. The Draft EIR does not project that these intersections will be improved to operate at LOS A through D. As noted previously in the comment, the same number and location of Santa

Monica study intersections are projected to operate at LOS E or F both before and after the addition of Proposed Project traffic and the project mitigation program.

Further, as discussed in Response 30-66, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

### **Comment 30-76**

#### 4. Specific PV II EIR Deficiencies

(Note: Volume/Capacity values in this discussion are for PM Peak periods only.)

##### a. “Existing” Traffic Counts are Inaccurate

For example, there are 23 locations within SM in this Traffic Study. The “existing” volume/capacity ratios—the measures of congestion at each intersection—are too low, compared to counts that are used for local studies. At one location the PV study reports only one-third the traffic that has been counted by Santa Monica. If the study starts with less than current reality, it is sure to end up with much less traffic as the predicted impact, which is obviously much easier—and cheaper—to mitigate. If the PV II EIR’s traffic counts for Santa Monica are too low, it is fair to assume that all other areas have been inaccurately counted.

### **Response 30-76**

Please see Response 30-66.

### **Comment 30-77**

##### b. Future Baseline Predictions Are Inaccurate

Again, taking Santa Monica as an example, the PV II EIR analysis of projected future baseline (2010) for the entire study area (all 218 intersections) shows an increase in the number of locations having LOS E and F (SM’s usual criterion for “significantly impacted”) from 49 “existing-2003” to 104 “future baseline, no project” in 2010, an increase of 112%. The corresponding increase in SM (according to the PV II EIR) is from 11 (2003) to 14 (2010), an increase of 27%.

Clearly, the PV II EIR offers a gross underestimation of the impact of the proposed project on Santa Monica, which results from one or both of two factors: 1) failure to include intersections on Lincoln between Washington and Rose in the study, and 2) inadequate handling of the cumulative projects issue.

What other impacted areas by the proposed project contained in the study are grossly underestimated?

### **Response 30-77**

The comment appears to be confusing changes in levels of service caused by ambient growth with project impacts. While the Draft EIR does project an increase in number of locations operating at LOS E or F during the P.M. peak hour from 49 existing to 104 in the 2010 baseline with Playa Vista Drive bridge without project (see Table 131 on page 929 of in Section IV.K.(1), Traffic and Circulation, of the Draft EIR), this is not caused by the Project. These increases are not related to the Project but rather are related to general cumulative growth in the area. The significant impact criteria used to determine Project impacts in the Draft EIR is discussed in Subsection 3.2.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 832.

Also, the comment is not correct when it implies that simply having LOS E or F is Santa Monica's usual criterion for significance. Under the City of Santa Monica's significance criteria, a project impact is not considered to be significant unless the project causes an increase in delay of one second or more at LOS E or an increase in V/C of 0.005 or more at LOS F.

The comment is not accurate when it states that the Draft EIR failed to include intersections on Lincoln Boulevard between Washington Boulevard and Rose Avenue. The study analyzed the intersections of Lincoln Boulevard/Washington Boulevard, Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Rose Avenue and an additional five intersections to the north of Rose Avenue. A total of seven intersections along Lincoln Boulevard north of Washington Boulevard were analyzed in the study. The Draft EIR determined that the Proposed Project would have a significant impact at Lincoln Boulevard/Venice Boulevard before mitigation but would not have significant impacts at the intersections north of Venice Boulevard. See Figure 65 on page 809 of the Draft EIR for a map illustrating all of the study intersections. Also see Topical Response TR-7, Study Intersections, on page 463 and Subsection 3.1 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 828 for information regarding the process used to select intersections for analysis in the Draft EIR.

Further, as discussed in Response 30-66, above, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. Under either baseline scenario (i.e., with and without Playa Vista Drive bridge and road), the analysis of traffic impacts within Santa Monica intersections is the same, and the Proposed Project would not result in any significant impacts at any intersections in Santa Monica. Please see Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472 for a further discussion.

As shown in Appendix K of the Draft EIR and Section II.15, Corrections and Additions, of the Final EIR on page 216, under the 2010 no Playa Vista Drive bridge baseline, 103 intersections would operate at LOS E or F in the P.M. peak hour, compared to 104 intersections under the 2010 baseline with the Playa Vista Drive bridge. As noted above, under either baseline scenario, the level of service and analysis of traffic impacts at Santa Monica intersections is the same.

See Response 30-65 and Topical Response TR-3, Related Projects, on page 453 for discussion on the related projects in the Draft EIR traffic analysis.

### Comment 30-78

#### c. Ambient Traffic Growth Not Counted

In theory, projecting existing measured traffic counts to some future date involves two major adjustments. First, a factor is applied to represent ambient growth - the “normal” increase in traffic throughout the region, usually assumed to be about 1-1/5 to 2% annually. At 1-1/2 %, the seven years 2003 to 2010 would be expected to see a traffic increase of about 11%. Considering just this “ambient” factor, all the “existing” traffic counts (and thus all the V/C values) should increase by at least 11% by 2010. Consider some locations along Lincoln, coming north from Jefferson:

Intersection	V/C Baselines		Total Ambient Increase
	2003	2010	
Lincoln/Jefferson	0.800	1.051	31.4%
Lincoln/Wash'ton [ <i>sic</i> ]	1.241	1.241	1.0%
Lincoln/Rose	0.829	0.894	7.8%
Lincoln/Ocean Pk	1.133	1.369	20.8%

Those increases which are greater than 11.0% could be correct because Total Increase would also include the cumulative factor. But the two locations with Total Increases less than 11 % are obviously incorrect.

### Response 30-78

It is not accurate to assume that, as stated by the commentor, all study intersections must see a volume/capacity ratio increase of at least 11 percent (1.5 percent per year over seven years) representing ambient growth or they are “obviously incorrect.” As discussed in Response 30-65, a focused travel demand model was used to develop the traffic forecasts for this study. The travel demand model generates both existing and future trips by type based on population and employment forecasts throughout the region, including consideration of related projects, and distributes these trips using a gravity model. As such, ambient growth is part-and-parcel of the regional socioeconomic inputs to the model and is not added separately. In addition, the measure accounts for future programmed roadway improvements that may change future travel patterns. See Chapter III and Appendix 1B of Technical Appendix K of the Draft EIR and Topical

Response TR-1, Playa Vista Transportation Model, on page 445 for more information regarding the travel demand model used in the Draft EIR.

As an aside, the Los Angeles County Metropolitan Transportation Authority' Congestion Management Program estimates based on regional modeling that growth in the Los Angeles Westside subregion will average approximately 0.8 percent per year through the year 2025. Also, historical traffic growth in the Santa Monica over the last ten years has averaged less than 0.5 percent per year, and the City of Santa Monica recently changed the ambient growth rate in their Traffix model from 1.5 percent per year to 0.8 percent per year, yielding less than 6 percent over seven years. See Topical Response TR-3, Related Projects, on page 453 for a further discussion of background traffic growth.

The P.M. peak hour V/C ratio for Lincoln Boulevard/Jefferson Boulevard is 1.053 under the no Playa Vista Drive bridge and road scenario. As a minor clarification, the P.M. peak hour V/C ratio for Lincoln Boulevard/Washington Boulevard in the 2010 baseline is 1.241, under either baseline scenario.

### **Comment 30-79**

The second factor needed to adjust baseline 2003 to become baseline 2010 is the incremental traffic at each of the study intersections from approved cumulative projects. This factor differs for each location and is not available from the PV II EIR.

A check of several location worksheets in the PV II EIR Technical Appendices shows that no across-the-board adjustments were applied for the "future" (2010 Baseline) condition; it therefore appears that no factor for ambient growth was used. Further, the worksheets for all 2010 conditions have spaces to enter data for "ambient" and "related projects" factors. These spaces are all blank.

### **Request for Response**

Please include a sample numerical calculation showing the method used to project estimates forward from "existing" to "future" conditions, indicating sources for factors used.

### **Response 30-79**

As discussed in Response 30-65, the travel demand model generates both existing and future trips by type based on population and employment forecasts by traffic analysis zone throughout the region, distributes these trips using a gravity model and assigns these trips to the roadway network using the shortest travel time paths. As such, both ambient growth and related projects are part-and-parcel of the regional socioeconomic inputs to the model. See Topical Response TR-3, Related Projects, on page 453 for a discussion of how the future model trips were reviewed to ensure that they encompassed the known related projects. See Chapter III and Appendix 1B of Technical Appendix K of the Draft EIR and Topical Response TR-1, Playa

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Vista Transportation Model, on page 445 for more information regarding the travel demand model used in the Draft EIR.

**Comment 30-80**

d. Cumulative (“Related”) Projects List Is Inadequate and Incomplete

A number of projects which are projected to cause significantly impacted intersections after mitigation have not been included on the cumulative (related) projects list, even though they are within the study area and clearly will impact on locations near the Proposed Project at PV.

Request for Response

Were neighboring jurisdictions asked to review data for projects within their boundaries? What projects-specific data were used to assess cumulative impact on intersections within the Proposed Project study area? Please include those data in the table of Related Projects.

**Response 30-80**

It is unclear to which projects the commentor refers since they are not specifically noted in the comment. However, a discussion of related projects is provided in Topical Response TR-3, Related Projects, on page 453. A list of Related Projects can be found in the Draft EIR on page 195. The Draft EIR considered and incorporated conservative assumptions regarding identifying the list of related projects and analyzing cumulative impacts. The list of related projects was developed in consultation with the adjoining Cities and the County of Los Angeles with regard to relevant areas of unincorporated Los Angeles County. Also see Response 30-65.

**Comment 30-81**

e. Cumulative Adjustments Not Defined or Listed

Worksheet review does not reveal the source or use of cumulative “Added Volume” or “Ambient” or “Related Projects” information. Without this it appears that the “future” V/C values could have come from an active and erratic imagination.

**Response 30-81**

Please see Responses 30-79 and 30-80 and Topical Response TR-3, Related Projects, on page 453.

**Comment 30-82**

f. Roadway Improvements are not Sufficient to Eliminate LOS E&F Conditions



Usually, EIRs first determine which intersections will be “significantly impacted” by the Proposed Project, and then mitigations are considered to alleviate the problems at these locations. In this study, some 75 roadway improvements (none in Santa Monica) were applied to the “2010 Baseline plus Project” traffic data to identify the “2010 Baseline plus Project plus Mitigations” conditions. The result is that there will still be 102 intersections operating at LOS E or F, not an acceptable situation by CEQA standards (for example, 16 of them in SM compared to four now).

The PV II EIR declares that construction of the Proposed Project and its mitigations will result in only ONE intersection continuing to be classified as “significantly impacted” (at Jefferson & Centinela) and it will operate at LOS C!!

Clearly, something happened between 102 LOS E & Fs and ONE significantly impacted intersection. What happened to the other 101 impacted locations? What happened is that the consultants started using a revised definition of “significantly impacted”—a sliding scale which considers street classification, average daily traffic, “before” LOS and other factors.

Request for Response

How does the City of Los Angeles justify this?

### **Response 30-82**

The commentor appears to misunderstand how the traffic analysis was undertaken. See Topical Response TR-1, Playa Vista Transportation Model, on page 445 for a discussion of the model. Very simply, the model starts with existing traffic and grows it through application of socio-economic projections to project year 2010 traffic conditions. This analysis is designed to include all related projects. Also, all funded and approved transportation projects are added to the transportation system. As discussed in Subsections 3.0 and 4.0 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on pages 828 and 887, respectively, the analysis does first determine which intersections will be significantly impacted by the Proposed Project and then identifies mitigation measures to address these impacts. The comment appears to be confusing changes in the level of service caused by ambient growth with Project impacts and incorrectly assumes that the Proposed Project would have a significant impact at 102 intersections operating at LOS E or F. Using significance criteria established by the City of Los Angeles (and, for Santa Monica locations, by the City of Santa Monica), the Draft EIR determined that the Proposed Project would have significant traffic impacts at 54 intersections before mitigation. The Proposed Project mitigation program described in the Draft EIR is directed at mitigating the direct project impacts at these locations. The Proposed Project mitigation program is not required, to alleviate the lower levels of service at various study intersections that are not caused by the addition of Proposed Project traffic.

In regards to the significance criteria used, the criteria are a sliding scale in that the threshold for significance becomes stricter at increasing levels of service. The intersection significance

criteria are not, however, based on average daily traffic. Average daily traffic is a component of the significance criteria used for neighborhood street impacts. See Subsections 3.2.1 and 3.2.3 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 832 and 833.

A new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR. With implementation of the mitigation measure, the Proposed Project would not result in any significant traffic impacts.

### **Comment 30-83**

#### **g. Pick Up the Slack With Transit**

At this point things get murky. The Proposed Project started out with 49 LOS E&F locations in the study area (PM peak) and jacked it up to 108. Then, with 75 roadway-improvement-type mitigations, the number was reduced to 102.

There is much reference to improved transit programs now being planned and discussed, but very little hard data. The Transit Priority System, the Lincoln Boulevard Transit Enhancement Program, the Metro Rapid Expansion Program, the Playa Vista Internal Shuttle and the Expanded Shuttle System—all are mentioned, but there is no information given on how many cars are assumed to be diverted from the streets by availability of alternative modes. And there is no mention of the awkward fact that getting commuters to ride buses will require very innovative Behavior Modification programs as part of the mitigations. To date, the incentives offered to promote this mode shift have been notably disappointing in this “Car Capital of the World”.

### **Response 30-83**

The premise of the comment is incorrect. The Proposed Project did not cause the number of intersections operating at LOS E or F in the P.M. peak hour to increase from 49 to 108. As shown on Table 131 on page 929 of the Draft EIR, the number of LOS E or F locations is projected to increase from 49 existing to 104 under year 2010 cumulative base conditions without the Proposed Project due to cumulative and related project traffic growth. This is not Project-related growth. With the Proposed Project, the number of intersections operating at LOS E and F in the P.M. peak hours is projected to increase to 108 prior to mitigation but decrease to 102 with mitigation.

It should be noted that as a result of the State’s acquisition of Area A and portions of Area B and the passage of SB 666, the Playa Vista Drive bridge and road extension to Culver Boulevard will not be constructed and is no longer a part of the baseline conditions for the year 2010. As

discussed in Subsection 3.1 of Section 4.K.(1), Traffic and Circulation, of the Draft EIR on page 828, the Traffic Report included an analysis of the Proposed Project's impacts under the no Playa Vista Drive bridge and road baseline.

As shown in Appendix K of the Draft EIR and Section II.15, Corrections and Additions, of the Final EIR on page 216, under the 2010 no Playa Vista Drive bridge baseline, 103 intersections would operate at LOS E or F in the P.M. peak hour, compared to 104 intersections under the 2010 baseline with the Playa Vista Drive bridge. With the addition of the Proposed Project and the new mitigation measure discussed in Section II.15 of the Final EIR, 102 intersections would operate at LOS E or F and the Proposed Project would not result in any significant traffic impacts, after mitigation, at any location.

The proposed transit enhancement mitigation measures are designed for use by Playa Vista residents and employees and to meet the existing and future demand of other transit riders in the area. The transit mitigation does not rely on a majority of Playa Vista residents or employees using transit to be effective; in fact, the mitigation would be effective to reduce potentially significant impacts to less-than-significant levels with as little as 1 percent to 3.3 percent of the total trips along the enhanced transit corridors using the proposed system. This level of usage is consistent with Los Angeles Congestion Management Plan projections. For a more detailed discussion of the effectiveness of the transit mitigation measures, please see Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, on page 455.

#### **Comment 30-84**

h. No Protection for Neighboring Cities (e.g. SM) if the Plan Fails

The developer has agreed to provide six new buses, with operating costs, to Culver City, none for SM. What was the basis for this decision? The trip distribution model estimates that a low percentage of project-generated traffic will travel to/from Santa Monica, contrary to local estimates by the Big Blue Bus.

Request for Response

Please indicate the boundaries for assigning car trips to north, east and south destinations, and the source of data for probable travel patterns.

#### **Response 30-84**

The buses proposed to be provided to Culver City are included as a mitigation measure to mitigate the Proposed Project's traffic impacts.

The traffic analysis presented in the Draft EIR concludes that the Proposed Project would not have a significant impact at any intersections located within the City of Santa Monica. No mitigation within Santa Monica would therefore be necessary. It should be noted that as part of

the previously approved Playa Vista First Phase project's mitigation program, Playa Vista is purchasing five new buses for Santa Monica Big Blue Bus Line 3 on Lincoln Boulevard.

Please see Topical Response TR-2, The Village at Playa Vista Trip Distribution, on page 451 regarding project trip distribution.

### **Comment 30-85**

#### **i. Staged Implementation**

Considering the scope and duration of the Proposed Project and its extensive mitigation program it would be advisable to issue permits for staged implementation at a number of predetermined checkpoints so that the predicted traffic increases and the effectiveness of mitigations can be verified. A program to accomplish this was successfully implemented at UCLA some time ago.

### **Response 30-85**

Please see Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation. The Draft EIR analyzes the potential significant impacts of the Proposed Project in accordance with CEQA and identifies feasible mitigation measures to mitigate those significant impacts. The trip verification study suggested by the Commentor is not necessary to mitigate any significant impact identified in the Draft EIR. As discussed above, the ITE trip generation rates used in the Draft EIR are the industry standard rates used by transportation agencies throughout the nation, including the City and County of Los Angeles, the City of Culver City, and numerous other cities throughout Southern California to estimate trip generation for projects. The City of Los Angeles does not normally require subsequent investigations or verification studies. Rather, the goal is to use reliable information to assess the Proposed Project's impacts prior to consideration of the Proposed Project by decision-makers. The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-86**

b) Commenter: Steve Freedman, Lincoln Corridor Task Force, Citizens Advisory Committee

#### **Background**

I am one of three citizens appointed by the City of Los Angeles to the Citizens Advisory Committee (CAC) of the Lincoln Corridor Task Force. I have lived in the Venice area most of my life, and am very familiar with traffic patterns in the Playa del Rey, Marina del Rey, Venice and Santa Monica areas.

#### **Comment**

Lincoln Blvd., which passes to the west of the project site, is classified as a major north-south arterial and is presently congested for over twelve hours each day. Upon reviewing the Traffic and Circulation section of the DEIR, I was immediately suspicious of projections that indicate that this proposed project would have very little impact on traffic along Lincoln Blvd in the Venice Area.

During a presentation to Mar Vista residents in September 2003, Playa Vista representatives showed a directional distribution of external trips indicating that traffic from the proposed Project would leave as follows: South 41%, East 35%, North 24% (including 9% northbound on Lincoln). I questioned that breakdown because it was not credible. Based on my experience, most Venice, Marina del Rey, and Westchester residents typically have far more of their significant relationships (including employment) in the Westside communities of Santa Monica, Pacific Palisades, Malibu, Brentwood, West LA and the Valley than in the South Bay, and our auto travel reflects this fact. There is no reason to believe Playa Vista residents would be any different.

At a subsequent traffic presentation to Venice residents on October 29, 2003, Playa Vista Project Manager of Planning & Entitlements, Marc Huffman, acknowledged that the earlier directional distribution was wrong. He indicated that the corrected distribution is: South 32%, East 44%, but Northbound traffic was still only 24%. Playa Vista Senior VP of Development, Douglas Moreland, explained that most outgoing residential traffic travels toward employment centers, and said there is a great deal of employment south of the site. I asked the Playa Vista presenters to explain the basis for their directional analysis. They indicated that the study and projections are based on industry accepted models rather than actual counts.

I questioned that distribution because I believe that significantly more than ¼ of the traffic leaving the Venice/Marina area in the morning heads in a northerly direction. On that occasion, I asked the Playa Vista representatives for the actual directional breakdown of current Phase One external traffic because I believe that would give a more accurate indication of the flow of outbound traffic from: the proposed Project than could be deduced using standard models. I also requested a projected breakdown of cumulative external vehicle trips for Phases One and Two combined. The presenters didn't have that information, but said they would get back to me with the answers. To date, Playa Vista officials have not responded to my questions, and neither have my questions been answered in the DEIR.

Request for Response:

- Please provide an actual directional breakdown of current Phase One external traffic, taking into account the actual current occupancy of units at Phase One.
- Please provide a projected breakdown of cumulative external vehicle trips for Phases One and Two combined.

**Response 30-86**

The statement that “this proposed project would have very little impact on traffic along Lincoln Blvd. in the Venice Area” is inaccurate. As illustrated in Figure 74, on page 867 of the Draft EIR, the Proposed Project would result in significant impacts, prior to mitigation, at all 8 signalized intersections between Jefferson Boulevard and Venice Boulevard. As shown in Figure 80, on page 928, after mitigation, these impacts would be mitigated to a less-than-significant level.

With respect to trip generation, the trip generation for the Proposed Project was developed using the rates and equations from the nationally accepted Informational Report *Trip Generation, VI Edition, 1997*, published by the Institute of Transportation Engineers (“ITE”). The ITE document uses a statistically valid number of data points (i.e., residential driveway counts) in developing residential trip information. ITE uses a similar methodology for office and commercial uses. The Proposed Project size, consisting of residential, office, and commercial uses, would all fall within the size range of survey data used in the development of ITE Trip Generation Rates and Equations for the respective land uses.

The ITE document is a reliable source of information that provides statistically valid data (regression equations and weighted average rates) on trip-making for the project uses based on actual surveys performed around the country. This is the state-of-the-art industry standard document for Trip Generation utilized around the country and in the City and County of Los Angeles.

Please see Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, The Village at Playa Vista Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation.

With respect to the trip breakdown, as reported on page 861 of the Draft EIR, the Proposed Project is projected to generate 1,502 and 2,182 external trips during the A.M. and P.M. peak hours, respectively. These volumes represent approximately 25 percent to 30 percent of the total First Phase and Proposed Project trips combined.

**Comment 30-87**

## Comment

I challenge the DEIR’s analysis that only 24% of proposed Project’s external traffic will leave going in a northerly direction, and particularly the projection that only 9% will go northbound on Lincoln Blvd. This distribution is simply not credible. It appears that the directional distribution is the basis for claiming the project will have minimal impact on Lincoln intersections north of Washington Blvd.

Request for Response:

For purposes of ensuring a legally sufficient DEIR Playa Vista and LA DOT must provide actual traffic counts and the directional analysis of traffic currently leaving the Playa Vista site (Phase I and II), and of traffic at all Lincoln Blvd signalized intersections from Jefferson Boulevard through the Venice area, and onto Santa Monica. Using actual, current counts as a basis would provide a more accurate projection of traffic after completion of the proposed Project (and of Phase I and II combined).

### **Response 30-87**

As described in more detail in Topical Response TR-2, The Village at Playa Vista Trip Distribution, on page 451, the traffic assignment model utilized to assign project-related traffic on the roadway network is sensitive to, and reacts to, congestion on the transportation system such that all possible paths are tested and utilized in the assignment of trips. The result is a traffic assignment that reflects the effects of congestion on the roadway network.

With respect to using counts for trip generation, please see Response 30-86. Please see Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, The Village at Playa Vista Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation.

### **Comment 30-88**

Comment

Much earlier in the planning of the Phase One project, Playa Vista indicated the need to widen Lincoln Blvd. to an eight-lane highway (exclusive of double left-turn pockets which would make it ten lanes wide at major intersections). While the current project is indeed smaller than initially conceived, the combined Phase One and Phase Two Playa Vista development remains an extraordinarily large project that will generate twice as many daily car trips (74,000) as the proposed Ahmanson Ranch development. Only a very small percentage of this 74,000 car trips will be internal. The majority (approximately 89% according to the Phase One EIR), will be external, meaning these car trips will travel to and from the project site.

Comment

It was also my understanding that Phase One would be completed and its impacts on the surrounding community known and analyzed before serious consideration would be given to approving any Phase Two development. Too much remains unknown about the impact of Phase One to consider any of Phase Two at this time.

**Response 30-88**

The traffic impacts associated with the First Phase Playa Vista Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995. The Draft EIR analyzed the traffic impacts of the Proposed Village at Playa Vista Project assuming a full build out of the adjacent First Phase Project at Playa Vista, as well as all other known projects expected to be completed in the study area. Please see Topical Response TR-3, Related Projects, on page 453 for additional information.

There is no requirement that approval of the Proposed Project be delayed until the First Phase Playa Vista Project is completed. The purpose of the EIR for the Proposed Project is to analyze the Proposed Project's environmental impacts. See Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, regarding First Phase Project and its conditions of approval, on page 470. The comment is noted and will be incorporated into the final EIR for review and consideration of decision-makers.

**Comment 30-89**

Comment

Lincoln Blvd. is a very congested north-south arterial roadway north of Jefferson Blvd. Despite early recognition of the need to mitigate the impacts of this major development with a major expansion of Lincoln, the DEIR indicates that relatively little project traffic will use Lincoln and generally understates the distribution of external traffic using this route to travel north. Similarly, the DEIR minimizes the impact of the project on traffic flow and intersections in the Venice area.

**Response 30-89**

Please see Responses 30-86 and 30-87.

**Comment 30-90**

Comment

The cumulative effect of all the other developments in the Venice and Marina del Rey areas has been grossly understated. The Venice community has serious questions about the capacity of Lincoln Blvd. to handle all of the additional traffic and the DEIR incredibly indicates that the huge proposed Project won't have much impact-not enough to require any traffic mitigation/roadway improvements between Jefferson Blvd., and the Santa Monica Freeway.



The only traffic mitigation proposed for Lincoln in Venice is a few additional bus trips. This is simply insufficient. Playa Vista has also been relieved of having to implement a major regional traffic mitigation measure required as part of their Phase One mitigation plan. The proposed Playa Vista Drive, a significant North-South traffic mitigation that would have reduced the traffic using Lincoln northbound from the project site, will not be extended north to Culver Blvd. This will save the developer approximately \$15,000,000 in traffic mitigation costs.

#### Request for Response

Will the Project applicant be required to commit the \$15,000,000 (or more) in costs saved from the now-defunct Playa Vista Drive mitigation to some other comparable north-south arterial mitigation measure?

#### **Response 30-90**

The traffic analysis takes a conservative approach in evaluating the cumulative effect of development at the time of the Proposed Project's buildout. See Response 30-65. See also Topical Response TR-3, Related Projects, on page 453.

Further, with respect to Lincoln Boulevard, the Proposed Project will mitigate its impacts along Lincoln to a less than significant level. The Proposed Project analyzed every intersection along Lincoln Boulevard from the Proposed Project site to Washington Boulevard. In addition, a total of seven intersections along Lincoln Boulevard north of Washington Boulevard were analyzed as part of the traffic impact analysis for the Village at Playa Vista project: Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Rose Avenue, Lincoln Boulevard/Ocean Park Boulevard, Lincoln Boulevard/Pico Boulevard, Lincoln Boulevard/I-10 eastbound ramps, Lincoln Boulevard/I-10 westbound ramps, and Lincoln Boulevard/Wilshire Boulevard. The Draft EIR determined that the Proposed Project would have a significant impact at Lincoln Boulevard/Venice Boulevard before mitigation, but would not have significant impacts at the intersections north of Venice Boulevard. See Figure 65 on page 809 of the Draft EIR for a map illustrating all of the study intersections.

Mitigation measures associated with the adjacent First Phase Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December, 1995. Completion of mitigation measures adopted in the certification of these documents is proceeding according to the Mitigation Monitoring and Reporting Programs adopted in conjunction with them. As provided for in the Playa Vista First Phase EIR, traffic mitigation measures are implemented in accordance with a subphasing plan approved by LADOT. With respect to the bridge into Area C, the State Legislature passed SB 666 in connection with its acquisition of Areas A and portions of B and the relinquishment of third-party rights over Area C. SB 666 provides that construction of the Area C Bridge is inconsistent with the state's interest in the preservation of the Area C property and therefore future construction of the bridge is not required.

The remaining comments are noted and will be incorporated into the final EIR for the review and consideration of decision-makers.

### **Comment 30-91**

c) Commenter: Sabrina Venskus, Esq.

#### Comment

Condition #116 of Vesting Tentative Tract No. 49104 (Playa Vista Phase One development) states the following,

“The maximum average number of P.M. peak hour off-site automobile trips generated by the cumulative total of First Phase office space shall be limited to 1,493. Maintenance of this trip cap shall be performance-based and shall be monitored annually through trip counts and reported upon annually on the anniversary date of the approval of the tentative tract map satisfactory to the Advisory Agency and the Department of Transportation. The applicant shall reimburse the City for all reasonable costs of monitoring. The failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement for the Playa Vista Master Plan Project as a whole. (Covenant and Agreement Required).”

This condition is significant for two of reasons:

1) It supports the contention that the DEIR is inadequate because it unrealistically uses models, instead of real data, to analyze traffic impacts from the proposed Project. Even in 1992, the LA City Council recognized the need for monitoring of actual trip counts of Phase One development, in order to enable a much more accurate projection of traffic trips generated, and therefore a more accurate analysis of impacts, from the subsequent phase of the Playa Vista development (that is, the proposed Project).

### **Response 30-91**

Condition No. 116 of the Playa Vista First Phase Project relates to a specific trip reduction goal for office space, and does not relate to any traffic methodology or requirement. Please see Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, on page 470 for a discussion of this condition.

Further, the traffic model does in fact use real data. The trip generation for the Proposed Project was developed using the rates and equations from the nationally-accepted Informational Report *Trip Generation, VI Edition, 1997*, published by the Institute of Transportation Engineers (“ITE”). The ITE document uses a statistically valid number of case studies (i.e., data points) in developing residential, office and commercial use trip information. The Proposed Project size, which includes residential, office and commercial uses would all fall within the size range of survey data used in the development of ITE Trip Generation Rates and Equations for the respective land uses. The ITE document is a reliable source of information that provides

statistically valid data (regression equations and weighted average rates) on trip-making for the project uses based on actual surveys performed around the Country. This report is used by transportation agencies throughout the nation, including the City and County of Los Angeles and numerous other cities throughout Southern California to estimate trip generation for projects.

Please see Topical Responses TR-1, Playa Vista Transportation Model, and TR-2, The Village at Playa Vista Trip Distribution, on pages 445 and 451, respectively, for discussion on trip distribution, path choice and model validation.

### **Comment 30-92**

2) The language stating “the failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement for the Playa Vista Master Plan Project as a whole,” supports the contention that the City should not be considering approval of the proposed Project until the Phase One project is either fully built out, or scaled back in size so that completion of Phase One can be realized in the near future. Otherwise, how can the condition of approval possibly be satisfied? Please refer to [E]xhibit 1.

Request for Response

Please explain how the City will ensure that Playa Capital is held to Condition #116 referred to above, and what accountability protocol will the City use to make sure the condition is satisfied?

### **Response 30-92**

The comment is noted and will be incorporated into the final EIR for the review and consideration of decision-makers. Please see Topical Response TR-9, Traffic: First Phase Project (VTTM 49104) Condition No. 116, on page 470, regarding approval of the Village at Playa Vista project before completion of the Playa Vista First Phase project.

### **Comment 30-93**

(2) Parking

No comment

### **Response 30-93**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-94****(3) Bicycle Plan**

Commenter: Dean Francois, President, Friends of the South Bay Bicycle Path

**Comment**

The actual project is inconsistent with the stated objective, “to encourage and facilitate bicycle riding as an important mode of personal transportation as well as a pleasant source of outdoor exercise.”

There are no class I bikeways planned in the project area. Only bike lanes and routes are planned. In the entire proposed project, (page 960) “class II bike lanes would be located in on-street lanes adjacent to traffic...” This is inadequate to meet the demands of the cycling public, especially to encourage bicycle riding. Riding a bicycle next to car traffic is not a pleasant source of outdoor exercise and instead people will drive their cars to the beach and to their indoor work-out gyms.

**Comment**

As stated on page 956 of the DEIR, the Ballona Creek Bike Trail (a class I bike path) “is located approximately 0.5 mile north of the proposed project.” This is a shame since this is a primary bike path with heavy utilization and will bring potential residents and tourists to and from the beach.

**Request for Response:**

These issues stated above are a repeat of comments made by the “Friends of the South Bay Bicycle Path” in the scoping hearing for this Project (page 103 of the transcript in the appendix, line 9 to 14). Three other speakers at the scoping hearing also addressed these bike path issues (table 1 summary of scoping meeting testimony). The DEIR should not have ignored these public concerns. Please address these issues in the revised DEIR or Final EIR, as the case may be.

**Response 30-94**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Pursuant to State CEQA Guidelines, the Draft EIR analyzes the impacts of the Proposed Project and where necessary proposes mitigation measures to address the Project’s impacts. As indicated in Subsection 3.4.1, Proposed Project Impacts, of Section IV.K.(3), Bicycle Plan, of the Draft EIR on page 961, the Project’s Class II lanes would link with other bikeways, would be compatible with adjacent Playa Vista First Phase Project bikeways and would provide enhanced

service for the Proposed Project's population, Playa Vista First Phase Project's population and regional travelers passing through the site on their longer journeys. The new bikeways would improve the quality of bikeway service. Thus, the Proposed Project would not interfere with the implementation of any planned bikeways, but would expand upon and complement existing Bike Plans. It should be noted that the Project's Class II Bike Lanes, in conjunction with the bikeways in the Playa Vista First Phase Project, would provide an east-west route between Lincoln Boulevard and Centinela Avenue that runs adjacent to the Westchester Bluffs. The Bluffs which are being restored and maintained, and a riparian corridor that is being completed at its base, are both attractive features for bicycle riders.

The Draft EIR concludes that the Proposed Project would not have a significant impact on the bicycle system. Therefore, additional bikeway improvements beyond those proposed are not required, including the class I bikeway proposed by the commentor. See Section IV.K.(3), Bicycle Plan, of the Draft EIR.

### **Comment 30-95**

#### L. PUBLIC SERVICES

##### (1) Fire protection

No comment

##### (2) Police protection

No comment

##### (3) Schools

No comment

### **Response 30-95**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-96**

##### (4) Parks and Recreation

Commenter: Rex Frankel, Sierra Club, Airport-Marina Group

Comment:

While the City's "public recreation plan" requires 4 acres of active park space per 1000 residents, PV is only providing 2 acres per 1000 (11.4 acres) in the Project area, and is only committed to providing another 1 acre/1000 (5.7 acres) somewhere in the Phase One project area.

Request for Response:

The DEIR must include a map of the location of the 5.7 acres of park space that will be included in the Phase One project, and must discuss the character of the parkland (active/passive recreation?).

Comment:

This 5.7 acres must not be located in the State-owned parcels, because the California Constitution prohibits a private party to use public property to satisfy its mitigation requirements.

### **Response 30-96**

As stated in Subsection 2.1.1 of Section IV.L. (4), Parks and Recreation, of the Draft EIR on page 1022, the California Government Code, Section 66477 (Quimby Act) provides that the required dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide 3 acres of park area per 1,000 persons residing within a subdivision, unless the amount of existing neighborhood and community park area exceeds that limit. Since the amount of existing park area within the City of Los Angeles does not currently exceed 3 acres per 1,000 persons, the Quimby Act precludes the City from requiring acreage beyond that ratio.

As described in the Mitigation Measures on page 1039 of Section IV.L.(4), Parks and Recreation:

"The proposed Project shall provide park space in an amount equivalent to not less than a total of 17.16 acres (3 acres per thousand residents). A minimum of 11.4 acres shall be provided (2 acres per thousand residents) within the Proposed Project; the remaining park space may be satisfied through provisions of additional park space within the adjacent Playa Vista First Phase Project or on land controlled or improved by the applicant and its affiliates (i.e., nearby off-site locations)"

While specific programming of the activities and amenities for the parks within the Proposed Project has not occurred at the present time, Subsection 3.3.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1033 states:

"In addition to providing this parkland, the Proposed Project would include the improvement of these parks with landscaping, hardscaping, walking, jogging and bicycle trails, children's play areas, recreational fields and other recreational

facilities, (i.e. basketball courts, skating rings, etc.) with an emphasis on active activities, as appropriate.”

Preliminary concepts for the parks would include areas for soccer, softball, informal active turf sports, basketball, volleyball, bocce ball, tot lots, picnic areas, jogging trails, skate trails, and walking paths.

No map is currently available as the location of the additional 5.7 acres has not been identified at this time. The comment regarding State-owned lands is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-97**

However, even with the addition of this 5.7 acres, the applicant is still deficient under the city’s laws by 1 acre/1000. Failing to comply with the City’s 4/1000 ratio requirement constitutes a significant impact. If the applicant refuses to provide enough park space in the Phase Two area to meet the City’s 4 acre per 1000 person requirement, then the DEIR must discuss in detail how and where the applicant will mitigate this significant impact.

### **Response 30-97**

The Draft Los Angeles CEQA thresholds guide does not define a 4/1000 ratio requirement as the threshold of significance. Subsection 3.2 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1047 sets forth the significance threshold. As stated in Subsection 2.1.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1022, the California Government Code, Section 66477 (Quimby Act) provides that the required dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide 3 acres of park area per 1,000 persons residing within a subdivision, unless the amount of existing neighborhood and community park area exceeds that limit. Since the amount of existing park area within the City of Los Angeles does not currently exceed 3 acres per 1,000 persons, the Quimby Act precludes the City from requiring acreage beyond that ratio.

Subsection 2.1.2.1 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on page 1024 identifies the Public Recreation Plan’s (PRP’s) long-term goal of 4 acres per 1,000 population, based on 2 acres/1,000 population of neighborhood parks and 2 acres/1,000 population of community parks. On the same page, the Draft EIR also recognizes that the PRP itself notes that the long-range standard of 4 acres per 1,000 population may not be reached during the life of the plan, and therefore includes more attainable short- and intermediate-range standards of 2 acres per 1,000 population (1 acre/1,000 population each of neighborhood and community parks).

Subsection 3.4.1 of Section IV.L.(4), Parks and Recreation of the Draft EIR on page 1035 notes that the park acreage proposed by the Proposed Project would meet the PRP’s short-term and intermediate-range standards for community and neighborhood parks of 2 acres per 1,000 residents, but would fall short of the PRP’s long-term goal of 4 acres per 1,000 population. Subsection 3.4.1 on page 1037 concludes that the 12.4 acres of active open space provided by the

Proposed Project, consisting of 11.4 acres of parks and 1.0 acre of bike lanes, in combination with the value of the improvements of the parkland and the ongoing maintenance, would meet the short-term and intermediate-range standards of the PRP, as well as the requirements of LAMC Section 17.12.

Mitigation measures listed in Subsection 4.0 of Section IV.L.(4), Parks and Recreation, of the Draft EIR on pages 1039-1040 require the implementation of the Project Design Features (i.e., the parks described above) to eliminate potential significant impacts.

**Comment 30-98**

(5) Libraries

No comment

L. ENERGY

No comment

**Response 30-98**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-99**

M. UTILITIES

(1) Water Consumption

The Draft EIR fails to comply with CEQA and must be revised or rejected for the following reasons:

A. The water consumption analysis presented in the Draft EIR completely ignores the water supply assessment provided by the Los Angeles Department of Water and Power (LADWP) in defiance of Senate Bill 610.

Section 2.1.1 of the Draft EIR at page 1074 correctly notes that Senate Bill 610 “requires the city or county to include the water supply assessment and other pertinent information in any environmental document prepared (e.g., EIR) for the project pursuant to the act.” The Draft EIR does include a water supply assessment prepared by LADWP in an appendix, but then completely ignores that assessment and presents an entirely new and different assessment in the Water Consumption section.



Based on the information contained in Appendix N-1, by letter of June 27, 2003, the City Planning Department requested that LADWP prepare a water supply assessment for the Project, and in that letter provided details of the Project. In response, on June 28, 2003, LADWP issued the water supply assessment for the Project presented in the Appendix. Yet seemingly none of the analyses or analytical methods used by LADWP were carried forward to the Draft EIR's impact analysis. While including LADWP's analysis buried in an appendix may comply with the letter of the law, ignoring it in the Draft EIR's analysis section completely defeats the Legislature's purpose of assuring that accurate water supply information reaches the decision-makers and the public when considering a new development project.

The differences between the LADWP analysis and the Draft EIR analysis are significant. For example, the LADWP analysis estimates the average total water consumption of the Project, over existing conditions, to be 745 acre-feet per year, or 665,179 gallons per day (gpd) (EIR Appendix N-lb Table 1). But the Draft EIR indicates average Project water consumption is 503,000 gpd of potable use (EIR Table 163, p. 1089) plus 63,624 gpd of reclaimed use (EIR Table 165, p. 1090), for a total of only 566,624 gpd—nearly 100,000 gpd less. LADWP uses water use factors “based on City of Los Angeles Department of Public Works, Bureau of Sanitation Sewer Generation Rates table, dated 3/20/2003” (EIR Appendix N-lb Table 1), which are reported for example as ranging from 80 to 280 gpd/unit for residential use.

In complete contradiction to this methodology, the Draft EIR analysis contends that “LADWP does not maintain any standard unit demand factors for specific types of land uses” (EIR p. 1083) and proceeds to develop its own factors based on a 1998 Draft L.A. CEQA Thresholds Guide that result, for example, in an entirely different residential use factor of 176 gpd/unit (EIR Table 1084, p. 1084). Nowhere in the Draft EIR are any of these and other differences explained.

To comply with the law, the Draft EIR must base its water consumption analysis on a valid water supply assessment from LADWP. The Draft EIR cannot choose to ignore and redo the water supplier's assessment in an attempt to hide potentially significant water supply impacts.

### **Response 30-99**

The Draft EIR complies with the requirements of SB 610, which provides for the inclusion and evaluation of information set forth in the Water Supply Assessment (“WSA”) for the Proposed Project in the Draft EIR. As codified in the Water Code, SB 610 provides that the City “shall determine, *based on the entire record*, whether projected water supplies will be sufficient to satisfy the demands of the Project, in addition to existing and planned future uses.” California Water Code Section 10911(c) (emphasis added). As such, SB 610 encourages the City to rely on information and analysis in addition to the LADWP's WSA to determine whether adequate water supplies for a project exist. Similarly, State CEQA Guidelines section 15083.5 provides that the lead agency “may independently evaluate the water system's information and shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the Proposed Project, in addition to existing and planned future uses.” Section IV.N.(1), Water Consumption, of the Draft EIR is consistent with these requirements.

LADWP is the “public water system” for the Proposed Project, as defined in California Water Code Section 10912(c). As required by SB 610 (now codified in the Water Code), LADWP prepared and certified a WSA for the Proposed Project. According to the WSA, the Proposed Project is estimated to use 746 acre-feet of water annually. The WSA further states that the projected increase falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through the year 2020 and within the 20-year water demand growth projected in LADWP’s 2000 Urban Water Management Plan (“UWMP”). As required, the WSA is included in the Draft EIR (Appendix N-1b) and was used to draft the Water Consumption section analysis. (The analysis contained in the Draft EIR discussion also relied heavily on the most recent UWMP prepared by LADWP, which is incorporated by reference in the WSA.) However, the City, as lead agency, previously had developed a methodology for use in EIRs to estimate water demand. State CEQA Guidelines Section 15083.5, which requires public water systems to approve and submit the WSA to the lead agency “no later than 30 days after the date on which the request and notice of preparation were received,” also provides that if the public water system fails to approve the WSA within this timeframe, “the lead agency may assume, unless there has been a request for a specific extension of time from the public water system, that the public water system has no information to submit.” The City’s request for a WSA was stamped “received” by LADWP on July 7, 2003, but the WSA was not approved until August 25, 2003. By that time, the City had used its previously adopted methodology for conducting the water supply analysis. Although the 30-day period had elapsed, the WSA was included in the Draft EIR. As described below, the LADWP’s WSA used a slightly different methodology than the City. Because SB 610 does not require that the Draft EIR’s water consumption analysis rest entirely on the WSA and because the State CEQA Guidelines permit the lead agency to conduct its own analysis if a WSA is not timely prepared, the Draft EIR focused its discussion on the City’s methodology and information, as guided by the City’s CEQA Thresholds Guide. The Draft EIR does not ignore or contradict the WSA, but rather the Draft EIR and the WSA each corroborates the conclusions of the other. It should be noted that the City’s projection of water consumption associated with the proposed Project, as presented in the Draft EIR, was included with the City’s letter to LADWP requesting the WSA, and LADWP did not make any comments on those projections.

The City’s methodology for the assessment of Proposed Project water demands is explained in Subsection 3.1 of Section IV.N.(1), Water Consumption, of the Draft EIR on pages 1083-1085, including Table 161 (and footnotes), which describes the basis for the factors and how they were derived. The Draft EIR employed a methodology derived from the wastewater generation factors contained in the Draft City of Los Angeles CEQA Thresholds Guide and sewer generation rates (which were used in the absence of water consumption factors, with 10 percent added for evaporation/absorption). Preparation of the water demand analysis presented in the Draft EIR was guided by the City’s CEQA Thresholds Guide. The calculations and assumptions used in the Draft EIR discussion were made available to LADWP, and LADWP did not suggest any shortcomings or flaws in the Draft EIR methodology.

In connection with its preparation of water planning documents, such as urban water management plans, LADWP normally does not use land use-based consumption factors for

water demand estimation, but rather uses a per-capita methodology based on projected population growth. As part of the WSA process, LADWP incorporated sewer generation rates to determine projected demand, like the City. However, in addition to the sewer generation rates, LADWP also incorporated additional factors for outdoor water use not used by the City. Although the additional factors for outdoor water use may not necessarily be indicative of precise on-site conditions, they render the analysis more conservative. The WSA is also a more conservative analysis in that it assumes a larger volume of projected demand associated with the Proposed Project and in that it does not distinguish between potable and reclaimed water, and therefore overestimates the amount of potable water likely to be required by the Proposed Project. Importantly, even with a more conservative analysis in the WSA, both the City and LADWP methodologies conclude that adequate water supplies exist for the Proposed Project.

Applying the LADWP methodology to the analysis contained in the Draft EIR would not alter the conclusion that sufficient water supplies exist for the Proposed Project. This is due to the fact that inasmuch as the LADWP WSA demand calculations utilized the same development statistics (i.e., square feet of land uses, landscaped area to be irrigated) as were used in the Draft EIR (utilizing the Draft EIR methodology), the most conservative demand estimate would be that included in the WSA analysis. The analysis demonstrates that available water supplies will exist to serve the Proposed Project through the year 2020. Table 1, below, shows the projected water demand for the Proposed Project using the demand calculation methodology employed by LADWP in the WSA for the Proposed Project.

As can be seen in comparing the water demand calculations presented below in Table 1 to the water demand projections presented in Table 163 on page 1089 of the Draft EIR, the demand estimates using the LADWP methodology are more conservative than those of the Draft EIR (i.e., 665,860 gpd versus 503,000 gpd). Even with this more conservative analysis, the WSA correctly concludes there is an adequate supply of water.

### **Comment 30-100**

B. The water consumption analysis presented in the Draft EIR relies on a reclaimed water supply that isn't there.

One noted difference between LADWP's water supply assessment and the Draft EIR's analysis of water consumption is in the use of reclaimed water. The Draft EIR has reduced the Project's potable water consumption by assuming that 63,624 gpd on average of reclaimed water may be available to offset demands. (EIR Table 165, p. 1090.) "It is *assumed* that reclaimed water would be used for irrigation of all parks, landscape medians, common open space and other such landscaped areas." (EIR p. 1083, emphasis added.) Assuming that a water supply will be available is not enough, but instead must be shown to be available by written contracts or entitlements, financing arrangements, permits, and/or regulatory approvals. (Wat. Code § 10910(d)(2)(A-D).)

**Table 1**  
**Proposed Project Water Demand Calculations**  
**per LADWP Water Supply Assessment Methodology**

<b>Water Demand Source</b>	<b>Number of Units (d.u.) or Area (k.s.f.)</b>	<b>Consumption Factor (gpd/d.u. or gpd/k.s.f)</b>	<b>Added Outdoor Use Factor</b>	<b>Total by Demand Source (gpd)</b>
Residential: 4 Bedroom (d.u.)	34	280	67%	15,898
Residential: 3 Bedroom (d.u.)	627	230	67%	240,831
Residential: 2 Bedroom (d.u.)	1,086	160	18%	205,037
Residential: 1 Bedroom (d.u.)	706	120	18%	99,970
Residential: Studio (d.u.)	147	80	18%	13,877
Office (k.s.f.)	150.9	180	28%	34,767
Retail (k.s.f.)	150	80	28%	15,360
Assisted Living (d.u.)	200	150	18%	35,400
Community-Serving (k.s.f.)	40	100	18%	4,720
<b>Total Consumption (gpd)</b>				<b>665,860</b>
<b>Conversion of GPD to Acre-Feet per Year (AFY)</b>				
$(665,860 \text{ gpd}) * (365 \text{ days/year}) / (7.480519 \text{ gallons/cubic foot}) / (43,560.17 \text{ cubic feet/acre-foot}) =$				<b>746 AFY</b>

## Notes:

d.u. = dwelling unit k.s.f. = thousand square feet gpd = gallons per day AFY = acre-feet per year

(1) Dwelling units and land use areas are based on the Assisted Living option of the Equivalency Program, which yields the highest water demand for the proposed project, in order to be conservative.

(2) Outdoor use factors are included per LADWP demand calculation methodology as included in the Water Supply Assessment for the proposed project; Studio, 1 BR, and 2 BR are considered multi-family, while 3 and 4 BR are considered single-family.

(3) Estimates of residential units, broken down by number of bedroom, provided by Playa Capital Company.

In numerous places, the Draft EIR acknowledges that reclaimed water may not be available to the Project: “*To the extent supply is available, reclaimed water would be used...*” (EIR p. 1086, emphasis added); “*In addition, reclaimed water, as available, would be used...*” (id., emphasis added); “*Reclaimed water may be used...*” (EIR p. 1087, emphasis added); “*If available, reclaimed water shall be used...*” (EIR p. 1096, emphasis added). Part of the hesitation may be that there is no assured way to get reclaimed water to the Project. The Draft EIR counts on an extension of a reclaimed water pipeline along Lincoln Boulevard to serve the project, to “be coordinated with Caltrans’ Lincoln Boulevard Widening Project” (EIR p. 1082); a project well known to have an uncertain future.

The Draft EIR can’t have it both ways. It can’t count on having reclaimed water for purposes of hiding impacts to potable water supply while at the same time acknowledging this supply may not be available.

### Response 30-100

The WSA performed by LADWP (Appendix N-1b of the Draft EIR) for the Proposed Project did not distinguish between demands for potable and reclaimed water. Rather, the WSA assumed that all of the water demand for the Proposed Project, including that used for irrigation purposes,

would be met with potable supply. In addition, as noted in Response 30-99, the WSA assumes a higher total demand (domestic and irrigation) for the Proposed Project than that contained in the Draft EIR discussion. As such, the WSA presents a more conservative analysis of reclaimed water usage (i.e., less use of reclaimed water) than that contained in the Draft EIR discussion. Even with the increased total demand and the assumption that potable water would be used for irrigation, LADWP concludes that its potable water supplies will be adequate to serve the Proposed Project, regardless of the availability of reclaimed water for applications on-site.

Nevertheless, West Basin Municipal Water District (“WBMWD”) has a written agreement with LADWP, dated June 13, 1991, to supply LADWP’s reclaimed water programs, such as the Westside Water Recycling Project, which would serve the Proposed Project with reclaimed water once the service connection pipeline is completed in connection with the Lincoln Boulevard widening project, which is part of traffic system improvements slated to be undertaken by Caltrans. This document is located in the reference library for the Final EIR. As indicated in the WSA prepared by LADWP for the Proposed Project, the subject reclaimed water service connection, as part of the Westside Water Recycling Project (WBWRP), is anticipated to be completed well before the Proposed Project buildout in 2010.

### **Comment 30-101**

Furthermore, the Draft EIR appears to play a numbers game with respect to the available reclaimed treatment capacity, contending that since “[t]he [West Basin Water Reclamation Plant], during fiscal year 2001-2002, sold 27,307 acre-feet (AF) to current customer, although they currently have capacity to produce a total of approximately 46,485 AF per year,” sufficient extra capacity exists. But this is a comparison of an average annual water demand to a peak capacity constraint, which the Draft EIR elsewhere states may be on the order of 1 to 3 (“In Los Angeles, peak hour demand are approximately 3 times the average demand.” EIR p. 1084.)

### **Response 30-101**

As discussed in Subsection 3.4.2 of Section IV.N.(1), Water Consumption, of the Draft EIR on page 1088, the assessment of available reclaimed water supply to serve the project is based on the assumptions that the planned expansions to the West Basin Water Recycling Project (“WBWRP”) would be completed prior to Proposed Project buildout in 2010 (as discussed in Subsection 2.2.2 of Section IV.N.(1), Water Consumption, of the Draft EIR on page 1081, the City of Los Angeles would continue to be entitled to at least 25,000 acre-feet per year [AFY]). The 2001-2002 demand of 27,307 AFY of reclaimed water represents the total demand throughout the year, which would include fluctuations in day-to-day and peak-hour demands on the reclaimed water system. As such, the average daily consumption (i.e., 27,307 AFY divided by 365 days, or 74.8 acre-feet per day) indirectly reflects the demands during maximum day and peak flow conditions. This is because the total demand (and the average daily demand, which is the total annual demand divided by 365 days) is the sum of all reclaimed water consumption over the year, including high-demand days (and high-demand hours) and low-demand days (and low-demand hours). With respect to day-to-day demands, maximum day projections pertain to a 24-hour period when demand is uncharacteristically high, which typically (based on historical data)

is 1.7 times higher than an average day. As to hour-to-hour fluctuations in demand, peak-hour demand relates to flow capacity of the reclaimed water system during peak demand in the short term, which is typically 3 times the average flow rate in the system. The total annual demand averages out all these fluctuations of maximum day and peak hour demands; as such, for the purposes of water supply planning, the average demand (annual or daily) is the most useful metric by which to determine availability of supplies to meet demands.

Nonetheless, even assuming that planned expansions to the WBWRP do not occur by 2010, the total supply available from the facility would be the current volume of 41.5 million gallons per day (mgd). This would mean that the Proposed Project's anticipated demand (average day) of 0.064 mgd would represent 0.154 percent of the current available supply, and 0.27 percent of LADWP's 25,000 AFY (23.32 mgd) entitlement from WBMWD. The maximum day demand of the Proposed Project would be 135,335 gallons per day (gpd), which is only 0.33 percent of the WBWRP's current daily supply capacity of 41.5 mgd, or 0.58 percent of LADWP's current entitlement of 23.32 mgd. The peak-hour demand of the Proposed Project is 189 gallons per minute (gpm), which represents only 0.66 percent of the WBWRP's supply capacity of 28,819 gpm, or 1.17 percent of LADWP's current entitlement of 16,194 gpm from WBWRP. As such, irrespective of maximum day and peak hour demands relative to projected supplies, the contribution of the Proposed Project to reclaimed water demand would be well within the service capabilities of the WBWRP, as indicated in Subsection 3.4.2 of Section IV.N.(1), Water Consumption, of the Draft EIR on page 1088.

### **Comment 30-102**

C. The water consumption analysis and water supply assessment are inadequate and misleading for failing to consider other planned future water uses.

The heart of SB 610 is the requirement that the water supplier determine whether or not its water supplies will be sufficient to meet the needs of the proposed development, in addition to the supplier's existing *and planned future uses*. (Wat. Code § 10911(a).) Both the Draft EIR's water consumption analysis and LADWP's water supply assessment fail to assess other future uses, rendering the impact analysis and water sufficiency determination meaningless.

One way the Draft EIR's water consumption analysis attempts to show that water supply will be sufficient is by claiming that the Project has been "accounted for in existing water supply planning programs at the local and regional level" (EIR p. 1092); more specifically, that the "Project is within the SCAG regional growth projections" and its "growth would not conflict with or exceed projections contained in the Westchester-Playa del Rey Community Plan" (id.). There is no support for these assertions, and in fact, it appears that these assertions can only be made by viewing the Project alone without considering countless other developments that will be implemented according to local and regional plans.

This erroneous and misleading approach is borne out by a statement in the Draft EIR's cumulative impacts section: "However, at the local level, the population, housing, and employment growth projections reflected in the applicable Community Plan (i.e., the

Westchester-Playa del Rey Community Plan) *would be exceeded* in 2010 by 77.4 percent, 149.9 percent, and 73 percent, respectively, based on growth associated with the Proposed Project and *other related projects* in the Community Plan area. (EIR p. 1097, emphasis added.)

Clearly, if the Project when viewed with other related projects causes the Community Plan population and housing levels to be exceeded, then the Project and all other related projects in the region could similarly cause the SCAG regional growth projections to be exceeded, and if “the planning for future water supplies to meet regional needs is based primarily on SCAG regional growth projections” (EIR p. 1092), then water supplies at the regional level may well be insufficient.

The Draft EIR’s water consumption analysis also attempts to show that water supply would be sufficient by showing the Project’s projected water consumption with that of “related projects within the LADWP service area which would use the same collective water supply sources.” (EIR Table 169, p. 1098.) While this sounds like a correct approach, the Draft EIR identifies only a limited number of projects representing a demand of only 3.667 million gallons per day (mgd) (for example, other housing projects identified for the entire City of Los Angeles total only 5,718 units.) (*Id.*) The Draft EIR then concludes that the total “would represent an increase of only 0.8 percent in LADWP’s average daily water demand of 640 mgd...” (EIR p. 1097.) Obviously, all other planned future water uses within the entire City of Los Angeles could not have been considered in this rudimentary analysis.

The LADWP water supply assessment is equally flawed for not adequately considering other planned future water uses. The LADWP based its assessment on LADWP’s year 2000 Urban Water Management Plan (UWMP), which used a “service area-wide method in developing its water demand projections. This methodology does not rely on individual development demands to determine area-wide growth.” (Draft EIR Appendix N-lb p. 6.) Clearly, if the UWMP does not consider the demands of individual developments, then it is impossible to tell whether the demand of a particular development such as this Project along with all other projects is or is not considered in the LADWP’s water supply plans. Thus, with these limitations, LADWP’s water supply assessments can only view each project standing alone in piecemeal fashion, with no consideration of how all potential planned uses combined may or may not outstrip water supply. This piece-meal approach is evident in Appendix “C” to the LADWP’s water supply assessment, which shows 15 individual water supply assessments prepared over the last 28 months that total almost 10,000 acre-feet per year of new water demand.

LADWP apparently recognizes that its current approach is inadequate: “For the next update [of the UWMP], LADWP will develop a revised demand forecast that will factor in the water demand for which all water supply assessments have been prepared as well as the future demands.” (EIR Appendix N-lb, p. 6.)

### **Response 30-102**

LADWP, as the water service supplier for the Proposed Project, has estimated the anticipated growth within its service area and has demonstrated the adequacy of water supplies to serve that

anticipated growth. Please see Appendix N-1b of the Draft EIR for a copy of the WSA document. The related projects list utilized in the Draft EIR analysis was compiled using the best available information regarding current and proposed future projects. Consistent with CEQA requirements regarding the identification and evaluation of other projects contributing to cumulative impacts, Section III.B, Identification of Related Projects of the Draft EIR on page 193, provides a list of known construction projects for a large area surrounding the Proposed Project site. The Draft EIR's estimation of cumulative water demands associated with the Proposed Project and those other related projects is consistent with CEQA requirements for how to address cumulative impacts. The Draft EIR indicates on page 1099, relative to cumulative water demands, that LADWP, as a public water service provider, is required to prepare and periodically update an Urban Water Management Plan (UWMP) to plan and provide for water supplies to serve existing and projected demands. In developing its long-term water projections, LADWP considers the anticipated growth in water use to be driven by various factors, most prominently growth in population. Given that actual growth can vary from that of projected growth, and that long-term growth projections change over time, as evidenced by the fact that the Southern California Association of Governments (SCAG) updates the regional growth projections every few years, the LADWP looks to the periodic updates of the UWMP to adjust and refine its water demand forecast.

The Westchester Community Plan projects population growth to the year 2000. The projections in the Draft EIR extend to year 2010. "The Plan does not seek to provide non hindered growth...." See Plan Policies on p. UP-2. The Plan estimate for the year 2000 is just that – a projection of anticipated growth. The Draft EIR projection for 2010 is not inconsistent with this projection; it is merely an extension of time from 2000 to 2010. In addition, as noted previously, the List of Related Projects which provide, in part, the growth reflected to 2010, is conservative and includes projects which may not proceed. In addition, while the Community Plan projections are limited to the Westchester-Playa del Rey community, the LADWP service area is not. Thus, it is appropriate to rely on SCAG projections, which consider regional growth, to assess whether adequate water supplies exist to serve projected population and housing levels.

The Draft EIR also notes that, under the provisions of SB 610 (Costa) and SB 221 (Kuehl), LADWP is required to prepare a comprehensive water supply assessment for every new development "project" (as defined by Section 10912 of the Water Code) within its service area. The water supply assessment for such projects, in conformance with the UWMP, evaluates the quality and reliability of existing and projected water supplies, as well as alternative sources of water supply and how they would be secured if needed. In accordance with state law, LADWP has completed water supply assessments for projects meeting the defined criteria. Those projects are identified in Appendix "C" of the WSA completed for the Proposed Project (i.e., the 15 individual water supply assessment referenced by the commentor). The LADWP concluded that the water demands of the Proposed Project in addition to that of the listed projects are within the projected available supplies. LADWP's indication that the next update of the UWMP will develop a revised demand forecast does not indicate that the current approach is inadequate, as suggested by the commentor, but rather reflects the fact that the periodic update of the UWMP will incorporate the calculations and findings of the completed water supply assessments, as well as reflect updates to regional growth projections.



Section IV.N(1), Water Consumption, of the Draft EIR on page 1099, concludes, relative to cumulative water demand impacts, that given the UWMP plans to serve existing and projected needs and also given that the requirements of SB 610 and SB 221 provide a means to ensure that the water supply needs of notable development projects have been carefully considered relative to the ability to adequately meet future needs, it is anticipated that LADWP will be able to supply the demands of the Proposed Project and related projects through 2010 and beyond.

### Comment 30-103

D. The water consumption analysis and supply assessment inappropriately rely on unproven supplies.

In order to demonstrate water supply sufficiency, supplies must be shown to be available by written contracts or entitlements, financing arrangements, permits, and/or regulatory approvals. (Wat. Code § 10910(d)(2)(A-D).) The water consumption and water supply assessment rely on increases in three sources to meet substantial increases in water demand - reclaimed water, sweater [sic] desalination, and water from MWD. Yet for these three sources on which this Project and all development in the City rely, there is no proof shown that these supplies will indeed be available.

With regard to water reclamation, or “recycling,” the LADWP’s water supply assessment includes only a general statement that the LADWP has “efforts underway to promote and increase the level of these programs.” (EIR Appendix N-Ib, p. 14). And as previously discussed, the Draft EIR itself acknowledges that reclaimed water may not be available to the Project.

The availability of seawater desalination has similarly not been proven. Demonstration of the availability of desalination is limited to statements that “LADWP’s seawater desalination projected is expected to generate at least 11,200 acre-feet per year of high quality drinking water beginning in approximately 2010” and that “This project has been included in LADWP’s 10-year Capital Improvement Program.” These statements hardly seem the type of assurances the Legislature had in mind to ensure against supply shortages, particularly for desalination given its present uncertainty in light of coastal impacts and demonstrated public opposition. (See, e.g., “Desalination Plant Down But Not Out” Los Angeles Times, December 17, 2003 [discussing Huntington Beach’s rejection of an EIR for a desalination plant in light of environmental impacts and public opposition].)

Most important to the water supply assessment, and to the Draft EIR, is the availability of water from MWD. Between 2005 and 2020, LADWP is counting on supplies from MWD increasing by as much as 181,000 acre-feet per year (Draft EIR Appendix N-Ib Table VIII, p. 16). But nowhere does the Draft EIR or the assessment show LADWP’s rights to this water. There is only the bald statement that “[a]s of June 30, 2002, LADWP has preferential rights to purchase 22.06 percent of MWD’s total supply.” (*Id.* p. 11.) Furthermore, the availability of the supplies on which MWD relies are not demonstrated, and in fact, according to the Table VI of the

assessment, only about 2.4 million acre-feet per year of MWD’s supplies are acknowledged as “current” with the remainder acknowledged as “under development.”

### **Response 30-103**

As described in Section IV.N.(1), Water Consumption, of the Draft EIR and supported by Appendix N-1b (the LADWP WSA) of the Draft EIR, sufficient water supplies for the Proposed Project will be available. The commentor states that the WSA and Draft EIR provide “no proof” that the projected water supplies will be available. Under SB 610, however, a WSA is sufficient, “[i]f the projected water demand associated with the Proposed Project was accounted for in the most recently adopted urban water management plan.” California Water Code Section 10910(c)(2). In such cases, the public water system may simply incorporate the requested information from the urban water management plan. California Water Code Section 10910(c)(2). Even if the projected water demand is not accounted for in the most recent Urban Water Management Plan, all that is required under SB 610 is an “identification” of “water supply entitlements, water rights, or water service contracts ...” (Water Code Section 10910(d)).

Although not required in this instance because the Proposed Project’s water demand was accounted for in the most recently adopted urban water management plan, the WSA contains “an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the Proposed Project, and a description of the quantities of water received in prior years” (including preferential rights to purchase water from the Metropolitan Water District of Southern California) from those sources (Water Code Section 10910(d)). Further, the WSA also includes additional information related to groundwater supplies, as required by SB 610 (Water Code Section 10910(e)). In addition, in Section IV.N.(1), Water Consumption, of the Draft EIR on pages 1078-1082, with regard to Metropolitan Water District (MWD) supplies to LADWP, MWD’s “Blueprint for Reliability” report outlines the strategies MWD will employ to maintain and enhance its water supplies over the next 20 years. The MWD report is incorporated by reference and discussed in Subsection 2.2.1 of Section IV.N.(1), Water Consumption, of the Draft EIR on page 1080, and a copy of the report may be found at [www.mwd.dst.ca.us/mwdh2o/pdf/sb221/Sb221.pdf](http://www.mwd.dst.ca.us/mwdh2o/pdf/sb221/Sb221.pdf).

### **Comment 30-104**

E. The water supply assessment fails to analyze conditions under a required 20 year timeframe.

Under SB 610, if the projected water demand of a project was not considered in the water supplier’s previous UWMP, then the water supply assessment must include a description of total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection for the proposed project. (Wat Code § 10910(c)(3).)

As previously discussed, and as acknowledged by LADWP in its assessment, LADWP’s last UWMP did not include the projected water demand for the Project, therefore, the 20 year analysis period is required. However, the water supply assessment bases its analysis on a period

ending in 2020. Given that it is now the end of 2003, this 17-year period falls short of the statutory requirement.

### **Response 30-104**

The commentator erroneously states that the most recent UWMP prepared by LADWP did not include the projected water demand for the Proposed Project. SB 610 provides that “[i]f the projected water demand associated with the Proposed Project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment ...” (Water Code Section 10910(c)(2)). As noted in the WSA from LADWP (Appendix N-1b of the Draft EIR on page 17), LADWP stated that the Proposed Project water demand is accounted for in the most recently adopted urban water management plan (i.e., LADWP’s Year 2000 UWMP). Therefore, the 2020 planning horizon is consistent with the requirements of SB 610.

### **Comment 30-105**

(2) Waste Water

Commenter: Joe Geever, JD., Environmental Programs Director Surfrider Foundation—South Bay Chapter

As discussed below, this section of the DEIR is inadequate because it:

- 1- avoids analysis by improperly relying on future permitting,
- 2- misinterprets the City’s “Significance” Guidelines,
- 3- misstates current regulations,
- 4- fails to document or analyze predictable cumulative impacts,
- 5- fails to analyze foreseeable impacts (even assuming increased treatment capacity), and
- 6- would be more comprehensive if expanded to include an analysis of the “No Project” alternative. The property could be condemned to comply with the City’s stated intention to implement an Integrated Resources Plan for stormwater, sewage, freshwater supply, etc.

### **Response 30-105**

This is a summary of the commentator’s following comments. Specific comments regarding the review of the Draft EIR and responses follow.

### **Comment 30-106**

A. Improper Reliance on Future Permits (“Segmenting”):

The wastewater section of this DEIR, in several instances, concludes that there are no potential environmental impacts because the project will not obtain sewage discharge permits until wastewater treatment capacity is available. See e.g., DEIR, page 1112 [*sic*]. In effect, this misuse of yet-to-be-finalized plans to increase sewage treatment capacity “segments” cumulative impacts. See: *San Juaquin [sic] Raptor/Wildlife Rescue Center v. County of Stanislaus* (1995), 27 Cal App 4th 713 (EIR on a housing project must include impacts of additional sewer capacity to serve the project).

In *San Juaquin [sic] Raptor* the court found that the expansion of sewage treatment facilities to meet the needs of residential development would, “...among other effects, negatively impact air quality, significantly impact existing water quality, [among other impacts].” *Id.* at 732. In that case, the court substantiated these potential impacts by citing a separate EIR that was created for the sewage treatment expansion plan. *Id.*

In the case of the proposed Playa Vista Phase Two project, not only does the DEIR impermissibly sever the cumulative impact of the development from the sewage treatment capacity expansion, there is no other document for the public to turn to for this information. Instead, the DEIR relies on draft projections (i.e., the IPWP, see DEIR p. 1112) that contain no information on the environmental impacts of the sewage treatment capacity.

Therefore, the current DEIR is inadequate in that it impermissibly severs or “segments,” the cumulative impacts of two separate projects that are inextricably linked. Certification of the EIR should be denied on this basis alone.<sup>4</sup>

Footnote 4      The reliance on sewage capacity expansion should be documented in the “Project Description,” as well as the “Wastewater” section of the Environmental Impact Analysis.

### **Response 30-106**

Section IV.N(2) of the Draft EIR provides that the Proposed Project may have a significant impact on wastewater treatment facilities, however, under the City’s Sewer Allocation Ordinance, the City will not issue a sewer connection permit unless the City determines that there is adequate capacity. This ordinance was adopted in 1990 and is in place to allocate sewer permits consistent with sewer capacity. As a result, no permits for sewer connections will be issued unless the capacity exists.

### **Comment 30-107**

#### **B. Misinterpretation of the City’s CEQA Threshold for “Significance:**

The DEIR misinterprets the City’s CEQA Threshold Guidelines. The Guidelines are clear that a project should be treated as creating a “significant wastewater impact” if the project would cause “...a measurable increase in wastewater flows at a point where, and a time when, [it] would cause

a sewer’s capacity to become constrained.” See DEIR, page 1108. The DEIR documents that the additional flows from this project will exceed available sewage capacity. See DEIR page 1112.

It is illogical to argue that the City’s definition of “significant” would not be met because the project will require permits before it could create a significant impact. *Id.* If this were the interpretation the City intended, the guideline’s language would be meaningless; no project would ever create a “significant wastewater impact” because every project will require a permit to the sewer system.

Therefore, the misinterpretation of the City’s CEQA Thresholds enables the City to avoid any discussion of the project’s impacts from exceeding the “significance” of this project. Certification of the EIR should be denied until the City documents that the project does have a significant impact on the environment from exceeding current sewage treatment capacity- and then analyzes the impacts resulting therefrom. Once the impacts are analyzed, appropriate mitigation measures can be proposed and considered.

### **Response 30-107**

Please see Response 30-106, above.

### **Comment 30-108**

#### **C. Misstated Current Regulations:**

The DEIR states that Dry Weather and Wet Weather Bacteria TMDLs are under review by the State Water Resource Control Board (SWRCB). See e.g., DEIR § 2.1.1.1, page 401; also § 2.1.1.2, page 405. In fact, the Los Angeles Regional Water Quality Control Board (Regional Board) has already adopted both Wet Weather and Dry Weather Bacteria TMDLs for the Santa Monica Bay—in January 2002 and December 2002 respectively—and these TMDLs have been approved by the SWRCB. See: Resolution No. 2002-022 and Resolution No. 02-004.

Therefore this DEIR statement and baseline is inaccurate and makes the EIR inadequate per se. See CEQA Guidelines, §15125 (d).

Regarding the wastewater analysis in this DEIR, the City has commented in the Bacteria TMDL processes that there are two potential responses to the new regulations—diverting surface runoff to a treatment facility and/or diverting surface runoff to created wetlands or other localized uses. See: “Integrated Resources Plan” (IRP) at [http://www.lacity.org/SAN/irp/About\\_IRP.htm](http://www.lacity.org/SAN/irp/About_IRP.htm). The City of Los Angeles has indicated in several public communications to the Regional Board that it prefers to implement the IRP by diverting some stormwater to created wetlands, as opposed to relying on construction of additional sewage treatment capacity to treat all the stormwater.

The Regional Board gave careful consideration to these comments and accommodated the City’s request by allowing an extended time period for implementation of the IRP to meet the demands of the TMDL (18 years)—as opposed to a 10 year implementation requirement—for simply

diverting all the stormwater to the sewage system. In either case, the City's response to the Regional Board has a foreseeable potential impact on this project.

The DEIR states that sewage treatment capacity will be exceeded by the demands created by the proposed project. See: DEIR, page 1106. If the City were to divert runoff to the sewage treatment facility, then the limits on available and projected treatment capacity are dramatically exacerbated.

Therefore, the DEIR is inadequate in that it relies on the misstated fact that there are no TMDLs, and then neglects to document and analyze how the proposed project complicates diverting stormwater to the sewage treatment plant.

### **Response 30-108**

Under Subsection 2.1.1.2 of Section IV.C.(2), Water Quality, of the Draft EIR on page 405, the Draft EIR clearly acknowledges that draft Dry-weather and Wet-weather TMDLs for indicator bacteria had been developed for Santa Monica Bay. The associated impacts analysis, at pages 450, 472, and 477, include discussions of those draft TMDLs. The commentor is incorrect in asserting that the bacterial TMDLs for Santa Monica Bay have been adopted. Los Angeles Regional Water Quality Control Board (RWQCB) resolutions related to TMDLs for bacteria during wet and dry weather for Santa Monica Bay Beaches must be approved by the State Water Board, the Office of Administrative Law and the U.S. EPA prior to making such TMDLs effective. To date, EPA has yet to approve any bacteria TMDLs related to Santa Monica Bay or its beaches.

Page 1106 of the Draft EIR indicates that the Hyperion Treatment Systems Projected capacity may be exceeded in the year 2010 based on SCAG Regional projections, independent of implementation of the Proposed Project. No evidence has been submitted indicating the City plans to divert stormwater runoff to the sewer system.

### **Comment 30-109**

If, on the other hand, the City decides to divert runoff to settling ponds and created wetlands (non-waters of the U.S.), this project site is one of the few remaining open spaces available to do this. As described in the "Hydrology" section of the DEIR, the Proposed Project covers an area with stratigraphy that allows for aquifer recharge. These geologic characteristics are rare in the Los Angeles Basin. Consequently, if it is the City's plan to divert runoff to created wetlands, and the now undeveloped Playa Vista Phase Two property is one of the only properties remaining that is available for meeting that TMDL implementation plan, the EIR should be amended to include an analysis of this potential use in the "No Project" alternative. The City should consider condemnation of the property for use as a created wetland as a potential environmental benefit of the "No Project alternative" in the EIR. If not, the public should be informed how the City intends to comply with the TMDLs (i.e., where the City intends to divert runoff in the lower reaches of the watershed).

**Response 30-109**

The request for the City to consider condemnation of the Proposed Project site for the purpose of creating a 111-acre wetland in order to treat surface runoff is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. Such a scenario does not represent a feasible alternative and would not meet the basic objectives of the Proposed Project, as presented in Section II.C, Statement of Objectives, of the Draft EIR. It is important to note that the basic design of the Proposed Project in conjunction with the design of the Playa Vista First Phase Project includes the treatment of on-site and off-site surface runoff through created wetlands (i.e., the Freshwater Wetlands System), which is consistent with the City's current consideration of options for the Integrated Resource Plan (IRP).

**Comment 30-110**

Furthermore, because the EIR falsely claims that there are no current Bacteria TMDLs for the Santa Monica Bay, this condition is not documented in the cumulative impacts analysis—rendering the DEIR inadequate

**Response 30-110**

RWQCB resolutions related to TMDLs for bacteria during wet and dry weather for Santa Monica Bay Beaches must be approved by the State Water Board, the Office of Administrative Law and the U.S. EPA prior to making such TMDLs effective. To date, EPA has yet to approve any bacteria TMDLs related to Santa Monica Bay or its beaches. Notwithstanding the legal status of bacteria TMDLs, the Draft EIR does assess bacteria issues in light of the impaired status of Santa Monica Bay and the draft TMDLs proposed by the RWQCB (Subsection 3.4.1.2.4 of Section IV.C.(2), Water Quality, of the Draft EIR on pages 477–78), and concludes that impacts to the Bay, including impacts from bacteria, would not create pollution, contamination, or nuisance.

As indicated above in Response 30-108, the Draft EIR analysis starting on page 405 acknowledges and includes the draft TMDLs for bacteria. The fact that those draft TMDLs have been adopted does not materially alter the basic conclusions of the Draft EIR analysis. In addition, the Proposed Project will meet all applicable regulatory requirements.

**Comment 30-111****D. Incomplete Analysis, Even Assuming Increased Sewage Treatment Capacity:**

The DEIR boldly claims that, should the City complete its draft sewage treatment capacity build-out, there should be no project-related environmental impacts from the increased load on the system. However, the DEIR only examines infrastructure to convey the additional load to the treatment facility and increased capacity to treat the increased load. This leaves out any analysis

of the discharge capacity. As stated above, this not only “segments” the analysis, but leaves the public without any documentation of the impact on the environment from increased discharges.

For example, currently the majority of the effluent that is discharged to the ocean is conveyed through the “5-mile” discharge conduit. However, when there are extreme loads and the “5-mile” pipe is under-capacity, overflow is discharged through the nearshore conduit. It is reasonable to foresee that any additional load, especially after increasing the treatment capacity, will require discharging effluent through the nearshore conduit more often than in the absence of this project. Furthermore, increased treatment capacity will inevitably lead to more consistent discharge volume through the “5-mile” conduit - as well as increased energy consumption, air pollutant emissions, land use, etc.

Therefore, the EIR is inadequate unless and until there is a thorough analysis of the impacts on nearshore marine life and human health from the increased discharge of effluent through the nearshore conduit at times when the outflow exceeds the current capacity of the “5-mile” discharge conduit. There is also no analysis of the cumulative impacts on resources near the “5-mile” conduit from the additional discharges caused by increasing sewage treatment capacity of the plant. Furthermore, any other foreseeable impacts resulting from increasing the capacity of the treatment facility are missing from the DEIR, and must be included (e.g., increased air emissions, land use, etc).

### **Response 30-111**

As discussed in Response 30-106, the Proposed Project would not necessitate expansion of treatment capacity, or associated improvements within the Hyperion Treatment System. The City Department of Public Works has, as part of the normal infrastructure improvement planning process (i.e., the IPWP), identified system components to be improved based on service demand projections, including improved or expanded outfall facilities, as needed to maintain compliance with applicable water quality standards for effluent receiving waters. Inasmuch as Proposed Project-related growth is incorporated in the regional growth projections on which the need for wastewater facility improvements are based, the need for such improvements and associated impacts are not attributable to the Proposed Project. The impacts of the Proposed Project are mitigated to a less than significant level based on compliance with the City’s existing sewer allocation ordinance.

### **Comment 30-112**

#### **N. VISUAL QUALITIES**

Commenter: Thomas J. Geever, ALA, Licensed California Architect and General Contractor

##### **a) Agreement with the DEIR**

We agree with the DEIR that the proposed Project will have a substantial impact on views because it will obstruct the views of the bluffs.



We agree with the DEIR that based on the threshold for views, a view resource for travelers and private locations along Jefferson Boulevard, north of the Project site, would be significantly impacted by the proposed Project.

### **Response 30-112**

The comment regarding the agreement with the Draft EIR is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The commentor goes on to state disagreements with the Draft EIR. Those comments and further discussion regarding the Projects visual impacts are included in the following comments and responses.

### **Comment 30-113**

#### b) Disagreement with the DEIR and Request for DEIR Revisions

##### 1. The baseline must be adjusted

For the reasons more fully explained in Section III and Section IV(D) of this comment letter, the DEIR uses an improper baseline to determine significance of an impact, compromising the accuracy and reliability of this section.

This DEIR section does not describe the site at the time the NOP was issued. (See: Section 3.4.1.2, page 1171). Rather, it describes the site as it existed after Playa Capital destroyed the area in 2003.

The DEIR improperly bases its impact analysis on a baseline of a degradation of the property as a result of the applicant's own negligent maintenance and attempts to make the case that the proposed Project will improve the visual impacts because the degraded, unimproved land will become developed land.

The visual impact that is present today should not be used as a baseline for improvement. Since the land was in much better condition at the time the NOP was first issued in 1996, and then again in November, 2002, a baseline of well maintained, and naturally-vegetated [*sic*] property must be used to begin the discussion of visual impacts from the proposed Project. Please see the historical photographs to assist in baseline adjustment. (Exhibit 4)

This section of the DEIR should delete any description of the visual character of the site that is a result of Playa Capital's activities after the 1995 and 2002 NOPs were issued. This includes removal of any references to Photo Nos. 2 and 3 in Figure 99 on page 1152, and Photo No. 4 in Figure 100 on page 1153. These photos were taken sometime in July, 2003.

**Response 30-113**

This letter submission did not include an Exhibit 4. The reference in this comment appears to be Exhibit 3. The referenced photographs used in the visual analysis were taken on multiple dates during preparation of the Draft EIR. The aesthetic qualities of the Proposed Project site, and the views over the Proposed Project site as described in the Draft EIR are reflective of the baseline conditions.

The 1995 NOP was for a prior project that was withdrawn. The applicable NOP for the Proposed Project was issued in November 2002. As contemplated by the First Phase Playa Vista EIR, as construction progresses on the First Phase Project residential area, the Proposed Project site has been utilized to support First Phase construction activities. All activities have been conducted in compliance with local, state and federal permits. The biological baseline for the Proposed Project is addressed in Topical Response TR-11, Grading, Erosion Control and Vegetation Maintenance Activity in the Project Area, on page 474.

**Comment 30-114****2. Significant impacts to views from residences North of the proposed Project**

We do not agree that impacts on views from other locations would not cause substantial obstruction of an existing view resource, or that view impacts would be less than significant at other locations. The residences north of the project would be impacted equally, if not more so, by the creation of a visual barrier covering approximately 80% of the bluff face.

**Response 30-114**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Draft EIR utilized an analysis methodology in which views were analyzed from a considerable number of locations. Those locations were selected for analysis that would be subject to the greatest possible impacts. The extent (percentage) of the view area that would be affected varies depending on the specific location. The analysis identified some significant impacts to the north for development facing Jefferson Boulevard. The analysis of Proposed Project impacts identified and disclosed potentially significant impacts that would occur as a result of placing buildings within view corridors to the Westchester Bluffs. As described in Subsection 3.4.2.3 of Section IV.O, Visual Qualities, on page 1178, impacts on views from mixed-use areas north of the Project site would be significant. As described in Subsection 3.4.1.1 on page 1171, the Proposed Project would alter the visual character of the site as a valued resource, which offers views of the bluffs, and impacts on aesthetics would be significant prior to mitigation.

**Comment 30-115**

3. Quality of construction materials and methods should be considered in the DEIR's impact analysis

The type of materials and construction methods being employed on Phase One residential buildings are low to medium quality and will require high cost maintenance for the owner beginning in 8 to 15 years. Assuming that the proposed Project will use similar types of materials and construction methods, this is a visual impact that has not been considered in the DEIR. Please discuss this impact and potential mitigation measures that could mitigate this impact.

**Response 30-115**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The materials and construction methods that would be employed in the Proposed Project are typical of those used for similar mid-rise development projects throughout the region. Significant impacts are not expected.

**Comment 30-116**

4. Mitigation Measures for the Proposed Project

There are no adequate mitigation measures for total obliteration of these view-sheds for the residents of the City. The only proposed mitigation that could possibly create a beneficial use on this site would be the upgrade and maintenance of the open space which currently exists.

**Response 30-116**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Subsection 3.3, of Section IV.O, Visual Qualities, of the Draft EIR on page 1163 identifies Project Design Features that would lessen potential impacts associated with loss of views of the Westchester Bluffs, including the addition of new viewing opportunities from a new public thoroughfare, Bluff Creek Drive, adjacent to the bluffs with restoration and maintenance of the bluffs and construction of an adjacent riparian corridor. The comment suggests maintenance of open space as mitigation. In effect, this is an alternative to the Proposed Project that is similar to an alternative considered and rejected. Notwithstanding, the Draft EIR identifies the loss of views of the Bluffs as an unavoidable significant impact. A Statement of Overriding Considerations by the decision-makers would be required for approval of the Proposed Project.

**Comment 30-117**

P. CULTURAL RESOURCES

No comment

V. GROWTH INDUCING IMPACTS

No comment

VI. SIGNIFICANT IRREVERSIBLE IMPACTS

No comment

**Response 30-117**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-118**

SECTION VII. ALTERNATIVES

Comment

In Section II C, (Statement of Objectives) of this comment letter, we explained how some of the DEIR's stated objectives are inconsistent with long term goals and suggested that those objectives should be eliminated from the DEIR.

The objectives in the DEIR have been carefully written to exclude the consideration of a regional park as a feasible alternative. The DEIR should revise the objectives accordingly. Then the feasible alternatives can be better evaluated.

**Response 30-118**

Please refer to Response 30-6 regarding the Project Objectives. As noted in Response 30-6, the statement of objectives presents the objectives of the Proposed Project, pursuant to Section 15124(b) of the CEQA Guidelines.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 30-119**

## Comment

While the DEIR considered alternative 6 (75% residential reduction), it was poorly evaluated because it had no retail and office uses. An alternative should be addressed with a 75% residential reduction that includes retail and office so that the alternative could come closer to meeting many of the credible objectives set forth in the DEIR.

**Response 30-119**

The selection of Alternatives was based on guidance presented in Section 15126.6 of the State CEQA Guidelines. As indicated in Section 15126.6(a), “an EIR shall describe a range of reasonable alternatives to the project...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 decisionmaking and public participation.” The Draft EIR analyzes a reasonable range of alternatives in Section VII, Alternatives.

Included in this analysis, Alternative 4, Reduced Intensity—25% Reduction, on page 1324 provides an analysis of an alternative that does reduce residential uses and still includes office and retail uses. Alternative 6, 75% Reduced Residential: No Office, Retail, or Community-Serving Uses, on page 1372 of the Draft EIR provides yet another option beyond Alternative 4.

**Comment 30-120**

## Comment:

Page 1263 (3.3) Alternatives Considered but rejected: The regional park should be re-evaluated based on revised objectives as stated above. In addition, the DEIR’s analysis is incorrect. On page 1263 of the summary of the rejected park alternative, the DEIR concludes that this alternative “would produce no jobs or housing.” This is clearly incorrect.

Construction and operation of a regional park does provide jobs. Furthermore, any mixed-used development where housing and jobs are mixed does not solve a housing shortage. Further reasons stated include, “[does] not provide an opportunity to implement a mixed-use community ... and [does] not contribute to additional housing”. These are not objectives. It is simply written to exclude any development that is not mixed-use, and not housing.

Besides, mixed-use development can occur on the Phase One site or elsewhere other than Area D-2. The regional park alternative would not preclude the mixed-use community objective from being met.

**Response 30-120**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

With regard to Project Objectives, please refer to Response 30-6, above. As described in Response 30-119, the Draft EIR provides a reasonable range of alternatives, per CEQA. As further described in CEQA Guidelines Section 15126.6(c), the reasons for rejecting alternatives from detailed consideration include the following: (i) failure to meet most of the basic project objectives; (ii) infeasibility; or (iii) inability to avoid significant environmental impacts.”

The comment is accurate in noting that the Regional Park option would provide a limited number of jobs. However, such a park would produce no housing. Accordingly, a correction has been made to the Draft EIR to acknowledge some jobs would be provided under the Regional Park option. The employment resulting from the regional park alternative (maintenance workers, caretakers, etc.), however, would be substantially lower compared to the Proposed Project.

Please refer to Response 30-6 regarding the statement about the Project’s contribution to the supply of housing. As noted in Responses 30-116 and 30-118, above, the statement of objectives presents the objectives of the Project as proposed, rather than alternatives, pursuant to Section 15124(b) of the CEQA Guidelines.

Please refer to Section II.33, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

**Comment 30-121**

CEQA requires the DEIR’s alternative analysis to include both on-site and off-site alternatives. *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d. 553, 566. The DEIR should consider off site alternatives, such as swapping re-developable private or public land with Playa Capital so that the unique character of Area D-2 could be preserved, while still meeting the project’s stated objectives. There are many parcels in the City of Los Angeles that are vacant and in need of re-development, in need of economic revitalization, already have the necessary infrastructure in place, are along transportation corridors, and are not uniquely suited for coastal marsh-supporting upland habitat with constructed wetlands for water quality improvement.

As explained above in Section IV(N)(2) of this comment letter, Area D-2 is one of the few remaining open spaces available in the City that could be used to meet the TMDL implementation plan. As described in the “Hydrology” section of the EIR, the Proposed Project covers an area with stratigraphy that allows for aquifer recharge. These geologic characteristics are unique in the Los Angeles Basin. Consequently, if it is the City’s plan to divert runoff to created wetlands, and the now undeveloped Playa Vista Phase Two property is one of the only properties remaining that is available for meeting that TMDL implementation plan, the EIR should be amended to include an analysis of this potential use in the “No Project” alternative.

The City should consider condemnation of the property for use as a created wetland as a potential environmental benefit of the “No Project alternative” in the EIR

There are three benefits to using Phase 2 and lands to the east for created wetlands, runoff treatment and recreation: the City gets a break on their legal problems, with a treatment facility which will be much less expensive than construction of upstream treatment plants, given that the goal is to catch the enormously polluted “first flush” flows during the start of the storm season, and that this is the only undeveloped vacant site available for this purpose in the watershed; Playa Vista gets to sell this land to the City at a profit; the public gets wetlands and natural habitat restoration and parkland; for example, the City’s Pan Pacific Park is an excellent example of active recreation site doubling as a flood control basin.

Such an alternative should be considered in this section of the DEIR.

### **Response 30-121**

The Draft EIR discusses the selection of alternatives and identifies the process used to select the Alternative site in Subsection 4.7.2, of Section VII, Alternatives, on page 1391. As indicated, a methodology was used to select alternative sites that included discussions review of aerial photographs, and data base searches. As indicated in the discussion, “Potential alternative sites were extremely difficult to identify as the region is substantially developed, with few remaining sites that are greater than 100 acres in size and that are available for development. As such sites are rare, they are typically the focus of other development interests, with varying commitments for future use and development. Furthermore, the ability to acquire any such sites is extremely speculative.” Based on the methodology and limitations described above, an alternative site was selected as a relatively more feasible site and analyzed in Subsection 4.7.3. An explanation of the process for selecting the alternative site is provided on page 1395. The comment regarding the preferences of the commentor is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

### **Comment 30-122**

Comment

Page 1423 (5.0) Environmentally Superior Alternative: Alternative 6 was selected, but as stated above, an alternative that includes a 75% residential reduction while retaining some retail and office space would be a more appropriate alternative. This alternative would be environmentally superior to Alternative 6.

### **Response 30-122**

The selection of alternatives is addressed in Response 30-119, above.

**Comment 30-123**

When a regional park—that includes water-quality improving constructed wetlands and/or coastal marsh-supporting upland habitat—alternative is accurately evaluated, this will obviously be the environmentally superior alternative.

**Response 30-123**

The selection of alternatives and the regional park alternative are addressed in Responses 30-119 and 30-121, above.

**Comment 30-124**

## VIII. MISCELLANEOUS

Please address the following comments and questions:

1) How many residents can be supported by this bioregion in a sustainable manner for the long-term from the perspective of the following factors:

- 1- adequate water supply
- 2- water, air and noise pollutant loads
- 3- reasonable travel times to work and leisure areas

**Response 30-124**

CEQA Guidelines Section 15126.2(a) states “an EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published...” Pursuant to CEQA, water supply has been analyzed in Section IV.N.(1), Water Consumption, water pollutant loads have been analyzed in Section IV.C, Water Resources, air pollution has been analyzed in Section IV.B, Air Quality, and travel times have been analyzed in Section IV.K.(1), Traffic and Circulation of the Draft EIR. Each of these Draft EIR sections includes a cumulative analysis as well as an analysis of the impacts of the Proposed Project. The additional information requested, in the format requested is beyond the information required by CEQA.

**Comment 30-125**

2) What amount of time, on average, will be added to a car trip traveling from Santa Monica to Manhattan Beach at 5:00pm [*sic*] on a weekday, late in the month of September?



**Response 30-125**

The Draft EIR determined that impacts of the Proposed Project would be mitigated to a level below significance at all but one intersection (Jefferson Boulevard/Centinela Avenue, which is not on the Santa Monica to Manhattan Beach corridor. The Draft EIR also determined that the number of intersections operating at LOS E and F would be approximately the same for cumulative conditions without the Proposed Project and as for cumulative conditions with the Proposed Project and its mitigation program (three more at LOS E but two less at LOS F during the A.M. peak hour with the Proposed Project and its mitigation program, and two less at LOS F during the P.M. peak hour with the Proposed Project and its mitigation program) (see Table 131 in Subsection 5.1.2 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 929). With the implementation of the new mitigation measure identified in Section II.15, Corrections and Additions, of the Final EIR, on page 216, the Proposed Project would not result in any significant impacts. Therefore, the Proposed Project would not be expected to have a noticeable impact on travel time between Santa Monica and Manhattan Beach.

**Comment 30-126**

3) If the previously mentioned commute time is found to increase due to the proposed Project, how many dollars in revenues for the City of Los Angeles' economy due to the decrease in efficiency of the work force in this region?

**Response 30-126**

The comment addresses issues that are not environmental issues. Also, please see Responses 30-124 and 30-125.

**Comment 30-127**

4) The Ballona Wetlands ecosystem historically consisted of 2000 acres with coastal salt marsh, freshwater wetlands, deep water habitat, and uplands. How many acres does the Ballona Wetlands ecosystem need in order to continue to be ecologically viable in all of these above-mentioned areas?

**Response 30-127**

The "Ballona Wetlands ecosystem" has not consisted of over 2000 acres of "coastal salt marsh, freshwater wetlands, deep water habitat, and uplands" for over one hundred years. Further, the Proposed Project is located outside of the historic boundaries of the Ballona Wetlands. Prior to the start of First Phase Project construction in 1996, the entire 1,087-acre Playa Vista site, and in particular the Proposed Project area, had been developed or disturbed extensively. Over the last two centuries, the Proposed Project site has been used for cattle grazing, farming, aircraft manufacturing, an airport, offices, and stockpiling of various materials.

**Comment 30-128**

5) The DEIR acknowledges that it utilizes a “Draft City of Los Angeles CEQA Thresholds Guide.” Noting the “Draft” nature of the City’s threshold guidelines, we question whether it is appropriate to apply them in this case. In addition, we seriously question the validity and legality of these Draft guidelines, given the extensive problems with the significance thresholds in many of the sections, most notably in the Transportation Section.

**Response 30-128**

As stated in the Los Angeles City Council File Number 98-2064, dated August 21, 2001, the City Council authorized “City departments with CEQA responsibilities to use the LA CEQA Thresholds Guide as administrative guidance in preparing, reviewing and processing environmental documents required under the CEQA.” The appropriate application of the thresholds used for each of the environmental topics in Sections IV.A through IV.P.(3) of the Draft EIR is presented in the respective discussions of Project impacts.

**Comment 30-129**

6) The “Draft City of Los Angeles CEQA Thresholds Guide” should be included in the DEIR Technical Appendices and referred thereto throughout the DEIR.

**Response 30-129**

The Draft Los Angeles CEQA Thresholds Guide has been incorporated by reference. This document is included in the reference library, which is available for public review at the City Planning Department. The Technical Appendices include specific studies performed in support of the Proposed Project’s impacts. Further, the Draft Los Angeles CEQA Thresholds Guide is available online at [www.lacity.org/EAD/EADWeb-AQD/thresholdsguide.htm](http://www.lacity.org/EAD/EADWeb-AQD/thresholdsguide.htm)

**Comment 30-130**

7) In many sections of the DEIR, the writer fails to specifically refer to the studies and data contained in the Technical Appendices relied upon to support the assertions, contentions and/or conclusions drawn. This makes it difficult and time consuming to double-check the DEIR in order to ensure the accuracy of the statements contained therein. Such referencing deficiencies compromise the entire CEQA process, which confers upon the general public a right to an informed decision-making process and an opportunity for meaningful public participation. Public Resources Code §§ 21000, 21001, 21002.1, 21061, 21091, 21092, 21092.5, 21100.

A revised DEIR should take care to reference the Technical Appendices specifically and thoroughly, where appropriate.

**Response 30-130**

The comment cites no specific cases where the Draft EIR has failed to appropriately cite a Technical Appendix. The Technical Appendices (A through P) are cited in each of the appropriate sections of the Draft EIR. Each of the Technical Appendices includes a detailed Table of Contents at its front to facilitate ease of use. The Public Resources Code Sections cited provide general CEQA requirements and offer no specific recommendations on referencing of Technical Appendices.

**Comment 30-131**

## EXHIBIT 1

September 16, 1992

## ATTACHMENT "N"

PLAYA VISTA MASTER PLAN  
POTENTIAL TRIP CAP MEASURE

A variety of mechanisms may be utilized to limit project related vehicle trips. However, the effectiveness and feasibility of each may be difficult to determine prior to implementation. A better guarantee of trip reduction is the application of a "trip cap" which permits a maximum number of project related trips upon which all other mitigation measures and improvements are based. Development of future project phases would be dependent upon the conformance to standards of the trip cap. In order to provide the flexibility in the implementation of trip reduction measures, the trip cap should be performance-based. Therefore, not all trip reduction strategies would be mandated in advance, and the applicant could pursue and measures which might achieve stipulated trip reduction requirements. However, comprehensive monitoring of project trips through trip counts is critical to the effectiveness of the cap; performance would be guaranteed through a rigorous "trip cap" agreement with the City.

Playa Vista should make every attempt to hold the line on traffic by agreeing to traffic monitoring of the project-related vehicular trips. The traffic monitoring plan aimed at reducing trips will be guaranteed through a rigorous Trip Cap agreement with the City. Development of future project phases should be dependent upon conformance standards of the Trip Cap and monetary penalties should be assessed on the project annually if the Trip Cap is exceeded. Some of the key features of the Trip Cap Agreement would be as follows:

- Trip Cap limits
- Comprehensive monitoring program through trip counts
- Binding agreement to withhold future phases
- Accelerated trip reduction measures
- Monetary penalties

The benefits of the Trip Cap include reduced traffic and improved air quality through reduction in fuel consumption.

Original Phase I Conditions of approval

VESTING TENTATIVE TRACT NO. 49104 Page 40

Force Fire Station with Paramedic Ambulance and Battalion Headquarters offices shall be approved and accepted by the Fire Department. A maximum of 60 percent of this tract development (either 2,000 residential units or 750,000 square feet of office space) shall be allowed prior to the start of construction of the Task Force Fire Station. The construction of the Task Force Fire Station shall be completed within three years of the start of construction.

Department of Transportation

That prior to recordation of any unit map, satisfactory arrangements to be made with the Department of Transportation to assure that: (Covenant and Agreement Required)

- a. That all Lots be restricted by the final map to provide for the location of security gates, garages and driveways in a manner that it will not be necessary for vehicles to back out onto any street.
- b. A parking and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval of access to any parcel on a case-by-case basis prior to submittal of building plans for plan check by the Department of Building and Safety.

The maximum average number of P.M. peak hour off-site automobile trips generated by the cumulative total of First Phase office space shall be limited to 1,493. Maintenance of this trip cap shall be performance-based and shall be monitored annually through trip counts and reported upon annually on the anniversary date of the approval of the tentative tract map satisfactory to the Advisory Agency and the Department of Transportation. The applicant shall reimburse the City for all reasonable costs of monitoring. The failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement for the Playa Vista Master Plan Project as a whole. (Covenant and Agreement Required)

An internal shuttle shall be provided between the hours of 7:00 a.m. and 7:00 p.m. within phase I development prior to the issuance of any certificate of occupancy for office development beyond 450,000 square feet on the east end of Phase I, Area D. Additional shuttle service shall also be provided to serve the Lincoln Boulevard corridor between the project site and Washington Boulevard.

The alternate traffic mitigation measures as summarized below in lieu of the proposed northbound on-ramp to the I-

Dreamworks—10/13/9[?] Conditions of approval

VESTING TENTATIVE TRACT NO. 49104 Page 40  
(Modified)

Department of Building and Safety

116. The maximum average number of P.M. peak hour off-site automobile trips generated by the cumulative total of First Phase office space shall be limited to 1,493. Maintenance of this trip cap shall be performance-based and shall be monitored annually through trip counts and reported upon annually on the anniversary date of the approval of the tentative tract map satisfactory to the Advisory Agency and the Department of Transportation. The applicant shall reimburse the City for all reasonable costs of monitoring. The failure to achieve the trip reduction goal will result in a corresponding decrease in total office entitlement for the Playa Vista Master Plan Project as a whole. (Covenant and Agreement Required)

117. An internal shuttle shall be provided between the hours of 7:00 a.m. and 7:00 p.m. within phase I development prior to the issuance of any certificate of occupancy for office development beyond 450,000 square feet on the east end of Phase I, Area D. Additional shuttle serve shall also be provided to serve the Lincoln Boulevard corridor between the project site and Washington Boulevard.

118. The alternate traffic mitigation measures as summarized below in lieu of the proposed northbound on-ramp to the I-405 Freeway from Jefferson Boulevard shall be implemented. These alternate mitigation measures are described in more detail in the Certified EIR.

- (a) Provide a new interchange between Culver and Lincoln Boulevards in the southeasterly quadrant of this intersection to provide a ramp connection from northbound Lincoln Boulevard to eastbound Culver Boulevard; with new traffic signal and signal timing so as not to impede northbound traffic on Lincoln Boulevard.
- (b) Connect Bay Street to Culver Boulevard across Ballona Channel By [sic] constructing a bridge over the channel;
- (c) Widen Culver Boulevard between Bay Street and the Marina Freeway to provide two through lanes and two left-turn lanes westbound and one through and one through right turn lane eastbound; and
- (d) Guarantee construction of a 56-foot wide, three-lane westbound portion (or as an interim measure, two lanes in each direction) of a grade-separated interchange at Culver Boulevard and the 90 Freeway with new freeway lane restriping easterly to a point beyond the Ballona Creek Channel Bridge, all to the satisfaction of Caltrans.
- (e) Widen eastbound Culver Boulevard an additional 12 feet to provide two through

**Response 30-131**

These attachments are related to the environmental review for the First Phase Project. There have been six lawsuits challenging the sufficiency of the First Phase Project under CEQA since 1993. None of the challenges have succeeded. Please see Topical Response TR-13, First Phase Project Litigation History, on page 482. These attachments were submitted in support of comments stated in Comment 30-92. As such, comments related to these attachments are addressed in Response 30-92.

**Comment 30-132****EXHIBIT 2**

[Picture of “Order to Comply” form, No. L 4402, from the Department of Building and Safety—City of Los Angeles. Job address: 13255 W. Jefferson Bl., dated 6-8-99, delivered to Playa Capitol [*sic*].]

Playa Vista Project  
Clarification of permit compliance issues  
Response to concerns raised in meeting of 8/12/98

**Area B**

Grading permits were issued by Building & Safety Dept. for temporary stockpile in the area of the Jefferson Blvd. storm drain, north of Jefferson Blvd. This area, a  $\pm$  200' right of way for the future storm drain, was included in the First Phase EIR approval (permits & exhibits attached). Hence, these are valid permits. Because this is a Public Works project, Dept. of Public Works is doing the inspection for this permit. Brush clearance, (with bulldozers or other heavy equipment) is allowed under s grading permit.

**Area D (middle portion, Phase 2)**

No grading permit currently exists for the middle portion of Area D (D2). An access road, running through the center of D2 (see attached map) was approved as part of the First Phase. Trucks, bulldozers and other similar equipment are allowed to move along this road through D2, however no grading is allowed.

An Order to Comply was issued by Building & Safety Dept. recently, ordering the developer to stop grading in D2.

**Area D (No. of Jefferson, East of Lincoln, Phase 1)**

An Order to Comply was issued by Bldg. & Safety Dept., ordering the developer to stop grading and brush clearance with heavy equipment, until a permit is obtained. Brush clearance, or

`brushing` (weed control) must be done with hand power tools to be exempt from a grading permit.

Attached is a map delineating the areas with current permits on the property.

[CITY OF LOS ANGELES letterhead]

September 3, 1998

Playa Capital Company  
12555 West Jefferson Bl. Suite 300  
Los Angeles, CA 90066

Job Address: 13300 West Jefferson Blvd.

ORDER TO COMPLY.

AH 00006

You are hereby ordered to comply with the following requirements of the Los Angeles Municipal Code, hereinafter referred to as LAMC, and other laws as specified below.

Inspection of the property and a search of the records of the Department of Building and Safety revealed grading [illegible] commenced on the south side of Jefferson Boulevard and west of Linclon [sic] Boulevard in the area designated as a “Freshwater Marsh” without the required grading permits.

You are therefore ordered to stop all work, in the above described area, immediately upon receipt of this notice.

Provide approved plans, reports, Department approval letters and permits for grading in this area.

Do not resume work until inspection has been made by the authorized representative of the department.

Sections: 91.104.2.4 L.A.M.C.; 91.106.3.2.1 L.A.M.C.; 91.106.3.2.6 L.A.M.C.

A. Hinton  
Grading Inspector, District 15

[Picture of “Not Approved” form, No. R 05129, from the Department of Building and Safety—City of Los Angeles, Correction Notice. Job address: 13250 Jefferson Pl., dated 7-2-99, Applicant or Agent is Playa Vista/CM[?]. On the bottom it says “Do Not Remove this Notice.”]

[Picture of “Order to Comply” form, No. L 74534, from the Department of Building and Safety—City of Los Angeles. Job address: 13250 W. Jefferson (north of Jefferson Bl., East of Lincoln Bl.), dated 8-4-98, delivered to Playa Capital Company.]

[Picture of “Not Approved” form, No. M 02045, from the Department of Building and Safety—City of Los Angeles, Correction Notice. Job address: 13250 Jefferson Blvd., dated 7-1-99, Applicant or Agent is Playa Capitol [sic] Comp./C[???]. On the bottom is says “Do Not Remove this Notice.”]

[Picture of “Not Approved” form, No. M 02032, from the Department of Building and Safety—City of Los Angeles, Correction Notice. Job address: 13250 W. Jefferson Blvd., dated 8-21-98, Applicant or Agent is Playa Capitol [sic] Co. LLS c/o C[???]. On the bottom is says “Do Not Remove this Notice.” Handwritten notes “?Did we call for inspection” and “Stop Orders.”]

[CITY OF LOS ANGELES letterhead]

September 3, 1998

Playa Capital Company  
12555 West Jefferson Bl. Suite 300  
Los Angeles, CA 90066

Job Address: 12400 – 13200 West Jefferson Blvd.

ORDER TO COMPLY.

AH 00005

You are hereby ordered to comply with the following requirements of the Los Angeles Municipal Code, hereinafter referred to as LAMC, and other laws as specified below.

Inspection of the property and a search of the records of the Department of Building and Safety revealed grading that work has resumed or commenced on the south side of Jefferson Boulevard in the area between what would be extensions of Westlawn Avenue and Beethoven Street without the required permits or approvals.

You are therefore ordered to stop all work, in the above described area, immediately upon receipt of this notice.

Provide approved plans, reports, Department approval letters and permits for grading in this area.

Do not resume work until inspection has been made by the authorized representative of the department.

Sections: 91.104.2.4 L.A.M.C.; 91.106.3.2.1 L.A.M.C.; 91.106.3.2.6 L.A.M.C.



A. Hinton  
Grading inspector, District 15

[Handwritten note "Done 9/18/98]

Inspection of the property and a search of the records of the Department of Building and Safety revealed that work has resumed or commenced on the south side of Jefferson Boulevard in the area between what would be extensions of Westlawn Avenue and Beethoven Street without the required permits or approvals.

You are therefore ordered to stop all work, in the above described area, immediately upon receipt of this notice.

Provide approved plans, reports and Department approval letters at the job site.

Do not resume work until inspection has been made by the authorized representative of the department.

91.104.2.4 L.A.M.C.  
91.106.3.2.1 L.A.M.C.  
91.106.3.2.6 L.A.M.C.

### **Response 30-132**

These attachments are related to prior litigation regarding the First Phase Project, *Wetlands Action Network, et al. v. Playa Capital Company, et al.*, Case No. BC 210128 (Los Angeles Sup. Court). After an unsuccessful motion for preliminary injunction, the plaintiffs dismissed their case.

These attachments were submitted in support of comments stated in Comment 30-9. As such, comments related to these attachments are addressed in Response 30-9.

### **Comment 30-133**

EXHIBIT 3

[Picture 2/96 Area D-2]

[Picture 2/97 Area D-2 looking North]

[Picture 2/9/97 Area D-2 looking West pre-Phase One development, K. Knight]

[Picture, handwriting illegible]

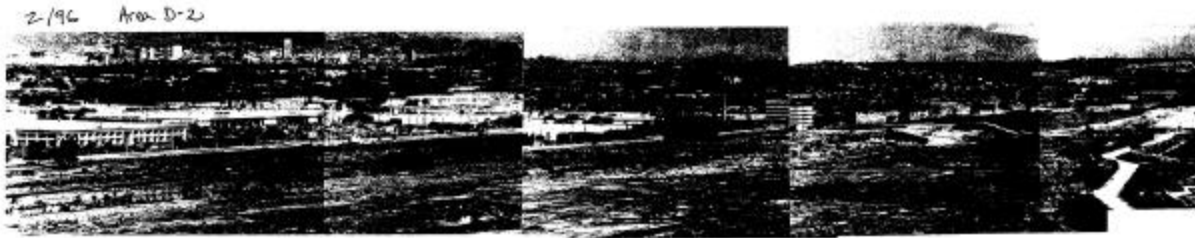
[Pictures 2/1997, Area D-2 looking West; Area D-2 looking North; Area D-2 looking East]

[Picture 7/2003]

**See following pages.**

**Response 30-133**

This attachment was submitted in support of comments stated in Comment 30-21. As such, comments related to this attachment are addressed in Response 30-21. Please see the attachments on the following pages.



2/1997 Area D-2 Looking West



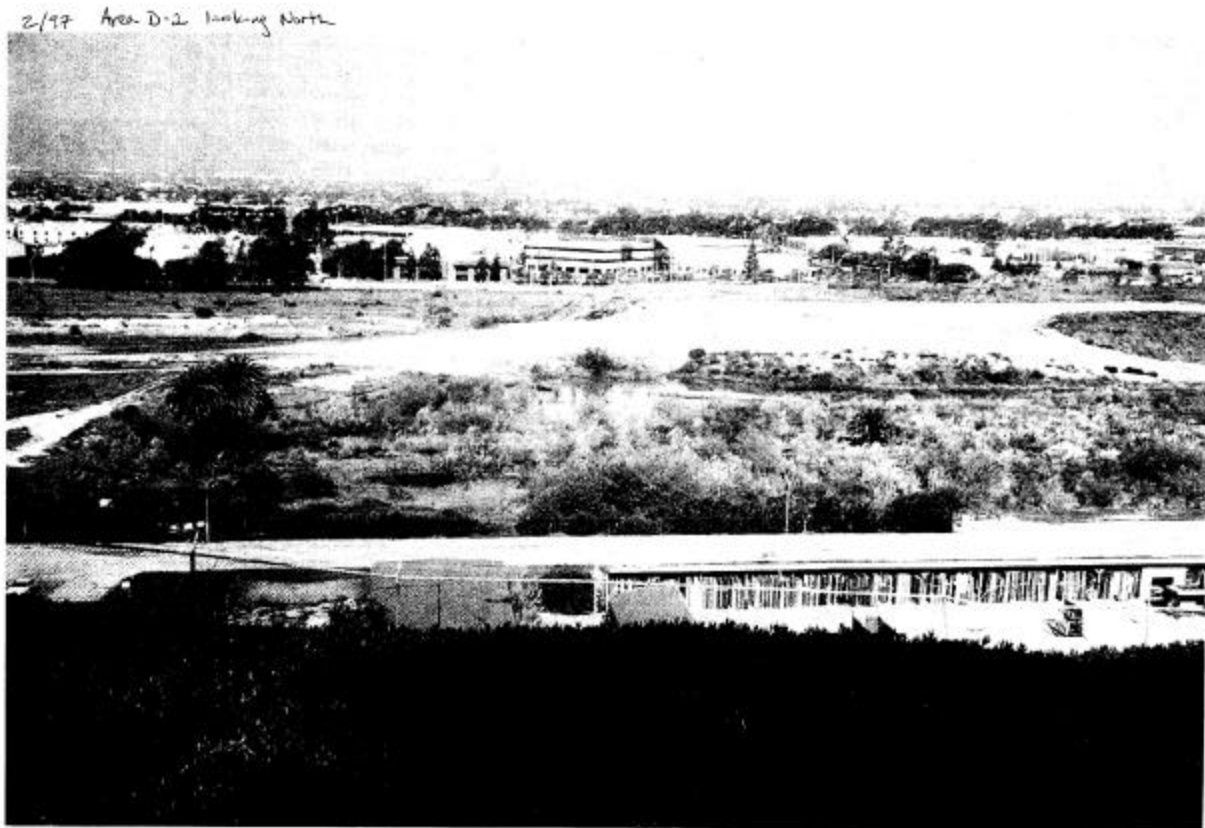
Area D-2 Looking North



Area D-2 Looking East









K. Knight

Follino, 9/03





**LETTER NO. 31**

DEL REY HOMEOWNERS AND NEIGHBORS ASSOCIATION  
DRH&NA - Post Office Box 661450  
Los Angeles, Ca. 90066  
310-842-6385  
www.delreyhome.org

November 30, 2003

**Comment 31-1**

Our response will concentrate on the geographic area within the boundaries of the Del Rey Community: Lincoln Blvd on the west, Sawtelle Blvd on the east, Jefferson Blvd on the south, and Venice Blvd on the north. The Del Rey Homeowners and Neighbors Association represents 479 households (approximately 800 people). The Kaku report does not support the allegation that the Playa Vista Project significantly impacts this community. We take issue with that premise: Adding 15,000 people and their vehicles to an already overcrowded streets, will no doubt adversely impact this community. We offer the following suggestions and requirements that we feel will ease the flow of traffic through our community. We require a Neighborhood Protection Plan so that as problems surface as a result of the Playa Vista Project, Playa Vista would be responsible for the satisfactory mitigation of those problems.

**Response 31-1**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The comment contends that the project will cause neighborhood traffic impacts. As discussed in Subsection 3.4.7 of Section IV.K.(1), Traffic and Circulation, of the Draft EIR on pages 872-877, the transportation analysis did include an evaluation of the locations where the addition of Project traffic might cause an impact on neighborhood streets. One of the four neighborhoods identified as a potential neighborhood impact area lies within the Del Rey Homeowners and Neighbors Association boundaries and the refore is eligible to participate in the neighborhood traffic mitigation program identified in the mitigation program. Participation is outlined on page 6 of the LADOT Assessment Letter in Appendix K-1,of the Draft EIR.

See also the Topical Response TR-5, Neighborhood Traffic Impacts, on page 458, for a description of the methodology used to evaluate the potential neighborhood impacts of the Proposed Project.

**Comment 31-2**

Centinela Avenue and Jefferson Blvd. (12)

We start with the intersection of Centinela Ave and Jefferson Blvd. since that is the one area that they admit they cannot mitigate. There are two major concerns for that corner: Playa Del Rey Elementary School (which is located a very short block north of Jefferson on Juniette St) and the Union Oil Gas Station at the north west corner of Centinela Avenue and Jefferson Blvd. Currently there are three lanes north and south during peak hours. However during early morning hours the far right northbound lane of Centinela Avenue becomes hazardous due to slow traffic turning on to Juniette as parents bring elementary students to the school.

The other major issue is the Union Oil Gas Station on the NW corner. Cars entering the station from Jefferson Blvd or Centinela Avenue often cause delays and interfere with the free flow of traffic. Frequently the back end of cars stick out in to traffic lanes (as motorists await their turn at the pump) blocking traffic. We request a “No Right Turn on Red” on Centinela Avenue Southbound. It is dangerous to exit the station onto Centinela unless the driver is planning to make a right turn westbound onto Jefferson. The majority of motorists exiting the gas station need to access the far left lanes to get back on to Jefferson or turn left to go north on Centinela Avenue thereby traversing multiple lanes of on-coming, fast-moving traffic. The “Do Not Enter” sign at the entrance to the alley that runs parallel to Centinela Avenue creates a dangerous traffic situation. Removal of that sign, allowing traffic to proceed through to Lucille Ave where there is traffic signal, thus allowing for safe left turns, would eliminate a dangerous situation.

**Response 31-2**

As discussed in Section 3.1 of the Draft EIR, the Traffic Study includes an analysis of the Proposed Project’s impacts under two scenarios. One scenario assumes the Playa Vista Drive bridge and road extension to Culver Boulevard is part of the 2010 baseline conditions. A second scenario assumed that the Playa Vista Drive bridge and roadway extension to Culver Boulevard was not part of the transportation system in the 2010 conditions. With the completion of the sale to the State of California and the relinquishment of the rights to construct the Playa Vista Drive Bridge and road, the baseline conditions as reflected in the Traffic Study exclude the bridge and road from the street system analyzed in the transportation model.

With mitigation, the Proposed Project would not result in any significant traffic impacts. A new mitigation measure has been added to the mitigation program in the Draft EIR as discussed in Section II.15, Corrections and Additions, of the Final EIR on page 216 and Topical Response TR-10, Alternative 2010 Baseline Scenario – Additional Mitigation Measure, on page 472. This new mitigation measure would mitigate the one remaining significant traffic impact at Centinela Avenue/Jefferson Boulevard identified in the Draft EIR.

The comment raises traffic safety and operational issues associated with existing traffic conditions. The issues raised are not related specifically to the Proposed Project or any impact of the Proposed Project. The current operations related to the Playa Del Rey Elementary School are

typical of elementary schools throughout the City, and do not present any unusual traffic or pedestrian safety conditions. Likewise, the operation of the Union Oil Gas Station at the northwest corner of Centinela Ave. and Jefferson Blvd. is typical of any gas station located on a corner lot. It should be noted that it is illegal, pursuant to the California Vehicle Code, to turn left on to Centinela Ave. from the Union Oil Gas Station to go north. Further, with implementation of roadway improvements included within the previously approved First Phase Project and the Proposed Project, traffic turning right on to Centinela Avenue from the Gas Station will not have to move to the left lanes as stated by the commentor in the future. That traffic could travel through on Centinela Avenue south of Jefferson Boulevard, using Campus Center Drive and Bluff Creek Drive to connect back to Centinela Avenue. The traffic and access issues associated with the Playa Del Rey Elementary School and Union Oil Gas Station are included within the baseline traffic analyzed in the Draft EIR.

Further, the “Do Not Enter” sign at the entrance to the alley running parallel to Centinela Avenue was installed by the County of Los Angeles Department of Public Works to address neighborhood traffic intrusion issues. These comments and suggestions will be forwarded to the Los Angeles Department of Transportation and the County of Los Angeles Department of Public Works for review and action.

### **Comment 31-3**

Juniette Street and Centinela Avenue:

For the safety of the children and to prevent cut-through traffic at Juniette Street and Centinela Avenue we request “No Left Turn” signs on or off Juniette Street during peak traffic hours. The addition of a “No Right Turn” sign with effective times during peak hours from Centinela Avenue on to Juniette Street (this would require that parents who need to drop off students drive around the school and come up on the right side of the school for a safe drop off).

### **Response 31-3**

Please see Response 31-2. The comment points out traffic safety and operational issues associated with existing traffic conditions in the vicinity of the Juniette School. The issues are not related to the Proposed Project or Project impacts. As discussed above, the current operations related to the Playa del Rey Elementary School are typical of elementary schools throughout the City, and do not present any unusual traffic or pedestrian safety conditions. The requested improvements are not needed to address the impacts of Project traffic. These comments and suggestions will be forwarded to the Los Angeles Department of Transportation for review.

### **Comment 31-4**

Jefferson Blvd and Inglewood Blvd: (82)

At Jefferson Blvd and Inglewood Blvd we would request the same signaling for that intersection as for Centinela Avenue and Jefferson Blvd with signaled “Left Turn Arrows” so that no opposing traffic is moving when turns are being made.

#### **Response 31-4**

The comment requests that exclusive left turn signal phasing be added to the intersection of Jefferson/Inglewood to accommodate existing traffic levels. The Project impacts at this location are mitigated through the implementation of transit system improvements, including the extension of Culver City Bus Line 4 along Jefferson Boulevard to Playa del Rey, enhancements to Culver City Bus Line 2, the Expanded Shuttle System serving Fox Hills Mall (among other locations), and implementation of a Limited Service bus serving Howard Hughes Center and the Century Boulevard Office Corridor. Therefore, the requested left turn phases are not required to mitigate Project impacts. The request for left turn phasing will be forwarded to the Los Angeles Department of Transportation for review.

#### **Comment 31-5**

Jefferson Blvd and 405 Fwy:(30/31)

The mitigation suggested, by Playa Vista, is to add two more buses. This committee does not understand how the addition of 2 buses will alleviate the congestion that occurs during work traffic time nor alleviate traffic on the 405 Fwy. The signaling needs to be adjusted so that more cars pass through the intersection under the freeway.

#### **Response 31-5**

The addition of transit vehicles along the Jefferson Boulevard corridor is intended to remove private automobiles from the street system, thus improving the overall traffic flow through these intersections. See Topical Response TR-4, The Village at Playa Vista Transit Plan Effectiveness, for a further discussion of transit effectiveness.

The timing of the signals is based on detectors in the pavement that react to the changing volumes on the streets leading to each intersection. As reflected in the capacity calculations found in Appendix K, of the Draft EIR, the capacity of an intersection is a balance of competing traffic demands on the cross streets. To give more time to the Jefferson Boulevard traffic as requested in the comment could back up traffic on the ramps so that the queue extended onto the freeway itself. These comments and suggestions will be forwarded to Culver City Department of Public Works for review.

#### **Comment 31-6**

Jefferson Blvd and Sepulveda Blvd: (35)

Left Hand Turn signal time is too short. Lengthening the time of that left turn signal will improve traffic flow. A “No Right Turn on Red” should be installed on Southbound Sepulveda Blvd. A potentially dangerous situation is created by motorists turning left off of Sepulveda Blvd on to Jefferson Blvd west: many need/want to access the far right lane of Jefferson Blvd to immediately enter the business parking lot on the right. Not only do motorists wanting to access the parking lot have to cross several traffic lanes, but often cars are not able to enter the driveway from Jefferson Blvd because of slow moving vehicles in the parking lot itself. Thus cars often jut out into the right traffic lane of Jefferson Blvd. The addition of the “No Right Turn on Red” sign will allow motorist to safely enter the business area and will prevent delays in traffic movement

### **Response 31-6**

The comment points out traffic safety and operational issues associated with existing traffic conditions. The Project impacts at this location are mitigated through the implementation of transit system improvements, including the extension of Culver City Bus Line 4 along Jefferson Boulevard to Playa del Rey, and providing additional service along Culver City Bus Line 6. The requested improvements are not needed to address the impacts of Project traffic. These comments and suggestions will be forwarded to Culver City Public Works Department for review.

### **Comment 31-7**

Centinela Avenue:

- at Braddock Drive - need left turn pocket and traffic signal.
- at Allin Street - Marina Del Rey Middle School is located one block west of Centinela at Allin Street. A traffic signal has been approved for the intersection of Inglewood Blvd and Allin Street For continuity and the safety of the students, a signal at Centinela Avenue and Allin Street is required.
- at Culver Blvd (11) - need left turn stacking lanes for east, west and north bound traffic. Left turn signals in all directions.
- at Washington Blvd (16) - left turn signals in all directions
- at Venice Blvd - left turn signals in all directions
- at Short Avenue (123)- left turn signals and stacking lanes

**Response 31-7**

The comment calls for a set of specific improvements to address existing traffic safety or operational issues along Centinela Avenue. The operational conditions along Centinela Avenue in this corridor are typical for secondary arterials throughout the City of Los Angeles, and do not present any unusual safety issues. The issues are not related to the Proposed Project or Project impacts, and are not needed to address the impacts of Project traffic in this corridor. The Proposed Project will be providing a third northbound lane and a central turn lane along Centinela Avenue north of SR 90 to Culver Boulevard thereby improving several intersections mentioned above. It is also worth noting that the City of Los Angeles Capital Improvement Program currently has improvements planned for the Centinela Avenue and Short Avenue intersection. As such, the suggestions will be forwarded to the Los Angeles Department of Transportation for review.

**Comment 31-8**

Inglewood Blvd:

- at Braddock Drive - Braddock Drive Elementary School and Stoner Avenue Elementary School plus the Mar Vista Gardens housing project is an issue at this corner. Very heavy pedestrian traffic occurs throughout the day and especially during times when school children arrive and depart the area. Left Hand Turn signals, left turn stacking lanes in both directions on Inglewood and westbound on Braddock, and “No Right Turn” signs south bound during school arrival/dismissal time so the students may cross safely.
- at Culver Blvd - Left turn signals in all directions. Right and left turn stacking lanes. Relocate the bus stop back further north so that the traffic flow is not impeded. Culver City buses traveling south on Inglewood Avenue make a right turn on to Culver Blvd. To accomplish this, the bus must swing way out into the left lane to make the turn on to Culver Blvd. Relocating the bus stop will give the bus operator time and room to safely negotiate the necessary turn and will ease slowed and congested traffic at this intersection.
- at Washington Blvd (29)- Left turn signals in all directions.
- at Venice Blvd - This is one traffic lane in each direction, north/south. Add left turn stacking lanes and left turn signals in all directions.

**Response 31-8**

The comment calls for a set of specific improvements to address existing traffic safety or operational issues at intersections along Inglewood Boulevard. The operational conditions along Inglewood Boulevard in this corridor are typical for secondary arterials in mature communities throughout the City of Los Angeles, and do not present any unusual safety issues. At the intersection of Inglewood Avenue at Culver Boulevard, the Project proposes to provide turn

lanes along Culver Boulevard (east and west approaches). The Playa Vista First Phase Project will be providing north and south-bound left turn lanes along Inglewood Boulevard at Culver Boulevard. The other issues are not related to the Proposed Project or Project impacts, and are not needed to address the impacts of Project traffic in this corridor. As such, the suggestions will be forwarded to the Los Angeles Department of Transportation for review.

### **Comment 31-9**

How will the requirements of the new Fire Station at the southeast corner of Inglewood Blvd. and Venice Blvd affect signaling?

### **Response 31-9**

There are no plans at this time to make any changes to the traffic signal system as a result of the new Fire Station. This is not an impact of the Proposed Project and as such does not require any Proposed Project mitigation. The comment is noted and will be forwarded to the Los Angeles Department of Transportation for review.

### **Comment 31-10**

Sawtelle Blvd:

- at Braddock Drive (152)- There are on and off ramps to the 405 Fwy proximate to this intersection. There needs to be an “as needed” signal at the northbound off ramp to allow cars to get across Sawtelle safely. This off ramp is on a curve with limited visibility and is unsafe for left turning motorists.
- at Culver Blvd (102)- Left Turn stacking lanes both east and west. No Left Turn during peak hours to be enforced. Designate “Left lane”, “through lane” and “right turn” lanes.
- at Washington Blvd and Washington Place - Left turn stacking lanes both north and south.
- at Venice Blvd (62)- Left turn signals north and south
- at Sepulveda (170)- Left turn signals east and west.

### **Response 31-10**

The comment calls for a set of specific improvements to address existing traffic safety or operational issues at intersections along Sawtelle Boulevard. The operational conditions along Sawtelle Boulevard in this corridor are typical for secondary arterials throughout the City of Los Angeles, and do not present any unusual safety issues. The issues are not related to the Proposed Project or Project impacts, and are not needed to address the impacts of Project traffic in this corridor. As such, the suggestions will be forwarded to the Los Angeles Department of

Transportation, Culver City Public Works Department and Caltrans (for relevant freeway access-related issues) for review.

It should be noted that, as discussed in Subsection 3.4.2, Section IV.K.(1), Traffic and Circulation, on page 845 of the Draft EIR, Caltrans is working to provide new I-405 on and off-ramps at Culver Blvd., which would result in the closure of the on and off-ramps at Braddock Drive. Additionally, the intersection of Sawtelle Boulevard at Culver Boulevard is also planned for improvement and the Project would contribute towards provision of separate north and south right-turn lanes at this intersection.

The project proposes to improve the intersection of Sawtelle Boulevard at Sepulveda Boulevard by the provision of an additional bus along Culver CityBus Line 6 and two buses along Culver CityBus Line 4. These improvements would fully mitigate the proposed project's impacts at this location and no other improvements would be necessary.

### **Comment 31-11**

Other Concerns:

There are other concerns that we would like to address at this time. The Del Rey Homeowners and Neighbors Association requests that Playa Vista be required to complete the Alla Road Project (69) connecting the Project to the 90 Fwy. When completed, it would take a major amount of traffic off Lincoln Blvd and Centinela Avenue. We request that this task be added back into the overall plan.

### **Response 31-11**

A connection between Alla Road and the SR 90 Freeway (to and from the south on Alla) was considered by the California Department of Transportation, but private land necessary to create the right-of-way that would have allowed the improvement to be constructed was not available for acquisition. As a result, alternate mitigation measures were formulated to address project impacts, as presented in the Draft EIR. This improvement is not necessary to mitigate any project impacts.

### **Comment 31-12**

The Homeowners Association has raised concerns about cut-through traffic on Juniette Street and Beatrice Streets but we were told that there is no problem at this time. Our careful review of the current EIR indicates that only Bray Street and Port Streets are considered possible problem streets. We suggest that all of the residential streets that intersect with Inglewood Blvd or Centinela Avenue will soon fill up with overflow traffic as motorists attempt to circumnavigate the overcrowded major thoroughways.



**Response 31-12**

See Response 31-1, above.

**Comment 31-13**

Our community is faced with Restricted Parking situations that will occur as a direct result of the Playa Vista Project. This will result in neighborhood streets being used by the residents of nearby apartments that have inadequate parking facilities thus adversely impacting the residents of those streets. Many of the involved apartment complexes were built before current parking requirements were legislated.

**Response 31-13**

The transportation improvement plan for the Proposed Project will not result in any loss of parking along Jefferson Boulevard, Inglewood Boulevard, or Centinela Avenue. Approximately 27 parking spaces along the east side of Centinela Avenue between the Ballona Channel and Culver Boulevard would be subject to peak hour parking restrictions. Because other parking is available off of Centinela Avenue (i.e., on Milton Street, Havelock Street, Allin Street, Braddock Drive, Verdi Street, Wagner Street, and Culver Boulevard), Section IV.K.(1), Traffic and Circulation, of the Draft EIR on page 951 concludes that impacts on parking at this location are adverse but less than significant.

**Comment 31-14**

As part of the Neighborhood Protection Plan and with money that has already been set aside as part of the first EIR (Condition 125 - Parking Replacement Trust Fund) for the solution of the parking issue we insist that the Playa Vista Project be responsible for the impact of restricted parking forced upon the community residents by the construction of Playa Vista and for resolution that is satisfactory to the residents affected.

**Response 31-14**

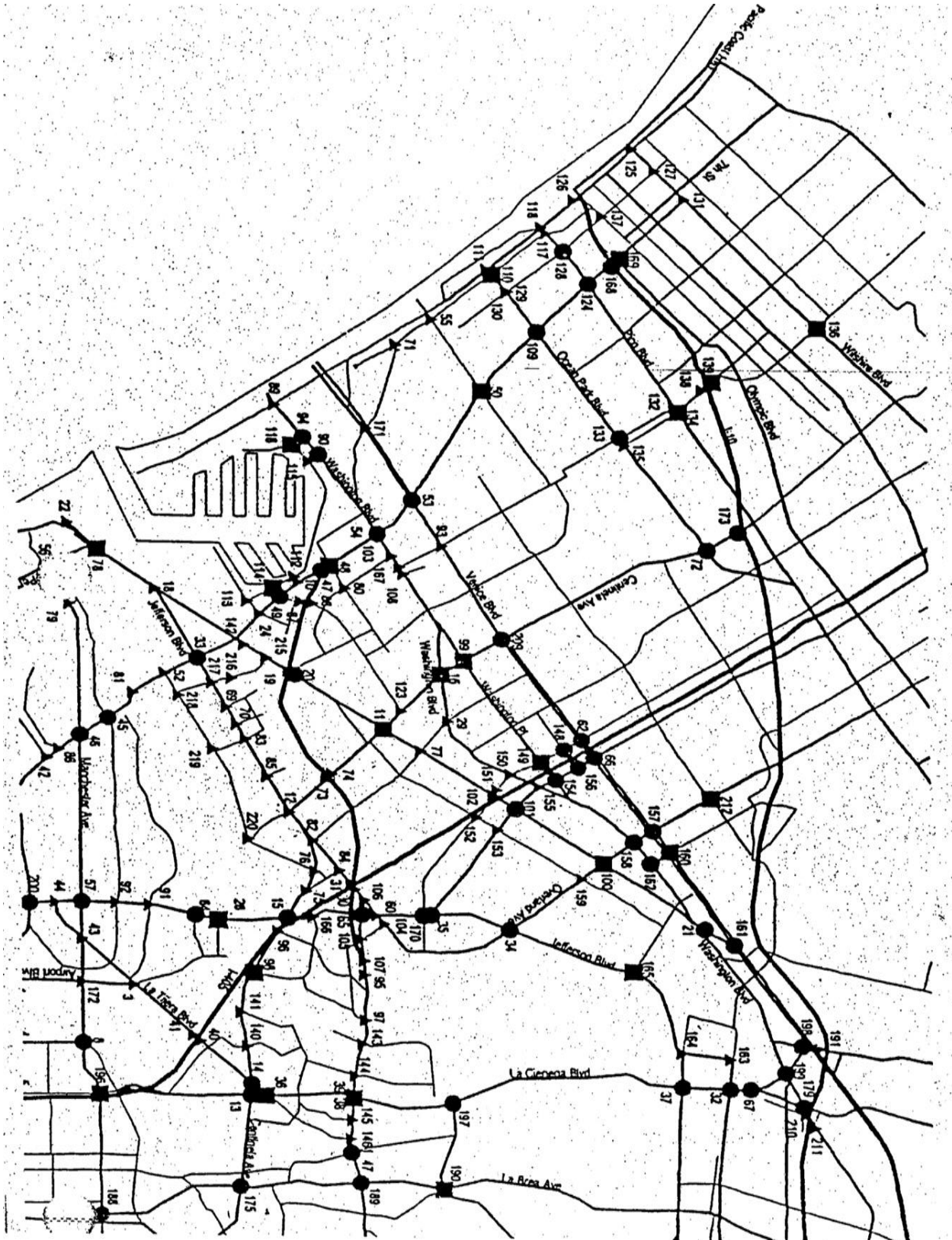
Condition 125 is a condition of approval for the adjacent Playa Vista First Phase Project which requires funding of a Parking Replacement Trust Fund to address the loss of parking spaces resulting from First Phase Project traffic mitigations along Centinela Avenue, Inglewood Boulevard, and Jefferson Boulevard, and is not part of the Proposed Project. As noted above, the transportation improvement plan for the Proposed Project will not result in any loss of parking along Jefferson Boulevard, Inglewood Boulevard, or Centinela Avenue.

**Comment 31-15**

See Figure 31-15, *Unidentified Map of the Los Angeles Area*, on page 1073.

**Response 31-15**

This attachment was submitted in support of comments stated in Comment 31-1 through 31-14. As such, comments related to this attachment are addressed in Response 31-1 through 31-14.



**LETTER NO. 32**

Friends of Ballona Wetlands  
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**Comment 32-1**

Thank you for the opportunity to comment on the Draft EIR for the Village at Playa Vista. Michael Josselyn (see attached curriculum vitae) and I jointly submit the following comments on behalf of Friends of Ballona Wetlands (“Friends”). We appreciate your past and ongoing efforts to address the concerns of Friends and hope that these comments will assist your preparation of a Final EIR.

As the following discussion illustrates, the proposed project could potentially result in several significant adverse water quality impacts to the Ballona Wetlands. Because the Draft EIR does not fully assess certain issues, the magnitude of the potential impact is unclear. To make certain that the Ballona Wetlands and the surrounding community are not significantly impacted by the proposed project, please ensure that these concerns are fully addressed in the Final EIR.

**Response 32-1**

This comment provides background information on the letter submittal. Specific comments regarding the review of the Draft EIR and responses follow.

**Comment 32-2****I. PROJECT HISTORY AND DESCRIPTION****A. Project History**

The proposed project reflects a project design that has evolved over the past two decades with the input of developers, regulatory agencies, and public interest groups. In 1989, Maguire Thomas Partners - Playa Vista (“MTP”) acquired a controlling interest in three of the four sub-areas of the Playa Vista property (Areas A, B and D). Upon its acquisition of the property, and its settlement with Friends, MTP took several steps to develop Phase I of a mixed-use development project located in the eastern and western portions of Area D, and the Freshwater Marsh located in Area B of the Playa Vista property.<sup>1</sup> As a result of these actions, and a comprehensive environmental review, Phase I was approved by the City of Los Angeles, the California Coastal Commission, and the Army Corps of Engineers. Although a Draft Master Plan for the entire Playa Vista property was prepared, it was never approved, and the Draft EIR

for that Master Plan was never certified by the City of Los Angeles. Much of Phase I has now been built out.

Footnote 1 Integral to Phase I was a freshwater marsh and a significant portion of a riparian corridor that would be constructed at MTP's expense to serve as a pollution removal system, a stormwater management area, and a freshwater habitat adjacent to, and integral with, the restored saltmarsh of the Ballona Wetlands. The proposal for the freshwater marsh and riparian corridor emerged from the landowner's settlement of the Friends of Ballona Wetlands' litigation challenging the Coastal Commission's 1984 certification of a land use plan for the coastal portions of Plaza Vista. The design of the Freshwater Marsh is discussed in more detail below.

In 1997, Playa Capital Company, LLC ("PCC") acquired the Playa Vista Project and continued to explore options for development. On November 14, 2002, the City of Los Angeles circulated a Notice of Preparation for the currently proposed Village at Playa Vista, located within the central portion of Area D between the eastern and western portions of the adjacent Phase I project. On August 21, 2003, the Draft EIR was made available for public review.

## B. Project Description

The current project, for development of the Village at Playa Vista, is located on 111 acres of Area D and consists of the following two components: (1) a mixed use community, and (2) a riparian corridor and restoration and maintenance of a portion of the Westchester Bluffs. The current proposal is significantly different from the original plan proposed in the Draft Master Plan. The mixed use community would occur on 99.3 acres of the site, comprised of 87.5 acres of development, 11.4 acres of parks, and 0.4 acre of other passive open space. The proposed development would include 2,600 dwelling units, 175,000 square feet of office space, 150,000 square feet of retail space, and 40,000 square feet of community-serving uses. The habitat creating and restoration component includes a total of 11.7 acres, of which the Riparian Corridor involves 6.7 acres, with the restoration of the adjoining portion of the Westchester Bluffs occurring over the remaining 5 acres. The construction of the Riparian Corridor would complete a 25-acre riparian corridor that includes sections east and west of the subject site, which collectively feeds into the freshwater marsh.

All drainage from the proposed project flows to the Freshwater Marsh and ultimately to the Ballona Channel. Accordingly, a major water quality feature associated with the proposed project is the Riparian Corridor (to be constructed as part of Phase I with the addition of 6.7 acres as part of the proposed project) and the continued functioning of the Freshwater Marsh, which will be completed in 2004 as part of the Fast Phase project.<sup>2</sup> The Freshwater Wetlands System is designed to passively improve runoff quality through a number of natural physical and bio-chemical processes. According to the Draft EIR:

Footnote 2 Although the Ballona Wetlands consists of both the saltmarsh and Freshwater Marsh, for convenience of terminology, this comment letter uses the term "Ballona

Wetlands” to refer exclusively to the saltmarsh portion of the Ballona Wetlands. This same terminology is employed by the Draft EIR. See, e.g., Draft EIR, at 358-59.

The size of the [Freshwater Wetlands System] would allow dry-weather and most stormwater runoff to flow through at low velocities, thereby permitting the sedimentation and other removal processes of particulate matter and dissolved constituents through absorption occurring mostly in the primary management areas and then in the rest of the Marsh. The natural systems in the wetland, including plantings of native vegetation, would slow velocities and facilitate that natural processes of absorption, filtration, plant uptake, and biological degradation of dissolved constituents. (Draft EIR, at 456)

The design of the proposed project also incorporates a number of pollutant source controls and water quality features to prevent water quality degradation. Source controls include such features as underground parking (approximately 75 percent of the buildings within the proposed project would be designed with underground parking), covered trash and recycling facilities, a street and catch basin cleaning program, xeriscape and native landscaping to reduce water use, a fertilizer and pesticide management program, prohibition of certain building materials such as roofing/gutter materials that are high in copper and zinc, and a tenant/resident education program. See Draft EIR, at 453. Additionally, the proposed project would include the use of roof drain biofiltration systems for all buildings, additional water quality inlets (BMP catch basins) for catch basins on the Central Storm Drain, and a bioswale<sup>3</sup> within a park to receive and filter stormwater runoff from the project prior to entering the Riparian Corridor. Lastly, the proposed project incorporates various water quality control practices to be implemented during construction. See Draft EIR, at 461-463.

Footnote 3 A bioswale is a broad bottomed, shallow, vegetated drainageway, which acts as a filter to remove pollutants from runoff.]

Based on these design features, the Draft EIR concludes that the proposed project would have a “less than significant” impact to surface water quality. See Draft EIR, at 520. This conclusion was reached based on findings that the proposed project would not create pollution, contamination or nuisance or cause regulatory standards to be violated.

### **Response 32-2**

This comment summarizes and is consistent with the information in the Draft EIR. Specific comments regarding the review of the Draft EIR and responses to those comments follow.

### **Comment 32-3**

## **II. CEQA BASELINE REQUIREMENTS FOR THE ANALYSIS OF POTENTIALLY SIGNIFICANT IMPACTS**

Throughout the Draft EIR, the impacts of the proposed project are compared to pre-First Phase conditions. Although these comparisons are helpful, they are not determinative of environmental

impacts. Under CEQA, the impacts of a project are measured against the environmental baseline, or the “physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.” See CEQA Guidelines, §§ 15125(a), 15126.2(a). Accordingly, the significance of environmental impacts of the proposed project should be measured against conditions with the Playa Vista First Phase Project. As the Draft EIR acknowledges, the Freshwater Marsh has been constructed (with the exception of approximately 8 acres) and the Central Storm Drain is mostly complete. See Draft EIR at 357-360. The City of Los Angeles should clarify its impact analysis, and explain whether its conclusions regarding the insignificance of impacts remain true.

### Response 32-3

The entire Freshwater Wetlands System, including the Freshwater Marsh and the entire Riparian Corridor, was studied as part of the Draft EIR for the First Phase Project (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510, certified by the City of Los Angeles in Sept. 1993). (See Section V.C.1, Hydrology, and Section V.C.2.B, Surface Water, of the Draft EIR for the First Phase Project on pages V.C.1-7 to 1-12 and V.C.2.B-19 to B-30, respectively.) In addition, the Draft Program EIR for the Master Plan Project, which included development of Areas A, B, C and D of the Playa Vista Planning Area, was circulated by the City in 1992 as an informational document to disclose cumulative impacts (along with the Draft EIR for the First Phase Project). The Draft Program EIR for the Master Plan Project also discussed the entire Freshwater Wetlands System. (See Section V.C.1, Hydrology, and Section V.C.2.B, Surface Water, of the Draft Program EIR for the Master Plan Project on pages V.C.1-17 to 1-23 and V.C.2.B-27 to B-31, respectively.)

The City’s decision to plan for a subsequent phase of Playa Vista in addition to the construction of the First Phase Project has been upheld by the courts. (See *Save Ballona Wetlands v. City of Los Angeles, et al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994) (1994 SBW Decision).) Although the City’s approval for the construction of the middle segment of the Riparian Corridor adjacent to the Village area is requested as part of the current review process, several governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, the Regional Water Quality Control Board, and Los Angeles Region (RWQCB) have approved the entire Freshwater Wetlands System, including the Riparian Corridor (see U.S. Army Corps of Engineers Permit No. 90-426-EV; California Department of Fish and Game 1603 Streambed Alteration Agreement No. 5-639-93). The California Coastal Commission has also approved and issued permits for the portions of the Freshwater Wetlands System within the coastal zone (Coastal Development Permit No. 5-91-463). Further, these approvals have been upheld by the courts. (See *Wetlands Action Network v. United States Army Corps of Engineers, et al.*, 222 F.3d 1105 (9th Cir. 2000), cert. denied, 534 U.S. 815 (2001) (challenge to the Army Corps of Engineers Section 404 permit); *Save Ballona Wetlands v. City of Los Angeles, et al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994) (challenge to the City’s EIR for the First Phase Project); *Earth Trust Foundation, et al. v. City of Los Angeles, et al.*, No. SS006405 (Los Angeles Sup. Ct., decision filed August 18, 1996), affd. No. B106408 (Ct. App. 2nd App. Dist., decision filed May 15, 1997) (challenge to the City’s Addendum to the EIR for the First Phase Project).)

The Draft EIR evaluates two different conditions – pre-First Phase and post-First Phase, and provides data on intermediate steps in the construction process of the entire Freshwater Wetlands System, as requested by the commentor. Subsection 3.1.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 441 explains: “In order to provide a more complete and meaningful analysis of water quality impacts associated with the Proposed Project and to evaluate the adequacy of the Freshwater Wetlands System to accommodate both adjacent Playa Vista First Phase Project and Proposed Project flows, the pollutant loads from the pre-First Phase conditions have been compared to the pollutant loads estimated to occur at the completion of the adjacent Playa Vista First Phase Project and at the completion of the Proposed Project (buildout) through the use of a pollutant loading model.”

The conditions that existed prior to construction of the Freshwater Wetlands System (pre-First Phase conditions) are analyzed because the Freshwater Wetlands System was designed as a regional system to manage and treat storm water runoff from the First Phase Project and off-site areas, in addition to runoff from the Proposed Project. The rationale for originally analyzing the entire Freshwater Wetlands System, including the entire Riparian Corridor, in the Draft EIR for the First Phase Project and the Draft Program EIR was precisely because it is a single, unified system.

Using the pre-First Phase Project as a basis for analysis is consistent with, and supported by, the watershed-based approach to management of urban runoff encouraged by regulatory officials. (See State Water Board Order No. 2000-11 (finding regional stormwater treatment a “more technically effective” alternative to Best Management Practices that serve only a particular development); Los Angeles Public Storm Drain Permit, Findings 18 & 20 ([www.swrcb.ca.gov/\\_rwqcb4/html/programs/stormwater/la\\_ms4\\_final/FinalPermit.pdf](http://www.swrcb.ca.gov/_rwqcb4/html/programs/stormwater/la_ms4_final/FinalPermit.pdf)) (finding watershed management provides a means to comprehensive and integrated water resources protection); and State Water Board, Nonpoint Source Program Strategy and Implementation Plan, 1998-2013 (PROSIP) at 1, 7, 39 (2000) (finding runoff management on a watershed scale can provide unique solutions for each watershed that consider local conditions and pollutant sources)). These items are located in the reference library for the Final EIR.

Moreover, as the commentor has suggested, as discussed in Subsection 3.1.1 of Section IV.C.(1), Hydrology, of the Draft EIR on page 367, in addition to evaluating the changes between pre-First Phase conditions and the Proposed Project, the Draft EIR “also indicates the incremental changes between the adjacent Playa Vista First Phase Project condition and Proposed Project conditions.” The loading and concentration changes were shown in the tables in Section IV.C.(2), Water Quality, of the Draft EIR, as well as in the Water Resources Technical Appendix. See e.g., Section IV.C.(2), Subsection 3.4.1.2.2 on page 471, Subsection 3.4.1.2.4 on page 476, Subsection 3.4.1.2.5 on pages 478 and 482, Subsection 3.4.1.2.6 on page 484 and 485, Subsection 3.4.1.2.7 on page 489, Subsection 3.4.1.2.7.1 on pages 490 through 493 and on page 498, Subsection 3.4.1.2.7.2 on page 500, Subsection 3.4.1.2.9 on page 506, and Subsection 6.0 on pages 520 and 521 of the Draft EIR; and Table 44 on page 479, Table 48 on page 486, Table 52 on page 491, Table 53 on page 492, Table 54 on page 493, Table 55 on page 494, Table 60 on page 501 and Table 61 on page 502 of the Draft EIR. This comparison is exactly what the comment requests.



The conclusions in the Draft EIR regarding potential surface water quality impacts were predicated upon a comparison between post-First Phase and post-Proposed Project water quality, as well as a comparison between pre-First Phase and post-Proposed Project water quality, and are true for both scenarios.

As the commentator notes, as of November 2002, when the Notice of Preparation was issued, the Freshwater Wetlands System was not fully constructed and was not functioning as it will be at completion of the First Phase Project. In the Fall of 2002, construction of the Freshwater Marsh was incomplete and construction of the Riparian Corridor had not yet begun. To the extent vegetation had been planted in the Freshwater Marsh, that vegetation was still in the process of growth and maturation, both of which are part of the Freshwater Wetlands System design to improve water quality performance. (See Subsection 3.4.1.2.3, page 472 of Section IV.C.(2), Water Quality, of the Draft EIR.) The Freshwater Marsh had just begun receiving water from the Jefferson storm drain (as of November 4, 2002). Although the Central Storm Drain was connected to the Freshwater Marsh, because the majority of the First Phase Project residential area was under construction, very few of the catch basins were draining to the Freshwater Marsh. In fact, most of the First Phase Project site undergoing site preparation at that time had been graded to drain to the east, into a temporary detention basin, which had been installed in the Proposed Project area to allow stormwater to settle before being pumped to the Central Storm Drain. A connection from Centinela ditch under Lincoln Boulevard to the Freshwater Marsh was still active; however, this connection was serving only a small portion of the First Phase Project site as the Centinela Ditch within the First Phase Project residential area had been filled to prepare for construction of Bluff Creek Drive.

Due to the transitory nature of the First Phase Project site and the incomplete status of construction of the Freshwater Marsh as of November 2002, modeling of the water quality conditions existing at that time would not be informative. The Draft EIR provides information that brackets the construction of the Freshwater Wetlands System by assessing site conditions pre-First Phase – when none of the First Phase Project had been constructed – and by assessing site conditions assuming full build-out of the First Phase Project – when the Freshwater Marsh and the western third of the Riparian Corridor would be constructed. (See Subsection 3.4.1, beginning on page 459 of Section IV.C.(2), Water Quality, of the Draft EIR.)

#### **Comment 32-4**

### **III. HYDROLOGY AND WATER QUALITY**

To understand the proposed project's potential impact on water quality, it is necessary to first describe the hydrology of the Freshwater Wetlands System and how pollutants of concern are delivered to the Ballona Wetlands. The volume, velocity, and frequency of stormwater flows controls, in large part, the resultant water quality in the Freshwater Marsh and the Ballona Wetlands. Part A discusses the hydrology of the Freshwater Marsh and overflows to the Ballona Wetlands during large storm events. Part B, the main focus of this comment letter, examines the

potential water quality impacts of the proposed project. Part C discusses potential construction impacts.

Although this letter does not specifically consider potential impacts on biological resources or wetland functions, the water quality regulations and objectives discussed in the Draft EIR, and analyzed below, are designed to protect the biological integrity of California waters.

### **Response 32-4**

This comment provides background information on hydrology and water quality issues. Specific comments regarding the Draft EIR and responses to those comments follow.

### **Comment 32-5**

#### **A. Potentially Significant Impact From Freshwater Overflows to Ballona Wetlands During Large Storm Events**

The Freshwater Wetlands System is designed to collect stormwater runoff from the proposed project, as well as the adjacent First Phase project and 611 acres of off site areas. Runoff from the proposed project would discharge to the Freshwater Marsh via the Riparian Corridor and the Central Storm Drain.<sup>4</sup> See Draft EIR, at 371 (Figure 32). During dry weather conditions and 1-year storm events (or smaller), these discharges would be completely diverted from the Ballona Wetlands. After being passively treated in the Freshwater Marsh, the runoff would discharge into the Ballona Channel.

Footnote 4 The Central Storm Drain was approved and constructed as part of the First Phase project. It runs the entire length of Area D, from the eastern portion of the First Phase project to its terminus at the Freshwater Marsh. Draft EIR, at 357-58. A small portion of the site would also drain to the Jefferson Storm Drain, which discharges to the Freshwater Marsh. As a project design feature, the proposed project would be graded to redirect the majority of surface runoff to the Riparian Corridor and the Central Storm Drain because the Jefferson Storm Drain does not meet City design standards for hydraulic capacity.

During storms greater than a 1-year storm event, however, the eastern portion of the Ballona Wetlands would serve as an overflow area for the Freshwater Marsh. During these storm events, flap-gated culverts at the Freshwater Marsh outlet would close to prevent backflowing from the Ballona Channel. As the Draft EIR explains, increased runoff from the proposed project would not be discharged to the Ballona Channel “until such time as the water elevation within the Ballona Channel drops to a level where on-site runoff can be discharged with no adverse impact to channel flows.” Draft EIR, at 379. Up to 149 acre-feet of water could be discharged from the Freshwater Marsh to the Ballona Wetlands. Although the total stormwater discharges to the Ballona Wetlands would be less than half what they were under pre-First Phase project conditions, they would increase relative to the baseline conditions. See Draft EIR, at 357-360, 375 (Table 24), and 382 (Table 28).

The increase in the amount of runoff flowing to the Ballona Wetlands due to development of the proposed project compared to Playa Vista First Phase is estimated to range from 0 percent to 3.6 percent, depending on the size of the storm event. Based on the low magnitude of this increase, and considering the overall reduction in runoff due to the construction of the Freshwater Marsh, the Draft EIR concludes that this increase would have a “less-than-significant” impact on surface hydrology. Draft EIR, at 383. Also, the text notes that “the additional amount of runoff to the Ballona Wetlands would only be a short-term temporary condition that dissipates as the stormwater within the Ballona Wetlands drains to the Ballona Channel.” Id. Lastly, operational flexibility is designed into the Freshwater Marsh to allow increased flows to the Ballona Wetlands, if desired, through use of the adjustable weir and low-flow diversion sluice and culvert.<sup>5</sup>

Footnote 5

An Operations, Maintenance and Monitoring Manual for the Ballona Freshwater Wetlands System, dated October 2001 (the “Manual”) is attached as Appendix F-2 to the Draft EIR. The Draft EIR does not specifically refer to the Manual or incorporate its provisions. Moreover, the administrative requirements (p. 3-1) in the Manual are vague and need to be clarified and quantified where possible. Lastly, the Freshwater Wetlands System is to be managed in compliance with the 1995 Habitat Mitigation and Monitoring Plan (“HMMP”) for Ballona Wetlands. The HMMP does not appear to be included in the Draft EIR. These items should be explained and included as part of a mitigation monitoring and reporting program to ensure that they are enforceable commitments.

Although the description of potential impacts due to changes in surface water hydrology is comprehensive, the following issues should be explained or discussed in more detail in the Final EIR:

Detention time. How long would water be impounded in the Ballona Wetlands during storms larger than a 1-year storm event?

Sedimentation during storm events. How much sediment would be deposited in the Ballona Wetlands during storm events? As the velocity of the surface water decreases a significant amount of sedimentation could occur.

### **Response 32-5**

The Operations, Maintenance and Monitoring Manual for the Ballona Freshwater Wetlands System, dated October 2001 (the “O&M Manual”) is part of the Draft EIR, as it is attached as Appendix F-2 to the Draft EIR. The Draft EIR discusses the O&M Manual in Subsection 3.4.1.2.8 of Section IV.C.(2), Water Quality, of the Draft EIR on pages 502-505.

As a requirement of the Army Corps of Engineers Section 404 Permit for the Proposed Project and the First Phase Project, the Habitat Mitigation and Monitoring Plan (HMMP) was developed to describe the habitat and water-related goals necessary to establish and maintain the functions

of the Freshwater Wetlands System. The HMMP is available in the reference library for the Draft EIR, and was discussed in Subsection 2.1.1.4 on page 410 of Section IV.C.(2), Water Quality, of the Draft EIR. The Mitigation Monitoring and Reporting Program for the First Phase Project required the preparation of “a maintenance manual for the freshwater wetland system in consultation with the relevant City, State and Federal agencies, to be mutually agreed upon by all of the aforesaid agencies, for the purpose of ensuring that water quality, habitat, and flood control needs for the freshwater wetland system are incorporated into the maintenance program for the system.” (See Mitigation Measure C.2.B(F) for the First Phase Project.) Compliance with the HMMP, the aforementioned “maintenance manual,” was required by the City as a condition of the First Phase Project.

The O&M Manual is the primary document discussing compliance with Performance Criteria (see Subsection 3.4.1.2.8 on page 503). Verification of Performance Criteria related to water quality is documented through annual reports submitted to the USACE, the CCC, the California Department of Fish and Game, RWQCB, the City of Los Angeles, and the Los Angeles County West Vector Control District. The First Annual Report (the Ballona Freshwater Marsh Annual Report, December 2003) has been submitted and is included in the reference library for the Final EIR. Compliance with the HMMP is required under the permits and approvals issued by the above federal, state and local agencies for the construction and operation of the Freshwater Wetlands System.

The comment appears to raise concerns about the original permit decisions, construction goals and objectives of the Freshwater Wetlands System. The development of the Freshwater Wetlands System was required as the result of a litigation settlement reached between the Applicant’s predecessor-in-interest, the Friends of Ballona Wetlands (the commentor), and the City, among others, in 1994. (*Friends of Ballona Wetlands v. California Coastal Commission, et al.*, No. C 525 826 (Los Angeles Sup. Ct., stipulation filed June 9, 1994).) A state court upheld the propriety of using that settlement as a basis for design of the Freshwater Wetlands System. (*Save Ballona Wetlands v. City of Los Angeles, et al.*, No. SS009077 (Los Angeles Sup. Ct., decision filed Aug. 23, 1994).) The parties agreed to a reduced Playa Vista project plan, as well as construction of the 52-acre Freshwater Wetlands System to accommodate the storm water drainage of areas tributary to it. The parties agreed that one of the key purposes of the Freshwater Wetlands System was to cleanse storm water from Area D of the Playa Vista Project (the Proposed Project and the adjacent First Phase Project) as well as off-site tributary areas before it emptied into adjacent waters. The parties also agreed that one of the purposes of the Freshwater Marsh was the ability to reduce/manage freshwater inflows into the Ballona Wetlands from the tributary area of the Freshwater Wetlands System; the agreed upon level was a one-year storm event at build-out of the First Phase and Proposed Project. Further, as was previously noted in Response 32-3, above, the entire Freshwater Wetlands System was analyzed in the Draft EIR for the First Phase Project.

The commentor states that water will be “impounded” in the Ballona Wetlands during large storm events, and that the Ballona Wetlands “serve as an overflow area for the Freshwater Marsh.” The routing of freshwater flows through the Freshwater Marsh and into the Ballona Wetlands was addressed in the Final EIR for the First Phase Project in Response to Comment

W-51.35 on page W-51-23, which stated in pertinent part: “some freshening of the [salt marsh] system during the winter months would occur during a greater than 1-year storm event (as defined by the City of Los Angeles). Such seasonal freshening is necessary to maintain the diversity of the salt marsh system.” As stated in the Draft EIR on page 359, the Freshwater Wetlands System was designed so that “[u]nder normal conditions [after build out], storm flows greater than a 1-year storm will flow over the overflow spillway in the existing Ballona Wetlands.” Freshening of the Ballona Wetlands will assist in meeting the long-term ecological goals (including improvement of the Ballona Wetlands) of the federal, state, and local agencies in their approvals of the Freshwater Wetlands System.

As discussed in the previously certified EIR for the First Phase Project, the delivery of freshwater flows via the completed Freshwater Wetlands System (post-Proposed Project conditions) is considered superior to the way these flows entered the Ballona Wetlands before construction of the Playa Vista First Phase Project (uncontrolled and unmanaged urban runoff), and even to the way these flows will enter the Ballona Wetlands after completion of the First Phase Project (because the Riparian Corridor which contributes to flood control and water quality performance will not have been completed).

As discussed in Subsection 3.4.1.2.6 on pages 484-489 and as indicated in Table 48 on page 486 of the Draft EIR, implementation of the Proposed Project will cause only slight increases in freshwater discharges to the Ballona Wetlands even with large events. (The largest increase is 3.6 percent more volume during a 5-year storm after the Proposed Project is in place.) The Proposed Project actually results in the Freshwater Wetlands System meeting its agreed-upon one-year design storm spill level, which without the Proposed Project it would not. Given the insignificant increase in stormwater volume, no significant change in detention time within the Ballona Wetlands is expected from the Proposed Project. Actual detention time within the Ballona Wetlands will be a function of the final design of the restored Ballona Wetlands and will fluctuate with the influence of the tides.

Although the loading of total suspended sediment (TSS) to the Ballona Wetlands will increase marginally (i.e., a 7 percent increase) with the Proposed Project, the concentrations of TSS are not predicted to increase. This is because the average storm event concentration is not expected to increase. See Table 48 on page 486 of Section IV.C.(2), Water Quality, of the Draft EIR. The minor changes in stormwater volume and insignificant detention time changes are not expected to materially affect trapping of sediment in the Ballona Wetlands, especially since no change in TSS concentrations are anticipated. Sedimentation would be influenced more by the ultimate restoration design of the Ballona Wetlands than by the minimal changes caused by the Proposed Project.

### **Comment 32-6**

In addition to the proceeding [sic] points, the Final EIR should explain the assumptions it makes regarding water quality. Our major concern is that pollutants collected in the Freshwater Marsh would be “flushed” into the Ballona Wetlands during large storm events. Because the erosion and pollutant-loading capacity of surface waters increase with volume and velocity, the Final

EIR should address whether the Ballona Wetlands will be adversely impacted by large storm events.

For quantitative assessments, the Draft EIR utilizes a pollutant loading methodology which is discussed in Section 3.2.4.3 of Appendix F-1. In general, pollutant loads are calculated by estimating runoff coefficients to convert rainfall data into runoff volumes, then using the runoff volumes and event mean concentrations (EMCs) to estimate pollutant loads. The pollutant loading model is based on three main equations - determining the runoff coefficient, the annual runoff, and the annual pollutant loading. The pollutant loading model also incorporates pollutant removal approximations for structural stormwater BMPs (e.g., catch basins, bioswales, Riparian Corridor, and Freshwater Marsh). The methodology, however, does not appear to take into account the variability of pollutant loading that may occur during different storm events.

For example, the estimated stormwater loads and concentrations to the Ballona Wetlands are calculated by multiplying annual effluent pollutant load from the Freshwater Marsh by the small percentage that overflows to Ballona Wetlands (8 percent of the annual flows that enter the Freshwater Marsh). Cf. Appendix F-1, Table 3-36a (Effluent from Freshwater Marsh) with Table 3-48a (Stormwater Load to Ballona Wetlands). This methodology may underestimate the pollutant loads because it does not take into consideration the higher loads that are carried during storm events. It also does not take into account the possibility that pollutants deposited in the Freshwater Marsh during low-flows would be carried into the Ballona Wetlands during high-flow conditions. The Draft EIR also appears to apply the same pollutant removal approximations to the Riparian Corridor and Freshwater Marsh during dry weather and storm events. The Friends are requesting additional analysis to determine the significance of these storm event loadings.

### **Response 32-6**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

A principal water quality assumption of the Draft EIR is that the quality of urban runoff associated with the Proposed Project, as well as the Pre-First Phase and post-First Phase scenarios, can be characterized reasonably by using local and national data on urban runoff and BMP performance. Runoff quality data for specific land uses is available from the Los Angeles County Department of Public Works (LADPW) ([www.ladpw.com/WMD/npdes/report\\_directory.cfm](http://www.ladpw.com/WMD/npdes/report_directory.cfm)). This item is located in the reference library for the Final EIR. As the lead permittee for the regional urban runoff permit issued by RWQCB, LADPW has assembled a significant database on regional runoff quality, much of the data collected and analyzed by LADPW itself. A second principal assumption is that BMP performance data collected and maintained by U.S. EPA and American Society of Civil Engineers can be used to characterize the performance of the Freshwater Wetlands System and other structural BMPs. A third

important assumption is that stormwater quality reported on an event-mean and annual average basis is relevant to assessing the water quality associated with the Proposed Project. This assumption is supported by documented variation in stormwater quality, and the lack of correlation between water quality, on the one hand, and storm size and/or storm duration, rainfall intensity, etc., on the other.

The pollutant-loading methodology used in the Draft EIR takes into account the variability of pollutant loading that may occur during different storm events. The LADPW database upon which the pollutant loadings are based reflect water quality for large and small storms, and does not ignore large storms, as suggested by the commentor. The National BMP Database reflects BMP performance under a range of storm conditions, large and small. The rainfall record used as an input to the model, as the basis for estimating runoff volumes, consists of a long-term record (49 years), that includes both large and small storms. (See Subsection 3.3.1.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 456.)

Pollutants deposited in the Freshwater Marsh during low-flow conditions would not be carried in significant quantities into the Ballona Wetlands during high-flow conditions because the velocities within the Freshwater Marsh would not be high enough to scour deposited sediments and/or mobilize such pollutants. Once flows enter the primary management areas of the Freshwater Marsh, velocities in the storm flows will drop quickly and significantly in a short distance. As flows reach the main body of the 26-acre Freshwater Marsh, velocities will decrease further. For example, using a conservative estimate of the cross-sectional area (975 square feet) of the Jefferson Primary Management Area near the boundary of the main body of the Freshwater Marsh, the velocity in a 50-year storm event would be approximately 0.4 feet per second for a short peak-flow period (less than one hour likely). Literature regarding the resuspension of fine materials in sewer flows (which are more prone to resuspension than materials settled from urban runoff) indicates that flow velocities must be at least 1.4 feet per second to cause resuspension. (C. Fan, et. al., "Sewer-Sediment Control: Overview of an EPA Wet-Weather Flow Research Program," National Risk Mgmt. Research Lab. pub. EPA/600/J-03/188 (2003) ([www.epa.gov/ordntrnt/ORD/NRMRL/Pubs/600J03188/600J03188.html](http://www.epa.gov/ordntrnt/ORD/NRMRL/Pubs/600J03188/600J03188.html))). (This item is located in the reference library for the Final EIR.) Therefore, the potential for pollutants in the Freshwater Marsh to be resuspended and carried into the Ballona Wetlands is not significant.

Event-based analyses were not used to estimate performance as such an approach would not capture the potential long-term effects of stormwater runoff, and may misrepresent them, by reflecting only short-term variation that is not indicative of representative or characteristic conditions. Instead, the analysis focused on the long-term effects of stormwater. A complete description of the model methodology is described in Subsection 3.2.4.3 of Appendix F-1 of the Draft EIR.

The pollutant removal approximations for the Freshwater Wetlands System were not the same during dry weather and storm events. Pollutant removal approximations for the Freshwater Marsh and Riparian Corridor during storm conditions were specified based on BMP performance data in the National U.S. EPA BMP Database, and used a quantitative (modeling) stormwater

assessment (Subsection 3.4.1.2.5, Subsection 3.4.1.2.6, Subsection 3.4.1.2.7, Section IV.C.(2), Water Quality) of the Draft EIR). In contrast, pollutant removal approximations from the National U.S. EPA BMP Database were not used to characterize pollutant removal from dry weather flows. Rather, potential impacts of dry weather flows were assessed qualitatively (Subsection 3.4.1.2.3, Section IV.C.(2), Water Quality, of the Draft EIR). A quantitative assessment of dry-weather water quality was not conducted because land use-based data were unavailable for estimating dry-weather runoff volumes, loads, or concentrations from the Proposed Project. Existing dry-weather data were analyzed to assess potential impacts, but as stated in Subsection 3.2.4.6.2.6, Section IV.C.(2), Water Quality, on page 472, “[l]imited dry-weather monitoring data are available for assessing ambient dry-weather concentrations and loads to receiving waters after build-out of the Proposed Project.” See also Response 32-9, below.

### **Comment 32-7**

The lead agency should explain the figures presented in Table 48 of the Draft EIR (and Tables 3-48a and 3-48b of Appendix F-1). Would increased pollutant loads be flushed into the Ballona Wetlands during high-flow conditions? Also, are the pollutant loads and concentrations identified in Table 48 based on constant pollutant removal approximations? If so, can the figures be revised to take into account the varying ability of wetland systems to remove pollutants during different flow conditions? Lastly, the environmental analysis should consider the potential impacts related to the “first flush” of pollutants that may occur during the first storm event of the season, and mitigation measures to avoid or minimize the impact.<sup>6</sup>

Footnote 6 See Cal. Dep’t [sic] of Transp. website at [http://www.dot.ca.gov/hq/env/stormwater/ongoing/first\\_flush](http://www.dot.ca.gov/hq/env/stormwater/ongoing/first_flush). See also <http://www.epa.nsw.gov.au/mao/stomwater.htm>.

Once the potential impacts have been fully addressed and analyzed, specific mitigation measures, if required, can be developed to alleviate those impacts. Such measures could include management activities to clean pollutants from the Freshwater Marsh before the wet season and/or additional BMPs to handle and treat stormwater flows.

### **Response 32-7**

As discussed in Responses 32-3 and 32-5, above, the design, construction maintenance, of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

Table 48 on page 486 of the Draft EIR sets forth the “Representative Stormwater Loads and Concentrations to the Ballona Wetlands from the Freshwater Marsh.” It shows average annual loads and concentrations of ten constituents for pre-First Phase Project, post-First Phase Project, and post-Proposed Project conditions (i.e., complete build out of the Freshwater Wetlands



System), as well as the percent change between the pre-First Phase Project and post-Proposed Project conditions.

As discussed in Response 32-6, above, pollutants deposited in the Freshwater Marsh during low-flow conditions would not be carried into the Ballona Wetlands during high-flow conditions because the velocities within the Freshwater Marsh would be less than required to scour and mobilize deposited sediments.

In addition, pollutant loads are not expected to be “flushed” into the Ballona Wetlands from the Freshwater Wetlands System during high flow conditions. The Freshwater Wetlands System is designed to capture and treat the initial volume of every storm, and has the capacity to retain the entire volume of a 1-year storm. By complying with, and actually exceeding, the Los Angeles public storm drain permit requirement to implement BMPs treating the first 0.75 inch of rainfall (discussed on page 464 of Subsection 3.4.1.2.1, Section IV.C.(2), Water Quality of the Draft EIR), the Proposed Project fully addresses the “first flush” event, as the 0.75-inch requirement is predicated on treating the “first flush” of storm water. (See State Water Board Order No. 2000-11, at 17.) This item is located in the reference library for the Final EIR. The Freshwater Marsh actually treats about the 1.1-inch storm, exceeding the required 0.75-inch requirement. Thus, to the extent “first-flush” runoff may have importance to receiving waters including the Ballona Wetlands, it is addressed fully by the Freshwater Wetlands System. Even in larger storms, treatment will occur in the Freshwater Marsh as flows will still be slowed significantly, allowing for settling and attachment of pollutants to plants.

In addition, the vast majority (if not all) of the BMPs for the Proposed Project will function during the first storm event of the season, just as they will function during other storm events. Numerous source control BMPs planned for the Proposed Project will help to minimize pollutant build up and thus the potential significance of the first storm of the season or the early period of a storm. (Examples of such BMPs include underground parking, street sweeping, public education programs, internal transit system, and pesticide and fertilizer management programs. Subsection 3.4.1.2.9, page 508, Section IV.C.(2), Water Quality, of the Draft EIR.) Various structural BMPs (e.g., catch basin inserts, trash screens, and the trash racks in the primary management areas) will help control trash and litter that otherwise might be mobilized by the first storm event of the season. (See e.g., Subsection 3.4.1.2.5, pages 483-484 of Section IV.C.(2), Water Quality, of the Draft EIR.)

Moreover, both the LADPW water quality data and the U.S. EPA BMP performance database incorporate and reflect a wide-range of storm conditions, including “first-flush” runoff. Thus, the water quality analysis in the Draft EIR likewise reflects “first-flush” information, and the finding of no significance is based, at least in part, on it.

The “first-flush” references cited to by the commentor are not necessarily relevant to the Proposed Project and address the early period of a storm event, not the first storm of the season, as suggested by the commentor. The Caltrans study cited by the commentor addresses very small catchments associated with highways (a single land use), where there may be a “first flush” during the initial part of a storm event. This result does not mean that there will be a “first flush”

during the early part of a storm event for the much larger catchments of the Proposed Project, or for the different and varied lands uses of the Proposed Project. In fact, the New South Wales, Australia report, cited to by the commentor, indicates that the existence of a “first-flush” effect should not be assumed in all cases and that monitoring from some, usually larger, catchments has failed to observe the “first-flush” phenomenon. ([www.epa.nsw.gov.au/mao/stormwater.htm](http://www.epa.nsw.gov.au/mao/stormwater.htm).) Other studies not referred to by commentor have not uniformly reported a “first-flush” phenomenon. (See, e.g., a study of runoff in Austin, Texas, not finding large pollution wash-off in the first one-half inch of storms [City of Austin, *The First Flush of Runoff and Its Effects on Control Structure Design* (1990)].) This item is located in the reference library for the Final EIR.

The average annual pollutant loads and concentrations identified in Table 48 of Section IV.C.(2), Water Quality, of the Draft EIR on page 486, are not based on constant pollutant concentrations or constant percent removals. Rather, treatment efficiencies increase as the pollutant load entering the Freshwater Wetlands System increases. This approach is based on the fact that BMPs have been shown to remove a higher overall percentage of pollution the more polluted the incoming flow. This varying treatment efficiency over a range of stormwater quality tends to produce outgoing effluent quality that is similar regardless of the quality entering the BMP. This approach is recommended in the Urban Stormwater BMP Performance Monitoring Guidance Manual (ASCE/EPA, 2002. *Urban Stormwater BMP Performance Monitoring: A Guidance Manual for Meeting the National Stormwater BMP Database Requirements* [[www.bmpdatabase.org](http://www.bmpdatabase.org)]). This item is located in the reference library for the Final EIR. Accordingly, there is no need to revise the figures presented in Table 48 to take into account the varying ability of wetlands systems to remove pollutants during different flow conditions; this variability is already accounted for in the estimates of average annual loads and concentrations.

## Comment 32-8

### B. Areas of Concern Regarding the Water Quality Analysis

The water quality analysis for the Village at Playa Vista is organized in the following fashion. The Draft EIR (1) describes the conditions existing before Phase I and after Phase I, (2) lists “thresholds” for determining whether a water quality impact is “significant,” and (3) analyzes the water quality impacts of the project both qualitatively and quantitatively.<sup>7</sup> Because the “thresholds of significance” are largely based on federal, state, and local water quality standards, these standards are critical to a determination of significant impacts. This section describes the unresolved issues related to the project’s potential water quality impacts.

Footnote 7 As described in Section II, the proposed projects impacts should be measured against the conditions with the Playa Vista First Phase Project.

#### 1. Methodology for Quantitatively Analyzing Water Quality Impacts

Although the Draft EIR conducted both qualitative and quantitative analyses of water quality impacts, only seven “constituents of concern” were selected to be evaluated quantitatively. The modeled parameters included total suspended solids (“TSS”), total phosphorous, total Kjeldahl

nitrogen (“TKN”), oil and grease, and total and dissolved copper, lead, and zinc. According to the Draft EIR, these parameters were chosen for two primary reasons:

(1) the parameters represent typical pollutants found in urban runoff (and would thus be representative of the water quality from the Proposed Project); and (2) sufficient data were available for these parameters to facilitate land use-based modeling of stormwater runoff and effluent predictions from stormwater BMPs; thus the modeled pollutants are expected to be a reliable indicator of water quality. (Draft EIR, at 441)

The Draft EIR explains that certain metals were not selected for the model because they were not likely to be present in urban runoff in “levels of concern.” *Id.* Other significant pollutants in urban runoff, such as trash, debris, and pathogens (e.g., coliform and bacteria), and pesticides could not be accurately quantified in a load analysis. Appendix F-1, at 3-63.

The Draft EIR’s exclusion of several pollutants of concern from a quantitative analysis requires further justification. A report prepared by the Santa Monica Bay Restoration Project identified several pollutants in the Santa Monica Bay exceeding levels associated with adverse biological effects. Among the pollutants that are commonly found in stormwater runoff, that were not quantitatively analyzed in the Draft EIR, are mercury, cadmium, and chromium.<sup>8</sup> Additionally, section 303(d) of the Clean Water Act requires that States identify water bodies that do not meet water quality objectives and allocate total maximum daily loads (“TDMLs”) to bring the listed water bodies into compliance with water quality objectives. There are several constituents in Santa Monica Bay, the Ballona Creek Estuary, and Ballona Wetlands that are on the 303(d) list, that were not quantitatively analyzed in the Draft EIR. These include chlordane, DDT, debris, high coliform count, polycyclic aromatic hydrocarbons (“PAHs”), polychlorinated biphenyls (“PCBs”), sediment toxicity, and trash. See Appendix F-1, Table 3-2.

Footnote 8 Santa Monica Bay Restoration Project, Characterization Study of the Santa Monica Bay Restoration Plan—State of the Bay 1993 (January 1994), at 8-3, 9-3 through 9-8 and 12-4.

The Final EIR should quantify these pollutants or provide a more satisfactory explanation regarding its decision to exclude the above pollutants of concern from a quantitative analysis. In particular, the Final EIR should consider the following:

**Metals.** The Draft EIR quantitatively evaluated copper, lead and zinc, arguing that these metals “are most often present in urban runoff at concentrations of concern” and exhibit transport and treatment properties representative of other heavy metals. Appendix F-1, at 3-63. Please provide a more satisfactory explanation regarding why the effects of the proposed development on arsenic, nickel, and selenium were not quantitatively analyzed. Although zinc, lead, and copper may be present in higher relative concentrations, metals like arsenic and selenium are generally of greater concern because they are more toxic to aquatic organism.<sup>9</sup> Additionally, stormwater runoff is a principal source of nickel. In a summary of mass emission rates of selected constituents discharged into the Southern California Bight, urban runoff was found to contribute 64% of the nickel. This percentage is comparable to or higher than those for the three

metals that were included in the analysis--copper (59%), lead (77%), and zinc (71%).<sup>10</sup> Notably, high concentrations of arsenic, nickel, and selenium were all found in dry weather discharges to the Ballona Wetlands. See Appendix F-1, at Table 3-9.

Footnote 9 S. Ramamoorthy and E.G. Baddaloo, *Handbook of Chemical Toxicity Profiles of Biological Species* (CRC Lewis Publishers, 1995); E.M. Sorensen, *Metal Poisoning in Fish* (CRC Press, 1991); A.G. Heath, *Water Pollution and Fish Physiology* (2nd ed. 1995).

Footnote 10 K.C. Schiff, M. James Allen, E. Y. Zeng and S.M. Bay, *Southern California, Marine Pollution Bulletin*, v. 41, no. 1-6 (2000), at 76-93.

## Response 32-8

See Response 32-3, above, regarding, the different conditions analyzed in the Draft EIR—pre-First Phase and post-First Phase, together with data from the intermediate steps in the construction process of the entire Freshwater Wetlands System, including the Riparian Corridor.

The construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System. See Responses 32-3 and 32-5, above.

Metals—The six metals (mercury, cadmium, chromium, arsenic, nickel, and selenium) identified by the commentor were not assessed quantitatively for a variety of reasons. First, these metals are not typically present for the kinds of land uses involved in the Proposed Project at levels of concern in the Los Angeles County Department of Public Works data (which is more recent and more representative of local conditions than available national data), as indicated in Subsection 3.1.1, on page 441 of Section IV.C.(2), Water Quality, of the Draft EIR and as further reflected in Table 32-8:

Table 32-8

**LOS ANGELES COUNTY DEPT. OF PUBLIC WORKS  
STORMWATER DATABASE—METALS INFORMATION**

Constituent		Water Quality Standard (ug/L) <sup>a</sup>	Detection Limit (ug/L) <sup>b</sup>	No. of Samples Collected/ Tested for Relevant Land Uses <sup>c</sup>	No. of Samples Where Results Were Non-Detect <sup>b</sup>	No. of Samples Where the Metal Was Detected	Enough Data to Calculate Average? (Y/N)	Mean Reported by LADPW <sup>d</sup>
Arsenic	Dissolved	36	5	181	180	1	N	NR
	Total	N/A	5	181	169	12	N	NR
Cadmium	Dissolved	903	1	181	170	11	N	NR
	Total	N/A	1	181	145	36	Y	0.73-1.1
Chromium	Dissolved	N/A	5	181	174	7	N	NR
	Total	N/A	5	181	145	36	Y	4.8-27
Chromium +6	Dissolved	50	10	220	220	0	N	NR
	Total	N/A	10	220	220	0	N	NR
Mercury	Dissolved	N/A	1	225	223	2	N	NR
	Total	N/A	1	226	218	8	N	NR
Nickel	Dissolved	8.2	5	181	151	30	Y	3.9-5.0
	Total	N/A	5	181	116	65	Y	6.0-15
Selenium	Dissolved	71	5	239	239	0	N	NR
	Total	N/A	5	239	226	13	N	NR
PAHs	Total	N/A	0.05-0.1	14	9-14	0-5	Y	0.83-1.53

<sup>a</sup> From California Toxics Rule, conservative value for salt waters, such as the Ballona Channel and the Ballona Wetlands. "N/A" denotes no applicable CTR criteria.

<sup>b</sup> Detection limit is the lowest value at which the laboratory analysis can confirm the presence of the compound. If the result of a test is "non-detect," this result means that the compound is not present at or above the detection limit.

<sup>c</sup> The five relevant land uses for which data for this table were drawn are: vacant, commercial, high-density single-family residential, transportation, and light industrial.

<sup>d</sup> The average values reported are the range of mean values from the five different land uses with enough detectable concentrations to estimate a mean. The PAH concentrations range is based on the mean concentrations from high-density single-family residential with the lower limit equal to the total average pyrene concentration (since pyrene was detected in 4 of 5 samples) and the upper limit equal to the sum of all detectable means (since at least 2 of 5 samples had detects for other PAHs in addition to pyrene). "NR" denotes no mean reported by LADPW.

As can be seen from Table 32-8, in the vast majority of cases (2,605 out of 2,831), the samples for these metals did not contain metals at levels at or above very stringent detection limits achieved by the laboratories performing the analyses. The detection limits were always below the water quality standards of the California Toxics Rule relevant to the Ballona Channel, the Ballona Wetlands and Santa Monica Bay. In those instances where there were enough data to estimate an average value (5 out of 15 cases), the average values always were below the saltwater California Toxics Rule values, as well as the most conservative fresh water values of

the California Toxics Rule. As there is no basis to believe that these metals will occur in urban runoff from the Proposed Project at levels higher than the representative values from the LADPW sampling, there is no reason to believe that these metals will be discharged from the Proposed Project at levels of concern. In fact, since most, if not the vast majority, of the sites sampled by LADPW do not have BMPs as extensive as those planned for the Proposed Project, these metals, if present at all in runoff from the Proposed Project, likely would be at the low end of the LADPW data set. Many of the BMPs planned for the Proposed Project will reduce metals in general, and some will reduce these metals in particular. Such BMPs include without limitation: source controls such as encouraging contractors not to use copper roofing materials or wood treated with chromated-copper arsenate, and the wetland vegetation and anaerobic soils of the Freshwater Wetlands System. (See pages 3-91 to 3-93 of Subsection 3.2.4.6.2.4 of Section 3, Water Quality, of the Water Resources Technical Appendix (Appendix F-1) of the Draft EIR.)

The commentator relies upon two references, SMBRP (1994) and Schiff et al. (2000), which present information regarding urban runoff that is not specific to particular land uses. For example, while urban runoff may contribute 64 percent of the nickel to the marine waters off the coast of Southern California (discussed in Schiff et al.), nickel is not associated with the residential, retail, and commercial land uses at the Proposed Project, and the Los Angeles data indicate that, in fact, nickel is not associated at levels of concern with those land uses ([http://ladpw.org/wmd/NPDES/wq\\_data.cfm](http://ladpw.org/wmd/NPDES/wq_data.cfm)).

In contrast, the metals that were modeled (copper, lead and zinc) often are present in untreated urban runoff at elevated levels. These metals are considered to be reasonable indicators of metals in general, and BMPs will reduce non-modeled metals (including mercury, cadmium, chromium, arsenic, nickel and selenium) at efficiencies similar to what can be achieved for the modeled parameters. Finally, the database for the non-modeled metals is not adequate for modeling purposes. As discussed above, much of the concentration data is below detection limits. When more than 50 percent of a data set are reported as “non-detect,” it is not possible to directly calculate a median concentration without speculating as to the underlying distribution. If a data set has more than 80 percent of the value as “non-detects,” there are no reliable means for establishing statistics such as the central tendency of the data.

With regard to the commentator’s concern regarding “high concentrations” of arsenic, nickel and selenium in the “dry weather discharges to the Ballona Wetlands,” since construction of the Freshwater Marsh, there have been no dry weather flows into the Ballona Wetlands from Area D or the Freshwater Marsh. The referenced sampling was obtained either prior to construction of the Freshwater Marsh or from flows not originating from Area D or the Freshwater Marsh.

DDT, PCBs and Chlordane—Three of the compounds identified by the commentator (DDT, PCBs and chlordane) have been banned from use for several decades, will not be used at the Proposed Project, and are not typically detected in urban runoff from residential, retail, and commercial properties similar to the Proposed Project (see the Los Angeles County data, [http://ladpw.org/wmd/NPDES/wq\\_data.cfm](http://ladpw.org/wmd/NPDES/wq_data.cfm)). This item is located in the reference library for the Final EIR. As discussed in Section IV.I, Safety/Risk of Upset of the Draft EIR, DDT and chlordane were not detected in sediments at the Proposed Project site above guideline levels. PCBs were detected in

a single sample collected from the Centinela Ditch in 2001 at levels marginally above guideline levels. (Subsection 2.2.3.2.3 on page 699 of Section IV.I, Safety/Risk of Upset of the Draft EIR.) However, under the Proposed Project, historical sediments in the Centinela Ditch will be removed under the oversight of the RWQCB, and the Centinela Ditch will be replaced by the Riparian Corridor. (Subsection 2.2.3.2.3, page 699 of Section IV.I, Safety/Risk of Upset of the Draft EIR).

Polycyclic Aromatic Hydrocarbons (PAHs)—The Ballona Creek Estuary is impaired with respect to PAHs, a family of compounds commonly associated with hydrocarbons and their use, such as in internal combustion machines. Los Angeles County sampling for PAHs does not indicate that residential development, which is the predominant land use with the Proposed Project, is a significant source of PAHs ([http://ladpw.org/wmd/NPDES/wq\\_data.cfm](http://ladpw.org/wmd/NPDES/wq_data.cfm)). Out of 75 analyses for PAHs conducted for runoff from residential property, 61 of the analyses did not detect anything, with a method detection limit of 0.1 parts per billion, or lower. Of the four PAHs detected, all mean values were below one part per billion and all detects, alone or in combination, were well below 300 parts per billion, the lowest observable effect level (LOEL) for PAHs reported in the National Oceanic and Atmospheric Administration (NOAA) Screening Quick Reference Tables (<http://response.restoration.noaa.gov/cpr/sediment/squirt/squirt.pdf>). For these reasons, PAHs were addressed qualitatively in the Draft EIR. Moreover, the BMPs included in the Proposed Project should effectively preclude PAHs from reaching the Ballona Creek Estuary. PAHs tend to associate with particles, and the BMPs at the Proposed Project will be effective at removing suspended particles in runoff. In addition, the extensive underground parking planned for the Proposed Project will help to reduce the potential for runoff to intercept any PAHs that may occur at the Proposed Project. Other BMPs that will reduce potential impacts from PAHs include: public education (regarding proper disposal of petroleum products), street sweeping, and the clean fuel internal transit system. (See Subsection 3.4.1.2.2, page 467 of Section IV.C.(2), Water Quality of the Draft EIR, and Subsection 3.2.4.6.2.4, page 3-96 of Section 3 of the Water Resources Technical Report (Appendix F-1).)

Trash—Quantitative data on debris and trash are not provided at all by the Los Angeles County Department of Public Works data. Therefore, there is an absence of data upon which to model potential water quality effects from trash. In light of these constraints, RWQCB set a technology standard for trash BMPs that, if met, is assumed to meet water quality standards. That technical standard was incorporated into the Proposed Project (the so-called “full capture standard”). Meeting this technology standard requires the use of BMPs that will trap all particles retained by a 5-millimeter mesh screen. (Los Angeles Regional Water Board, Ballona Creek and Wetlands Trash TMDLs, at 2 ([http://www.swrcb.ca.gov/~rwqcb4/html/meetings/tmdl/ballona\\_creek/01\\_0919\\_bc\\_Ballona%20Creek%20Trash%20TMDL.pdf](http://www.swrcb.ca.gov/~rwqcb4/html/meetings/tmdl/ballona_creek/01_0919_bc_Ballona%20Creek%20Trash%20TMDL.pdf)).) This item is located in the reference library for the Final EIR. The Proposed Project includes installation of trash racks at the inlets to the Riparian Corridor, and managed indoor trash collection and storage areas for residents and managed trash collection areas for commercial businesses. (See, e.g., Subsection 3.4.1.2.5, page 483-484, Subsection 3.4.1.2.6, page 487-488, of Section IV.C.(2), Water Quality, of the Draft EIR.) Separate from the Proposed Project, the Freshwater Marsh includes “full capture” trash screens at all of its inlets. In addition, as stated in Subsection 3.3.1 on page 453 and Subsection 3.3.1.2 on page 457, Section IV.C.(2), Water Quality, of the Draft EIR, source

controls that will be implemented to reduce trash loads include covered trash and recycling facilities, a street and catch basin cleaning program, periodic street sweeping, a tenant/resident education program, and storm drain signage. These Project Design Features and BMPs, which in several cases also include treatment of off-site runoff, are designed to prevent trash from being discharged into the Freshwater Marsh, Ballona Channel and Ballona Wetlands. The Freshwater Marsh is designed to capture the 1-year storm event, further protecting downstream waters from trash. For all these reasons, the Draft EIR reasonably concluded that the Proposed Project would be expected to result in a near zero release of trash through the storm drain system. (Subsection 3.4.1.2.5 on page 483 of Section IV.C.(2), Water Quality, of the Draft EIR.)

Bacteria—Bacteria was qualitatively assessed in both the Draft EIR and the Water Resources Technical Report. (See, e.g., Subsection 3.4.1.2.3 on page 472, Subsection 3.4.1.2.4 on page 477, Subsection 3.4.1.2.5 on page 483 of Section IV.C.(2), Water Quality of the Draft EIR, and Subsection 3.2.4.6.2.4 on pages 3-97 to 3-98 of Section 3, Water Quality of the Water Resources Technical Report (Appendix F-1 of the Draft EIR).) Bacteria (high coliform count) is not susceptible to modeling because the monitoring primarily consists of collecting grab samples which typically are not considered representative of bacteria levels over an entire storm and the monitoring methods and units of measurement are not sufficiently consistent. As discussed in Subsection 3.2.4.6.2.4 of Appendix F-1 on page 3-97, bacteria was “not modeled due to the scarcity and extreme variabilities of data on new urban areas and the fact that the data in general is single grab sample data (due to holding times) and is therefore not reliable for predictions of average runoff characteristics.” In addition, the Proposed Project includes numerous BMPs for controlling bacteria, which collectively will reduce the potential impact of bacteria from the Proposed Project to a level insignificance. These BMPs include source controls such as public education (including education on pet waste control), street sweeping, covered trash receptacles, and new sewer systems (reducing human sources of bacteria to essentially zero), which reduce the amount of bacteria present at the Proposed Project available to come into contact with runoff. Bacteria in runoff at the Proposed Project will be subject to various treatment controls. Bacteria attached to particulates and solids suspended in runoff will be reduced through filtration controls such as catch basin inserts, and the Freshwater Wetlands System itself. Solar degradation of bacteria within the Freshwater Wetlands System, including most importantly its shallower areas, also will reduce bacteria in runoff.

Narrative Water Quality Objectives—Subsection 3.2.4.6.2.3 on page 3-85 of Appendix F-1 includes a five-page discussion of the narrative water quality objectives in the Basin Plan (such as toxicity, biostimulatory substances, sediment, and color standards) and how the Proposed Project, through project design features (PDFs) and mitigation measures, would meet those objectives. Specifically, page 3-85 of the Water Quality Technical Report discusses how the narrative water quality objectives in the Basin Plan attempt to address a wide variety of pollutants. Section 3.2.4.6.2.4 of Appendix F-1 provides an eleven-page qualitative discussion of the 303(d) listed pollutants for Santa Monica Bay, the Ballona Wetlands, and the Ballona Creek Estuary (including arsenic, cadmium and other metals, pesticides, PCBs, PAHs, and trash) and how the Proposed Project, including the planned BMPs, would not cause or contribute to existing impairment by these pollutants. As indicated in the Draft EIR in Table 1 on page 406 of Section IV.C.(2), Water Quality, most of the metals for which these water bodies were placed on



the 303(d) list of impaired waters were identified by the agencies as appropriate for delisting. These delistings have occurred. (See Final 2002 CWA Section 303(d) List of Water Quality Limited Segments (available at [www.swrcb.ca.gov/tmdl/docs/2002reg4303dlist.pdf](http://www.swrcb.ca.gov/tmdl/docs/2002reg4303dlist.pdf)), and SWRCB, Final Staff Report Revision of the Clean Water Action Section 303(d) List of Water Quality Limited Segments (Feb. 2003), available at [www.swrcb.ca.gov/tmdl/docs/staff\\_report\\_303d\\_vol2\\_021903.pdf](http://www.swrcb.ca.gov/tmdl/docs/staff_report_303d_vol2_021903.pdf).) This item is located in the reference library for the Final EIR. Now, the only metals for which the receiving waters are listed on the 303(d) list are lead and zinc, in the Ballona Creek Estuary. However, to be conservative, BMPs were selected for the Proposed Project as if the waters were impaired as indicated in Subsection 3.2.4.6.2.4 of Section 3, Water Quality, of the Water Resources Technical Report (Appendix F-1 of the Draft EIR).

### **Comment 32-9**

In addition, the lead agency should provide a detailed explanation regarding the pollutant removal efficiencies. As explained in Section III.A, the Draft EIR's estimated discharge values are questionable because the analysis appears to apply the same pollutant removal approximations to the Riparian Corridor and Freshwater Marsh during both dry weather conditions and storm events. See Appendix F-1, at 3-58 through 3-60 and Volume III, Appendix F. It is unlikely that the wetland systems can remove pollutants as effectively during storm events as they can during low-flow conditions.

### **Response 32-9**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

The discussion of pollutant removal approximations within Subsection 3.2.4.3 of the Water Resources Technical Report states that the performance of the Freshwater Wetlands System during storms was modeled on the National Stormwater BMP database, which contains extensive information regarding the performance during storms of various kinds of BMPs at numerous places throughout the country. The performance of the catch basin inlets was based on literature values (see Table 3-17, n.1 of Section 3 of the Water Resources Technical Report (Appendix F-1)), as the National Stormwater BMP database did not contain sufficient information for this BMP. The "same pollutant removal approximations" were not applied "during both dry weather conditions and storm events," as stated by the commentor. The discussion on pages 3-53 through 3-65, of Subsection 3.2.4.3 of Section 3 of the Water Resources Technical Report (Appendix F-1) pertains to the computer model used to model storm events—not dry weather conditions. A complete description of the model methodology is described in Subsection 3.2.4.3 of Section 3 of the Water Resources Technical Report (Appendix F-1) of the Draft EIR. The "estimated discharge values" are based on appropriate BMP removal approximations during storm conditions.

**Comment 32-10**

At the very least, further justification needs to be provided for the pollutant load modeling. Two models were used to estimate the pollutant removal efficiencies of the project's proposed stormwater BMPs. First, pollutant removal percentages were used for catch basin inserts. Catch basin inserts are estimated to capture and treat 100 percent of the runoff entering the Central Storm Drain and 25 percent of the remaining runoff from all other First Phase and proposed project areas. Appendix F-1, at 3-58. The Draft EIR estimates that pollutants of concern are removed from the catch basin effluent at a constant rate (e.g., pollutant removal rate for TSS is 24-99%). The Draft EIR lists the range of removal rates that were reported in the literature. See Appendix F-1, at 3-59. What removal rates were actually applied? Are different rates applied to different discharge velocities?

**Response 32-10**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

A complete description of the model methodology is described in Subsection 3.2.4.3 of Appendix F-1 of the Draft EIR. Catch basin inserts are planned to be installed at every catch basin in the portion of the Proposed Project area that will drain to the Central Drain. For this reason, page 3-58 of Subsection 3.2.4.1.2.5 of Section 3 of the Water Resources Technical Report (Appendix F-1 of the Draft EIR) states that, as the commentor notes, "catch basin inserts are estimated to capture and treat 100 percent of the Proposed Project runoff entering the Central Storm Drain." Additional catch basin inserts are planned to be installed at 50 catch basins within or adjacent to the First Phase Project area. For this reason, page 3-58, Subsection 3.2.4.1.2.5, Section 3 of the Water Resources Technical Report (Appendix F-1 of the Draft EIR) states that, as the commentor notes, catch basin inserts are estimated to capture and treat "25 percent of the remaining runoff from all First Phase and Proposed Project areas."

Page 3-59, Subsection 3.2.4.1.2.5, Section 3 of the of the Water Resources Technical Report (Appendix F-1 of the Draft EIR) presents a reported range of pollutant removal rates for catch basin inserts for various compounds. For purposes of modeling, a value at the low end of the range for each compound was used. These values are presented in Table 3-17, of Section 3 of the Water Resources Technical Report (Appendix F-1 of the Draft EIR). For example, while the range reported in the literature for removal of total suspended solids is, as the commentor notes, 24 to 99 percent (see page 3-59, Subsection 3.2.4.1.2.5, Section 3 of the of the Water Resources Technical Report (Appendix F-1 of the Draft EIR)), the value used for modeling is 30 percent, within the low end of the range, to be conservative. The constant removal rates presented in Table 3-17 of Section 3 of the Water Resources Technical Report (Appendix F-1 of the Draft EIR) were applied in the model to all storm conditions, and did not vary as a function of runoff

velocity. The literature on catch basin inserts does not provide information upon which catch basin performance could be varied reliably and without speculation on the basis of runoff velocity. For that reason, the lower end of the rate was used in order to present a conservative analysis.

The removal rates actually applied are described in Subsection 3.2.4.3.2.6 and shown in Table 3-17 of Appendix F-1 of the Draft EIR on pages 3-65 and 3-156, respectively. These values are also shown in Figures F-2 and F-3 in Appendix F-1.

### **Comment 32-11**

Second, pollutant removal efficiencies were modeled using statistical estimates of effluent quality for roof-drain planter boxes, bioswales, Riparian Corridor, Centinela Ditch (pre-First Phase only), Freshwater Marsh, and Ballona Wetlands. In other words, effluent quality from the BMPs was estimated based on effluent quality from similar BMPs. For example, the effluent quality of the Freshwater Marsh was estimated by substituting the average effluent quality of wetlands in the National Stormwater BMP Database.<sup>11</sup> See Appendix F-1, at 3-60 and Volume III, Table F-7. The fortieth percentiles (lower than the median) of the effluent data for wetlands were used to represent the effluent of the Freshwater Marsh, as it was estimated that the Marsh would achieve a higher level of performance than [sic] typically designed wetlands due to the large capacity of the system compared to the average size storm event. Appendix F-1, at 3-60. It is difficult to determine from the discussion in the Draft EIR whether the wetland sites in the NSW BMP Database are comparable to the Freshwater Marsh in terms of volume, vegetation, or flow characteristics. Moreover, while the average pollutant concentrations of similar wetlands might be relevant if the effluent flowed to one water source, this is not comparable to the present situation. Here, the Ballona Wetlands receives water from the Freshwater Marsh only during high-flow conditions (storm larger than a 1-year storm event). Because the pollutant-loading capacity of surface water varies with volume and velocity, average pollutant concentrations would not be characteristic of pollutant concentrations found in discharges to the Ballona Wetlands.<sup>12</sup>

Footnote 11 The NSW BMP database can be located at [www.bmpdatabase.org](http://www.bmpdatabase.org).

Footnote 12 The average effluent concentrations of similar wetlands during storms larger than 1-year storm events might be more representative of the effluent discharged to the Ballona Wetlands.

### **Response 32-11**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

The National Stormwater BMP Database ([www.bmpdatabase.org](http://www.bmpdatabase.org).) was used to evaluate the projected performance of the Freshwater Marsh. The data in the database were carefully screened to provide comparable data for the Freshwater Marsh. The database includes effluent information on 33 wet ponds (also called retention ponds). Information for 15 of these wet ponds was insufficient to be used to characterize urban runoff quality from the Proposed Project, because these ponds lacked adequate data (too few sampling events) (See Table 3-18 on page 3-157 of the Water Resources Technical Report (Appendix F-1) of the Draft EIR). Information contained in the database for the remaining 18 wet ponds was used for this purpose, because these ponds had sufficient data and land uses tributary to the wet ponds were similar to those at the Proposed Project.

The National BMP Database contains information regarding various features of wet ponds that are relevant to their performance. As discussed below, the design characteristics of the Freshwater Marsh placed it at the higher end of wet ponds in the National Stormwater BMP database in terms of expected performance. This is because few of the 18 wet ponds from which information was drawn have as many positive characteristics as the Freshwater Marsh. Such positive characteristics include the significant number of treatment BMPs upstream of the Freshwater Marsh (e.g., roof planter boxes, catch basin inserts, CDS unit, trash racks, etc.), as well as extensive source controls (e.g., street sweeping, public education, underground parking, covered trash areas). To be conservative, however, it was assumed that the Freshwater Marsh performed better than only 60 percent of the 18 wet ponds from the database. (See Table 3-18 on page 3-157 of Section 3, Water Quality, of the Water Resources Technical Report (Appendix F-1 of the Draft EIR) (noting the use of 40th percentile effluent quality values, which means that 60 percent of wet ponds would have a higher concentration of pollutants)). An additional level of conservatism was to assume the Freshwater Marsh performed like a wet pond, instead of a wetland. The Freshwater Marsh could have been assumed to perform like a wetland, which typically out-performs wet ponds; however, the more conservative alternative of wet ponds was used for modeling.

A comparison of the Freshwater Marsh with the National BMP database information for the design characteristics of volume, vegetation, and flow characteristics is presented below.

Volume—The relevant volume comparison is whether a wet pond has the capacity to hold the runoff from the average size storm, for the watershed where it is located. Wet ponds with capacity equal to or greater than the volume of an average size storm event out-perform wet ponds that cannot hold this volume. (Eric Strecker, et al., “A Reassessment of the Expanded EPA/ASCE National BMP Database,” Proceedings of the World Water and Environmental Congress 2003 (June 23-26, 2003, Philadelphia, PA).) This item is located in the reference library for the Final EIR. The Freshwater Marsh can hold about 175 percent of the runoff from the average size storm event in the watershed draining to it (average size event capable of generating runoff is 0.67 inch). In contrast, only 7 of the 16 wet ponds for which such information is available (2 of the 18 wet ponds did not have comparable data available) can hold more water relative to their respective average storm event volumes than the Freshwater Marsh. Seven of these 16 wet ponds cannot hold a volume equal to the runoff from the average storm in their respective watersheds. These results are reflected in Table 32-11.

Vegetation—Vegetation in wet ponds typically is located in shallow areas called “littoral zones,” along the perimeter of the pond (including perimeter vegetation) above elevations inundated typically only during storm events. The Freshwater Marsh has a large littoral zone—16.4 acres of vegetated marsh and willow scrub woodland and mixed riparian habitat—corresponding to 63 percent of the entire Freshwater Marsh. There is littoral zone information for 7 of the 18 wet ponds. Only one of these wet ponds has a littoral zone more extensive than the Freshwater Marsh.

Flow Characteristics—Important flow characteristics include a significant flow-path distance from the inlet of the pond to the outlet. Flow path is promoted by varying micro-topography and depths, which tend to lengthen flow path, and a larger length-to-width ratio. When the flow path from the inlet to the outlet is short, the pond may be prone to “short-circuiting,” or insufficient mixing of inflows with the permanent pool volume. The Freshwater Marsh is not prone to short-circuiting as its configuration, topography, length-to-width ratio and other factors promote a longer flow path. The shortest flow path would be the approximately 1,300-foot, straight-line distance from the Jefferson Drain to the outlet from the Freshwater Marsh (not considering meandering, islands, and vegetation within the Freshwater Marsh). The relevant length-to-width ratios for the Freshwater Marsh are as follows: 8.3 from the Riparian Corridor inlet to the outlet structure to the Ballona Channel, 6.3 from the Central Drain inlet to the outlet structure, and 2.9 from the Jefferson Drain inlet to the outlet structure. These values compare favorably with the values from the National Database (see Table 32-11). The value of 8.3 is higher than any value for the 16 wet ponds with length-to-width information, and the value of 6.3 for the Central Drain, the other drain which will receive significant runoff from the Proposed Project, is at the high end of the values reported in the National Database (only 1 of the 16 wet ponds with design information has a length-to-width ratio greater than 6.3).

Table 32-11

**DESIGN INFORMATION FROM THE U.S. EPA NATIONAL STORMWATER BMP DATABASE  
USED IN THE PLAYA VISTA ANALYSIS**

<b>Site</b>	<b>Ratio of Permanent Pool Volume to Average Size Storm Event</b>	<b>Volume of Permanent Pool (m<sup>3</sup>)</b>	<b>Sedimen- tation Pretreat- ment Area Included?</b>	<b>Permanent Pool Surface Area (m<sup>2</sup>)</b>	<b>Littoral Zone Area (m<sup>2</sup>)</b>	<b>Littoral Zone % of Permanent Pool Surface Area</b>	<b>Pool Length (m)</b>	<b>Length to Width Ratio</b>
<b>Playa Vista Freshwater Marsh</b>								
Playa Vista Freshwater Marsh	1.74	25,988	Yes	37,500	63,500	169	400 to 945	2.9 to 8.3
<b>Wet Pond Information from U.S. EPA Database</b>								
Tampa Office Pond (3) 1994-95	7.64	2,008	No	2,310	800	35	109.7	5.21
Lakeside (LS) Pond	5.54	47,301	No	20,000	N/A	N/A	N/A	>2
Lake Ellyn	4.55	55,507	Yes	41,280	N/A	N/A	274.3	1.82
Lake Munson	3.58	1,258,152	No	1,031,990	N/A	N/A	N/A	N/A
Heritage Retention Pond	2.82	6,886	No	7,500	N/A	N/A	N/A	(~1)
DeBary Detention with Filtration Pond	2.43	1,410	No	1,380	N/A	N/A	54.9	2.18
Shawnee Ridge Retention Pond	2.28	16,135	N/A	8,930	0	0	195.1	4.26
Tampa Office Pond (2) 1993-94	1.4	552	No	1,420	495	35	76.2	4.09
Silver Star Rd Detention Pond	1.38	1,948	No	800	N/A	N/A	N/A	>1
Central Park Wet pond	0.97	7,730	Yes	53,970	46,451	86	350.5	2.28
Lake McCarrons Sedimentation Basin	0.81	3,454	No	11,740	N/A	N/A	99.1	0.84
Tampa Office Pond (1) 1990-91	0.42	79	No	1,210	1210	100	76.2	4.8
Pond A	0.38	1,000	N/A	2,000	4264	213	127	8.06
Traver Creek Retention Pond	0.35	14,498	N/A	26,940	N/A	N/A	N/A	N/A
Pittsfield Retention Pond	0.19	25,903	No	21,040	N/A	N/A	N/A	>2
Wet detention pond, Monroe St.	0.11	873	N/A	56,700	98,620	174	210	0.78
RuN/Away Bay (RB) Pond	N/A	15,300	No	13,000	N/A	N/A	N/A	>3
Waterford (WF) Pond	N/A	6,400	No	7,000	N/A	N/A	N/A	>1

*Note: Due to the lack of a large set of flow monitoring data for the Freshwater Marsh, the ratio was calculated based on average storm volume resulting from storms greater than 0.1 inches divided by the sum of the permanent pool volume plus water quality surcharge detention volume.*

*N/A = Not Available in the Database*

“One Water Source” Issue—The commentor states that the use of the National Stormwater database is not relevant to the Freshwater Marsh because the Freshwater Marsh discharges to both the Ballona Wetlands and the Ballona Channel, as opposed to “one water source.” It would appear the commentor believes that the water quality exiting the Freshwater Marsh will be materially different during large storms that result in flows entering the Ballona Wetlands, than during small storms where flows enter the Ballona Channel only. However, the National Stormwater BMP database for wet ponds does not suggest such a differentiation and the commentor has not suggested any alternative database providing differing results.

Independent study results of data other than the information contained in the national BMP database also indicate that effluent quality is not sensitive to storm size and other storm characteristics. For example, Driscoll et al. (1990) in their analysis of 184 data sets pairing pollutant concentration and storm size (rainfall runoff and volume), concluded that average pollutant concentrations are independent and unrelated to either rainfall or runoff volume. (E.D. Driscoll, et al., “Pollution Loadings and Impacts from Highway Stormwater Runoff—Volume III,” Analytical Investigation and Research Report FHWA-RD-88-008, Federal Highway Administration (1990).) Similarly, Reinertsen (1981) found that discharge volume alone did not influence runoff quality as much as might be expected, reporting no significant correlation between pollutant concentrations and stormwater discharge volumes either within or between rain events. (T.R. Reinertsen, “Quality of Stormwater Runoff from Streets,” 2nd International Conference on Urban Storm Drainage, Proceedings (1981).) These items are located in the reference library for the Final EIR.

### **Comment 32-12**

In sum, further explanation is necessary regarding the methodology utilized to assess the impacts to the Ballona Wetlands. Without a quantitative assessment of several pollutants of concern, it is unclear whether significant water quality impacts would occur. Moreover, because the water quality analysis does not take into account the pollutant concentrations that are likely to be present in large storm events, the pollutant load estimates may be underestimated. The lead agency needs to address these issues to enable the public and decision-makers to adequately assess the potential environmental impacts of the propose project.

### **Response 32-12**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

The water quality analysis does take into account pollutant concentrations of large storms. See Response 32-6, above. For the reasons stated in Responses 32-5 to 32-11, above, the pollutant load estimates are not underestimated, as suggested by the commentor.

## Comment 32-13

### 2. Thresholds of Significance and the Water Quality Baseline

Based on the quantitative analysis discussed above, the Draft EIR concludes that no water quality benchmarks are predicted to be exceeded in the effluent from the Freshwater Marsh, and that no significant water quality impacts are expected to occur. Appendix F-1, at 3-77. This conclusion is based on two assumptions.

First, the “threshold of significance” for water quality is based, in part, on criteria provided by the California Toxics Rule (“CTR”). See 40 C.F.R. Part 131. The CTR establishes acute and chronic surface water quality standards for waterbodies such as inland surface waters and enclosed bays and estuaries. As the EIR acknowledges, surface water runoff from the proposed project will discharge to waters to which the CTR applies, including Santa Monica Bay, Ballona Channel, and the Ballona Wetlands. See Draft EIR at 403. Although pollutants discharged from the Freshwater Marsh may be detained in the Ballona Wetlands for long periods of time, the Draft EIR uses only acute (short-term exposure) criteria for measuring the significance of discharged pollutant loads. See Appendix F-1, at 3-46. If chronic criteria had been used, the numerical water quality benchmarks of dissolved copper, lead, and zinc would have been considerably less.<sup>13</sup> The Final EIR should provide further explanation as to why the short-term criteria were used. Although storm events may not generally last more than 12 hours, it is the length of the detention time and exposure to aquatic organisms that is far more relevant.

Footnote 13 As described in 40 C.F.R. § 131.38(b)(1), column C2, the criteria continuous concentrations (the chronic criteria) for dissolved copper, lead, and zinc are 3.1 µg/L, 8.1 µg/L, and 81 µg/L respectively. This compares to 4.8 µg/L, 210 µg/L, and 90 µg/L as reported in the Draft EIR. See Appendix F-1, Table 3-21.

## Response 32-13

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

The period of time during which water in the Freshwater Marsh would be released into the Ballona Wetlands in most cases would be shorter in duration than the period of time in which water is released from the Freshwater Marsh into the Ballona Channel. As stated in Subsection 3.4.1.2.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 465, the runoff that enters the Freshwater Marsh during smaller storm events (up to the 1-year event), would be detained for up to 72 hours before discharging to the Ballona Channel. During large storm events (over the 1-year event), flows are released to the Ballona Channel and to the Ballona Wetlands, and runoff entering the Freshwater Marsh during these large events would be detained for up to 72 hours before flowing to the Ballona Channel. Thus, the duration during which water



is released from the Freshwater Marsh to the Ballona Channel during small or large storm events is not expected to exceed 72 hours, which is less than the 4-day (96-hour) averaging period for the chronic California Toxics Rule criteria. During large storm events (over the 1-year event) typical periods of release into the Ballona Wetlands would be even less than to the Ballona Channel since storms generally do not last more than twelve hours and the overflow weir to the Ballona Wetlands is broad enough to allow nearly unrestricted flow, meaning that the period of overflow should not greatly outlast the duration of the storm. Therefore, releases from the Freshwater Marsh to the Ballona Wetlands would occur for a time period shorter than the 4-day (96-hour) averaging period of chronic criteria of the California Toxics Rule. Accordingly, the acute criteria of the California Toxics Rule, which has a shorter relevant averaging period (less than 96 hours) provides an appropriate benchmark against which to assess water quality results.

In any event, the predicted average concentrations as indicated in Tables 46 and 50, on pages 482 and 488 respectively of Section IV.C.(2), Water Quality, of the Draft EIR, are below both the chronic and acute criteria of the California Toxics Rule. For example, the dissolved copper concentration exiting the Freshwater Marsh and entering either the Ballona Channel or the Ballona Wetlands is 2.9 micrograms per liter, which is below the chronic criterion of the California Toxics Rule for copper of 3.1 micrograms per liter. Similar comparisons for dissolved lead and dissolved zinc indicate that the predicted concentrations for these metals likewise are below the chronic criteria.

#### **Comment 32-14**

Second, the Draft EIR emphasizes that the pollutant loads and concentrations discharged to the Ballona Wetlands after completion of the proposed project would achieve a no net increase from pre-First Phase conditions. Appendix F-1, at 3-77. This is due, in large part, to the large amount of urban runoff that is diverted to the Freshwater Marsh and the Ballona Channel. The relevant comparison, however, should be to the existing conditions, not the pre-First Phase conditions. As shown in Table 3-49 of Appendix F-1, the estimated pollutant loads would increase slightly with implementation of the proposed project. Please explain whether the same significance determinations apply when the project's impacts are compared to existing conditions.

#### **Response 32-14**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

See Response 32-3, above, regarding, the different conditions analyzed in the Draft EIR—pre-First Phase and post-First Phase, together with the data provided from intermediate steps in the construction process of the entire Freshwater Wetlands System, including the Riparian Corridor.

Some estimated pollutant loads would increase slightly from the post-First Phase Project to the Proposed Project condition. For many constituents, however, there is no increase at all in estimated pollutant loads. For example, total copper decreases and both total lead and dissolved lead remain the same in flows to the Ballona Wetlands. (See Table 48, page 486, Section IV.C.(2), Water Quality, of the Draft EIR.) Where there are increases, they are minor. For example, increases in total zinc and dissolved zinc to the Ballona Wetlands are 3.2 and 1.6 ounces, respectively, over the course of an entire year. (See Table 48, page 486 of Section IV.C.(2), Water Quality, of the Draft EIR.) Such slight increases in predicated average loads between the First Phase Project build out and the Proposed Project build out were determined to be less than significant (Subsection 3.4.1.2.9, page 506 of Section IV.C.(2), Water Quality, of the Draft EIR).

### Comment 32-15

#### 3. Water Quality Objectives

The Draft EIR's water quality analysis consists primarily of a qualitative assessment of water quality objectives. The following discussion describes some of the water quality objectives identified in the "Basin Plan" and how the Draft EIR attempts to assess the proposed project's potential impacts.<sup>14</sup> These water quality objectives are designed, in part, to protect the biological integrity and wetland functions of the receiving waters.

Footnote 14 The Los Angeles Regional Water Quality Control Board ("LARWQCB") has adopted a Basin Plan to preserve and enhance water quality and protect the beneficial uses of the regional waters. See [http://www.swrcb.ca.gov/~rwqb4/html/meetings/tmdl/Basin\\_plan/basin\\_plan.html](http://www.swrcb.ca.gov/~rwqb4/html/meetings/tmdl/Basin_plan/basin_plan.html). The Basin Plan designates beneficial uses for surface and ground water and sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's antidegradation policy.

**Ammonia.** The neutral, un-ionized ammonia species (NH<sub>3</sub>) is highly toxic to fish and other aquatic life. The Basin Plan requires that ammonia concentrations in receiving waters not exceed certain designated levels. Although the Draft EIR identifies the existing ammonia level in the Ballona Channel during dry-weather conditions, no information is included regarding projected ammonia levels. See Draft EIR at 416 (Table 32). Please explain whether the levels of ammonia are expected to increase or would impair the wetland functions of the Ballona Wetlands.

**Bioaccumulation.** Toxic pollutants shall not be present at levels that will bioaccumulate in aquatic life to levels that are harmful to aquatic life or human health. Table 3-58 of Appendix F-1 lists the primary bioaccumulative pollutants that have been identified as impairing the receiving waters of project runoff. Among the pollutants of concern is arsenic, which is often found in the wood preservative chromated copper arsenate (CCA). According to the text, "[t]he use of arsenic treated wood will be strongly discouraged to limit or prevent this metal from entering stormwater runoff A stronger commitment should be made.

Floating Material. Floating material can be an aesthetic nuisance as well as provide substrate for undesirable bacterial and algal growth and insect vectors. The Basin Plan states that waters shall not contain floating materials, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses. One component of floating material is trash. The Regional Board has determined that current levels of trash in the Ballona Creek and Wetland exceed the existing water quality objectives necessary to protect the beneficial uses.<sup>15</sup> As such, the Regional Board developed a total maximum daily load (“TMDL”) designed to attain the water quality standards. The numeric target is zero (0) trash in the water. Through a number of source controls and design features, the Draft EIR concludes that the proposed project “would be expected to result in a near zero release of any trash through the storm drain system.” Appendix F-1, at 3-96.

Footnote 15 See Final Trash TMDL for the Ballona Creek and Wetland, dated September 19, 2001, located at [http://www.swrcb.ca.gov/rwqcb4/html/meetings/tmdl/tmdl\\_ws\\_ballona\\_creek.html](http://www.swrcb.ca.gov/rwqcb4/html/meetings/tmdl/tmdl_ws_ballona_creek.html).

The Final EIR should describe how the proposed project features are designed to reduce trash discharges. For example, the Draft EIR claims that “[f]requent street sweeping would effectively remove trash from street surfaces.” Id. How often would street cleaning occur? No performance standards are described. The Draft EIR also states that residents and visitors would be educated regarding proper trash disposal. Is there any anecdotal evidence suggesting that signage or educational programs can effectively reduce trash discharges? Additionally, the EIR states that water quality catch basins and detention systems would capture nearly all of the trash entering them. How often would these systems be cleaned? Lastly, what steps would be taken to mitigate cumulative impacts related to trash discharges from the 611 acres of off site areas?<sup>16</sup>

Footnote 16 The Draft EIR claims that cumulative impacts to surface water quality would be less than significant because the proposed project and off-site improvements are “not anticipated to create pollution, contamination or nuisance ... or cause regulatory standards to be violated.” Draft EIR, at 522. What is the basis for this conclusion? Trash discharges from the project site alone would not be completely controlled. How much trash would be generated off-site and what steps would be taken to reduce the cumulative impact?

Pesticides. Release of pesticides into the environment presents a hazard to aquatic organisms and plants not targeted for their use. According to the Basin Plan, no individual pesticide or combination of pesticides shall be present in concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life.

Table 3-58 of Appendix F-1 states that several pesticides, including lindane, are listed on the 303(d) list for the receiving waters of project runoff. While most of the listed pesticides have been banned for use in the United States, lindane is still available. The primary source control measure that will be employed at Playa Vista to mitigate potential lindane contamination is

public education and conservative pesticide application practices. A stronger commitment needs to be made to prohibit the use of lindane.<sup>17</sup>

Footnote 17 According to the City of Los Angeles Bureau of Sanitation, “[l]indane is toxic in the water even in very small amounts. In fact, a single treatment of lindane [for head lice or scabies] pollutes 6 million gallons of water, the equivalent of 300 swimming pools. Lindane lasts for a long time in the environment, where it can contaminate the tissues of fish and other animals. The United States Environmental Protection Agency has declared lindane to be a persistent, bioaccumulative, and toxic chemical.” See [www.lacsd.org/lindane](http://www.lacsd.org/lindane). Lindane appears to still be available as a commercial pesticide.

Many of the water quality objectives of the Basin Plan have been met by commitments listed in Table 3-58 of Appendix F-1. For example, to prevent erosion of contaminated soil, all construction activities will be closely monitored to ensure effective erosion and sediment control BMPs are used. Additionally, public education measures will inform the public of the dangers of poor sediment control and methods to minimize offsite runoff. To prevent the introduction of exotic vegetation, landscape professionals will be educated in the identification of potentially invasive species in order to eradicate stands of undesirable plants while they are at manageable levels. To limit the dry-weather input of human pathogens associated with animal waste, residents will be encouraged to pick up after their pets and to not feed wild birds. What steps will the City of Los Angeles take to ensure that these commitments are carried out by the project applicant? The measures should be incorporated in an enforceable mitigation monitoring and reporting program.

### **Response 32-15**

As discussed in Responses 32-3 and 32-5, above, the construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the previously certified First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System.

Ammonia—The Proposed Project is not expected to be a source of ammonia at levels of concern. The water quality objectives in the RWQCB’s Basin Plan for ammonia range from 12 to 27 mg/L. Average concentrations of ammonia detected in urban runoff in the Los Angeles region are well below these levels. Average mean concentrations associated with relevant land uses (residential, retail, commercial) monitored by Los Angeles County range from 0.13 to 1.26 mg/L ([http://ladpw.org/wmd/NPDES/wq\\_data.cfm](http://ladpw.org/wmd/NPDES/wq_data.cfm)). It is not anticipated that the Proposed Project would generate ammonia at levels above the levels being detected by Los Angeles County in its regional stormwater monitoring program. There are no particular sources of ammonia associated with the Proposed Project that are different in kind from typical conditions in the Los Angeles basin. Ammonia levels are not expected to increase, nor are they expected to impair the wetland functions of the Ballona Wetlands.

Arsenic—The commentor’s request that the Proposed Project provide a stronger commitment to limit or prevent arsenic-treated wood from being used at the Proposed Project is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Trash—Various Project Design Features are designed to reduce potential discharges of trash from the Proposed Project. As stated in Subsection 3.3.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 453, source controls that will be implemented to reduce trash loads include covered trash and recycling facilities, a street and catch basin cleaning program, and a tenant/resident education program. These source controls work by reducing the amount of trash, litter and debris that is available to come into contact with stormwater.

The Proposed Project also incorporates structural BMPs, such as catch basin inserts at numerous catch basins where stormwater first enters the storm drain system and trash racks at the inlets to the Riparian Corridor. Separately, trash screens will be installed at the inlets to the Freshwater Marsh. As indicated in Subsection 3.3.1.2 on page 457, the trash screens will be designed to meet the RWQCB’s definition of “full-capture devices,” as that term is used in the trash total maximum daily load (TMDL) for the Ballona Creek watershed. Full-capture devices must be designed to remove particles as small as 5 millimeters without clogging and are deemed by the RWQCB to satisfy the zero-discharge TMDL. (Los Angeles Regional Water Board, Ballona Creek and Wetlands Trash TMDLs, at [www.swrcb.ca.gov/~rwqcb4/html/meetings/tmdl/ballona\\_creek/01\\_0919\\_bc\\_Ballona%20Creek%20Trash%20TMDL.pdf](http://www.swrcb.ca.gov/~rwqcb4/html/meetings/tmdl/ballona_creek/01_0919_bc_Ballona%20Creek%20Trash%20TMDL.pdf).) Structural BMPs, such as the above, work by intercepting trash before it enters downstream receiving waters.

The Freshwater Marsh is designed to capture the 1-year storm event runoff and route these flows to the Ballona Channel. For many storms, and probably for entire years during drought periods, there will be no discharges from the Proposed Project to the Ballona Wetlands, further protecting this receiving water from potential discharges of trash. As described in Subsection 3.4.1.2.5 on page 483, the Proposed Project includes stormwater BMPs that would be expected to result in a near zero release of any trash through the storm drain system. Signage and other education programs will inform residents and visitors about proper trash disposal. Frequent street sweeping would effectively remove trash from street surfaces. Trash racks at the inlets to the Riparian Corridor and managed indoor trash collection and storage areas for residents and managed trash collection areas for commercial businesses would also reduce trash from the Proposed Project. Separate from the Proposed Project, the Freshwater Marsh will include full capture trash screens that meet TMDL requirements at all of its inlets.

Information regarding maintenance of trash-related BMPs is discussed in Subsection 3.4.1.2.1 on page 466, regarding the O&M Manual, and within the O&M Manual itself (Appendix F-2 of the Draft EIR on pages 1-14 and 1-18).

Cumulative impacts from the 611 acres of off-site area will not occur because the Freshwater Wetland System, and its associated trash controls, are designed to handle not only the Playa Vista First Phase Project and the Proposed Project, but also these off-site areas tributary to the Freshwater Marsh. The full-capture devices described above will work just as effectively for off-site trash as they will for any trash from the Proposed Project. The current generation of

trash at off-site locations has not created any significant on-site problems with trash and, since the off-site areas already are developed in large part, there is a reasonable expectation that such off-site areas will not create major trash problems in the future, especially given the planned, structural Project Design Features discussed above.

Street Sweeping—No reductions in pollutant loadings were assumed within the water quality modeling related to street sweeping; therefore, any “enhanced” street sweeping would provide water quality benefits beyond those modeled in the Draft EIR, and is not necessary to mitigate any significant impacts identified in the Draft EIR. Therefore, no “performance standards” are necessary. While the street sweeping program for the Proposed Project has not been finalized, it will include, at a minimum, sweeping once every four weeks, and would consider enhancements such as more frequent sweeping and use of regenerative vacuum sweepers or other techniques as the City chooses to modify its street sweeping program in the future based upon new methods.

Public Education—Public education has been a cornerstone of municipal efforts to reduce stormwater pollution and is required by RWQCB pursuant to its urban runoff permit program, indicating the agency’s belief that public education is a BMP that reduces stormwater pollution including trash. It is clear that Los Angeles County through its 2002 Stormwater/Urban Runoff Public Education Program Model Program ([http://ladpw.org/epd/ea/stormwater/5yredu\\_tc02.cfm](http://ladpw.org/epd/ea/stormwater/5yredu_tc02.cfm)) has made progress in educating the public with education and outreach efforts. This item is located in the reference library for the Final EIR. Past research shows 63 percent of the County’s population can be reached through an integrated, multi-faceted communications campaign which focuses on a desire to “do the right thing,” providing “how-to” information about alternative, antipolluting behaviors. There is a strong indication that the County has made progress in informing the general public on how the public can help reduce stormwater pollution. As part of implementation of the adjacent First Phase Project, the Applicant is implementing a public education program to encourage compliance with good housekeeping practices, such as proper disposal of household and office hazardous waste; encourage tenants/residents not to plant exotic grasses or other plants whose seeds may potentially migrate off their properties; and to inform residents of potential receiving waters impacts of excessive dry-weather runoff. Initially, public education elements will focus upon primarily residential and commercial land uses, and features such as the Freshwater Wetland System. Additional public education elements will be developed as the First Phase Project and Proposed Project evolve. A mitigation measure included in the Draft EIR (page 518, Section IV.C.(2), Water Quality) will ensure that this education program will be continued within the Proposed Project.

Lindane—The commentor’s request that the Proposed Project provide a stronger commitment to prohibit the use of lindane is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Long-Term BMP Implementation—Regarding the comment encouraging the City to take steps to ensure the Applicant’s commitments regarding water quality objectives are carried out, the Mitigation Measures listed in Subsection 4.0 on pages 517-519 will become part of the Mitigation Monitoring and Reporting Program for the Proposed Project as discussed in Volume II, Appendix C of the Draft EIR.

**Cumulative Impacts**—The conclusion that cumulative impacts to surface water quality would be less than significant is based on the compound-by-compound and objective-by-objective analysis throughout Section IV.C.(2), Water Quality, of the Draft EIR, and is fully supported by the fact that the Freshwater Wetlands System, the backbone structural BMP for the Proposed Project, serves the greater watershed area, helping to ensure that off-site conditions within the watershed, in combination with the Proposed Project, do not create conditions of pollution, contamination or nuisance, or cause regulatory standards to be violated.

### **Comment 32-16**

#### **C. Potential Construction Impacts**

Construction activities are notorious for creating erosion and generating muddy, turbid runoff. The Draft EIR contains a perfunctory analysis of construction impacts in Section 3.2.4.5 of Appendix F-1, concluding that “[i]mplementation of the existing SWPPP,<sup>18</sup> as amended for the Proposed Project, would adequately address potential water quality impacts associated with general construction activities.” Appendix F-1, at 3-69. However, the Draft EIR does not commit to implementing any specific Best Management Practices (“BMPs”) to avoid erosion and sedimentation. See Draft EIR, at 519. Without any specific commitment or performance criteria, it is difficult to assess the water quality impacts that may result from construction activities.

Footnote 18 State Water Resources Control Board, Consolidated Storm Water Pollution Prevention Plan (SWPPP) Playa Vista Project, July 30, 2001 (as amended).

Details should be provided regarding specific measures that would be implemented to control runoff. The California Stormwater Quality Association publishes a Construction Handbook that provides general guidance for selecting and implementing BMPs that will eliminate or reduce the discharge of pollutants from construction sites.<sup>19</sup> This manual can be consulted in developing adequate mitigation measures. Moreover, more detail should be provided regarding the construction timing of the Riparian Corridor. Will this integral portion of the Freshwater Wetlands System be completed prior to, during, or after construction of the Phase II Urban Development Component? If it is not completed and functioning before construction of the Urban Development Component, what steps will be taken to improve the quality of urban runoff entering the Ballona Wetlands and Santa Monica Bay (a) during construction and (b) after completion of the Village at Playa Vista?

Footnote 19 See <http://www.cabmphandbooks.com/Construction.asp>.

### **Response 32-16**

The General Construction Permit, which governs construction sites greater than one acre in size, requires construction projects to implement an “effective combination” of erosion and sediment controls during construction to “reduce or eliminate” sediment and other construction-related

compounds (State Water Board Order 99-08-DWQ). This item is located in the reference library for the Final EIR. The General Construction Permit requires that a menu of BMPs that can be utilized to achieve this objective be specified in the Stormwater Pollution Prevention Plan (SWPPP), and that based on engineering judgment, these BMPs be employed as appropriate to address changing conditions at the construction site. Construction is a dynamic process that requires adjustment of BMPs on a routine basis, and in light of changing weather conditions. As a result, the specific BMPs used at a construction site changes depending on conditions.

As discussed in Subsection 3.4.1.1 of Section IV.C.(2), Water Quality, of the Draft EIR on page 462, the Applicant developed a SWPPP for the First Phase Project that covers the Proposed Project site. This SWPPP discusses BMPs to be used during construction that comply with the General Construction Permit's requirement that BMPs meet technical performance standards of Best Available Technology Economically Available and Best Conventional Pollutant Control Technology to reduce or eliminate pollution in runoff from the construction site. Additionally, Subsection 4.0 of Section IV.C.(2), Water Quality, of the Draft EIR on page 519, lists typical erosion and sediment control BMPs to be required at the Proposed Project. As stated in Subsection 3.4.1.1 on page 462, the construction impacts for the Proposed Project will be addressed through revision and implementation of the existing SWPPP, which will be modified and updated to address Proposed Project construction. As the Proposed Project land uses and topography are similar to the adjacent First Phase Project, construction activities at the Proposed Project will be similar, and the SWPPP as amended for the Proposed Project would address adequately the potential water quality impacts associated with such construction.

In addition, the Performance Criteria applicable to the Proposed Project (Subsection 3.4.1.2.8, page 503 of Section IV.C.(2), Water Quality of the Draft EIR) include requirements from a water quality certification issued by RWQCB for the Playa Vista development, specifying requirements that must be addressed in the SWPPP including: procedures for stabilizing denuded areas (including uses of mulches, seeding, planting or sodding), procedures for identification and protection of sensitive areas (including use of vegetative buffers, sediment barriers, filters, dikes or mulching), procedures for reducing gully and rill erosion (including the use of trenches and berms as appropriate), procedures for construction entrances (including the use of gravel, crushed rock or other appropriate materials), and procedures for periodic street cleaning to remove soil and sediment deposits (401 Certification, at Appendix I included in the reference library for the Draft EIR).

Please see also Response 32-5 and 32-9, above.

Completion of the Riparian Corridor is discussed in Subsection 4.0 on page 394, which states: "Prior to issuance of any building permit, the Applicant is required to complete or otherwise guarantee completion of the Freshwater Marsh, Riparian Corridor and other structural/treatment control BMPs . . . satisfactory to the City's Department of Public Works and/or other responsible agencies . . ." Until such time as construction is completed, BMPs will be implemented pursuant to the SWPPP, as discussed above.



**Comment 32-17****IV. RESTORATION PROGRAM FOR WESTCHESTER BLUFFS**

An integral part of the proposed project is a Habitat Creation/Restoration Component in which a five acre portion of the Westchester Bluffs would be restored to some native condition. According to the Draft EIR, the Bluffs restoration program would “enhance the bluffs adjacent to the Riparian Corridor as a coastal sage scrub community with increased habitat value.” Draft EIR, at 154-55. Once the Bluffs have been restored, the Applicant would undertake, and be responsible for, an ongoing maintenance program that would include the removal of non-native plant species and the replacement of dead native plant specimens with new native plants. Id.

More information needs to be provided in the Final EIR for the restoration component to be adequately assessed. How would increased habitat value be measured and what is the performance standard? What steps would be taken to ensure that slope stability is maintained in the Westchester Bluffs while the restoration is underway? How often would maintenance of the Bluffs occur? What funding mechanism would be used to ensure continuous maintenance and monitoring? Please address these concerns in the Final EIR.

**Response 32-17**

The commentor refers to a statement in Section II.B, Project Characteristics, of the Draft EIR on pages 154 and 155, which describes the Bluff Restoration component of the Proposed Project. As discussed in Subsection 2.2.2.2 and as indicated in Table 66 of Section IV.D, Biotic Resources, of the Draft EIR on pages 537-539 and 529, respectively, the existing condition of the site proposed for the Bluff Restoration is occupied by non-native vegetation, specifically annual grassland with iceplant. The impact analysis in Subsection 3.0 of Section IV.D, Biotic Resources, of the Draft EIR concludes that replacement of the non-native vegetation with native vegetation will enhance values for native wildlife, regardless of specific design or performance details. Furthermore, as discussed in Subsection 4.0 on page 551, the Proposed Project would implement a mitigation measure which would require the bluff area within the Habitat Creation/Restoration Component to be restored as coastal sage scrub habitat concurrent with the construction of the Riparian Corridor.

A draft bluff restoration plan, including success criteria and long-term maintenance provisions, is included in the Appendices to the Final EIR.

The Master Homeowner’s Association for the Proposed Project will be the Playa Vista Parks and Landscape Corporation (PVPAL), which has been established and currently governs the adjacent First Phase Project at Playa Vista. PVPAL has the power and duty to maintain the Playa Vista common areas, including the restored bluffs, in accordance with the Master Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Playa Vista as well as the Covenants and Agreements associated with the vesting of the tract map (these items are located in the reference library for the Final EIR). Both of these documents “run with the land” and are binding against all successors. PVPAL is funded by homeowner assessments and builder

assessments; upon project buildout, the PVPAL annual budget is expected to be approximately \$12 million per year. All sources of funds are expected to last in perpetuity based on the agreements outlined above.

As discussed in Subsection 4.0 of Section IV.A, Earth, of the Draft EIR on pages 266-267, the Proposed Project would implement slope stability remedial measures as appropriate for the areas of potential instability below Cabora Road in accordance with the Group Delta Consultants bluff stabilization final assessment report dated December 3, 2001 (revised January 31, 2002) and approved by the City of Los Angeles Department of Public Works on February 19, 2002.

### **Comment 32-18**

Similarly, there is insufficient detail regarding the Riparian Corridor element of the Habitat Creation/Restoration Component. According to the Draft EIR, “[a] program will be implemented in order to maintain the required hydraulic capacity of the channel (e.g., limit large trees from establishing within the channel and removing vegetation selectively).” Draft EIR, at 372. More information is needed. How will “large trees” be determined? How often will removal of vegetation occur? How does removal of vegetation work with habitat creation? A more detailed plan is needed including an adequate funding and monitoring component.

### **Response 32-18**

The construction of the Freshwater Wetlands System, including the Riparian Corridor, was analyzed in the First Phase EIR. Further, numerous governmental agencies including the Army Corps of Engineers, the California Department of Fish and Game, and RWQCB previously analyzed and approved the design of the entire Freshwater Wetlands System. See Responses 32-3 and 32-5, above.

Like the Freshwater Marsh and the portions of the Riparian Corridor within the First Phase Project, the portion of the Riparian Corridor within the Proposed Project would be monitored and required to meet specific habitat performance objectives. These performance objectives and monitoring procedures are described in the HMMP, which is in the reference library for the Draft EIR, as well as the O&M Manual, which is in Appendix F-2 of the Draft EIR. The relationship between the HMMP and the O&M Manual is discussed in Response 32-5, above. As is the case with the Freshwater Marsh, selective vegetation removal within the Riparian Corridor would be limited to that necessary for maintaining flow capacity, without compromising other objectives (habitat, water quality). Trees or other vegetation that have potential to block flows would not be planted within the waterway portion of the Riparian Corridor and would be removed manually while still in the seedling stage and, if possible, transplanted to a location outside of the active channel or to the Freshwater Marsh. Details of the planting plan and monitoring are provided in the O&M Manual.

The Ballona Wetlands Conservancy has the duty to maintain the Freshwater Marsh and Riparian Corridor in accordance with the Settlement Agreement entered into by the Friends of Ballona Wetlands (the commentor), the Army Corp of Engineers, the City of Los Angeles, and the

Applicant's predecessor in interest, which has been assumed by the Applicant. The Conservancy is funded in perpetuity, with funds from commercial property owners, funds received upon the sale of residential units (through a program currently being implemented in the previously approved First Phase Project and designed to apply to the Proposed Project), and a guarantee from PVPAL.

### **Comment 32-19**

## **V. CONCLUSION**

Although the Draft EIR provides a lengthy and comprehensive analysis of the potential hydrology and water quality impacts of the proposed project, several items need to be assessed and/or reevaluated before any conclusions can be drawn regarding the potentially significant impacts. In particular, several assumptions utilized in the methodology need further justification (e.g., pollutant loading and removal approximations appear to have underestimated the potential water quality impacts to the Ballona Wetlands). Also, additional pollutants of concern should be quantitatively analyzed. Furthermore, specific commitments should be made to prevent adverse construction impacts. Commitments that have been made throughout the Draft EIR to protect water quality should be incorporated into a mitigation monitoring and reporting program to ensure that they are implemented. Lastly, additional information needs to be provided regarding the Riparian Corridor and the Westchester Bluffs restoration program.

Addressing these items is critical to an adequate assessment of both water quality in the Ballona Wetlands and the biological resources that depend on its habitat values. Thank you for your consideration of these comments.

### **Response 32-19**

This comment is addressed in Response 32-1 to 32-18.

### **Comment 32-20**

MICHAEL JOSSELYN, PH.D.  
PRESIDENT  
WETLANDS RESEARCH ASSOCIATES

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Michael Josselyn formed and developed Wetlands Research Associates, Inc. for the purpose of utilizing the best scientific information to improve wetland management and regulation in the United States. Since 1982, the firm has performed projects throughout the country and currently has 25 employees based on [sic] San Rafael, CA. Under Dr. Josselyn's leadership, the firm has completed over 500 projects for industry, government, and non-profit organizations.

For 22 years, Dr. Josselyn was a Professor of Biology at San Francisco State University where he taught wetland ecology, marine biology, and restoration courses. During his academic career, he published over 50 scientific articles on estuarine and wetland ecology. For nine years, he was the Director of the University's biological field station in Tiburon, CA. He is a certified trainer for the Corps wetland delineation methodology and has regularly provided training in routine and advanced wetland delineation throughout California. He has been an instructor for the Corps of Engineers In-Service Training Program since 1984.

Dr. Josselyn has served as the project manager for wetland mitigation and restoration projects including several projects exceeding 1000 acres. He has been the wetland design team leader coastal wetland restoration at the 400 ac Batiquitos Lagoon for the Port of Los Angeles, the 1000 ac Bolsa Chica wetland for the California Coastal Conservancy, the 400 ac San Dieguito River Wetland Restoration for Southern California Edison, and the 3000 ac Commercial Hay Farm wetland restoration for Public Service Gas and Electric on Delaware Bay. He has been the project leader for restoration in freshwater wetlands, including the 400 acre vernal pool wetland restoration at Pacific Commons in Fremont, CA. He also was the lead biological consultant to the National Park Service's Crissy Field wetland restoration at the Presidio National Park. He has successfully developed riparian and freshwater wetland habitats for housing projects in the San Francisco Bay area and in the foothills of the Sierras.

Dr. Josselyn has also performed work for several state agencies including the Department of Fish and Game (DFG), the State Coastal Conservancy (SCC), and the Department of Parks and Recreation (DFG). For DFG, he developed Operation and Management Plans for 12 properties along the Sacramento and Feather Rivers. For the SCC, Dr. Josselyn was the on-call biological consultant from 1984-2000 and he performed assessments and biological studies for the Conservancy throughout the State of California. He has conducted biological assessments for coastal lagoons and rivers throughout the State. He has developed riparian restoration plans for the Conservancy's watershed program including the 100 acre Valley View Ranch riparian habitat restoration on the Santa Clara River. He is a member of the Scientific Advisory Panel for the Southern California Wetlands Recovery Project and a biological consultant to the Friends of Ballona Wetlands. For the DPR, Dr. Josselyn developed restoration and enhancement plans for coastal and inland wetlands under the Ecological Reserve Program. He is currently developing a wetland restoration plan for Candlestick Park in the City of San Francisco.

Dr. Josselyn has won environmental awards for projects in the City of San Francisco, City of Newark, Orange County, Monterey County, and for the 100 acre Goose Creek wetland, the largest forested wetland restoration in northern Virginia. He was selected as Conservator of the Year by the Bolsa Chica Conservancy in 2000. He was elected a Fellow of the California Academy of Sciences in 1982.

Dr. Josselyn is also a leader in his profession. As a certified Professional Wetland Scientist, Dr. Josselyn is currently on the Board of the Society of Wetland Scientists Professional Certification Program. He has served as an advisor to the National Oceanic and Atmospheric Administration's Coastal Ocean Program, a member of numerous panels for the National

Research Council, and a consultant to the Environmental Protection Agency Scientific Advisory Panel.

Degrees:

Cornell University, BS with Distinction 1972

University of Miami, MS 1975

University of New Hampshire, Ph.D. 1978

Selected publications (from list of 50)

Josselyn, M.N. (ed) 1982 Wetland restoration and enhancement in California. California Sea Grant College Program, Report #T-CSGCP-007. 116pp.

a. Josselyn, M.N. and J. Buchholz, Summary of past wetland restoration projects in California. ppl-10

b. Zedler, J.; Josselyn, M.; and Onuf, C. Restoration, techniques, research, and monitoring: vegetation. pp63-72

Josselyn, M.N. 1983. Estuarine tidal marshes of San Francisco Bay: a community profile. US Fish and Wildlife Service, Division of Biological Services, Washington, DC FWS/OBS-83/23. 102pp.

Josselyn, M., J. Zedler, and T. Griswold. 1989. Wetland mitigation along the Pacific Coast of the United States. pp 1-36. In: Kusler, J. and M.B. Kentula (eds) Wetland Creation and Restoration: The status of the science. Vol 1. Environmental Protection Agency, Washington DC. EPA 600/3-89/038a.

Josselyn, M., S.P. Faulkner, and W.H. Patrick, Jr. 1990. Relationships between seasonally wet soils and the occurrence of wetland plants in California. Wetlands 10:7-26.

Boesch, D.F., M.N. Josselyn, A.J. Mehta, J.T. Morris, W.K. Nuttle, C.A. Simenstad, D.J.P. Swift. 1994. Scientific assessment of coastal wetland loss, restoration, and management in Louisiana. Journal of Coastal Research. 20:1-103.

#### References

Ruth Lansford, Friends of Ballona Wetlands  
310-821-7695

Rend Pasquinelli, Department of Parks and Recreation  
767-937-5804 ext 111

Reed Holderman, Trust for Public Land

415-495-5660

**Response 32-20**

The comment is noted and will be incorporated in the Final EIR for review and consideration of decision-makers.

**LETTER NO. 33**

Friends of the South Bay Bicycle Path  
Dean Francois, President  
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**Comment 33-1**

The “Friends of the South Bay Bicycle Path” was formed several years ago to promote the efficient use and maximum utilization for bike paths in the south bay cities. I have personally worked for many years on proposals regarding bike paths through King Harbor and the South Bay as a Traffic and Transportation Commissioner in the 90’s.

We are currently working to get a class one bike path through King Harbor in the development known as the former “Heart of the City.” Currently one of the final three alternatives worked out in community workshops is a regional park in the complete project area. We have collected a thousand signatures from residents throughout Los Angeles county that support a goal of a [C]lass I bike path. This would connect the missing link in the South Bay Bicycle Path. The [P]laya [V]ista project should as well have a class one bike path connected throughout the project area and connected to the Ballona creek Trail, which connects to the south bay bicycle path along the beach. This will greatly reduce the significant environmental impacts and reduce the traffic demands in the community.

**Response 33-1**

The King Harbor/Heart of the City development is located in Redondo Beach, approximately 8 miles south of the Proposed Project. The comment regarding a connected Class I bike path in the Proposed Project area is noted and will be incorporated into the Final EIR for review and consideration of decision-makers. The analysis in Section IV.K.(3), Bicycle Plan, of the Draft EIR, indicates that the Proposed Project would not have a significant impact with regard to bicycle trails. The Proposed Project provides many bicycle and pedestrian network accommodations to serve local travel needs of its residents and workers. By providing this network of facilities and connecting them with the neighboring Playa Vista First Phase Project bicycle and pedestrian accommodations, the Proposed Project will offer connectivity with the planned Lincoln Boulevard bike path and bike lanes to and from the Westchester Community to the south. Further connectivity with Class I Trails would not serve to mitigate any significant impacts identified in the Draft EIR. Comment 33-7 is elaborated upon further in Comment 33-7 and further discussed in Response 33-7.

**Comment 33-2**

An alternative of a public open park should be considered. This was clearly noted in our scoping comments but was not given proper consideration.

**Response 33-2**

The selection of Alternatives was based on guidelines presented in Section 15126.6 of the State CEQA Guidelines. As indicated in Section 15126.6(a), “An EIR shall describe a range of reasonable alternatives to the project.... 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.” The Draft EIR analyzes a reasonable range of alternatives in Section VII, Alternatives.

As further described in CEQA Guidelines Section 15126.6(c), the reasons for rejecting alternatives from detailed consideration include the following: (i) failure to meet most of the basic project objectives; (ii) infeasibility; or (iii) inability to avoid significant environmental impacts. The Draft EIR discusses the selection of alternatives and identifies alternatives considered but rejected, including a Regional Park option alternative, in Subsection 3.2 of Section VII, Alternatives on page 1263. As indicated, such an alternative would fail to meet nearly all of the Proposed Project’s basic objectives, there is no indication that funding for such an alternative would be available, and implementation of this alternative is considered speculative. Therefore, this alternative was subsequently rejected from further analysis.

**Comment 33-3**

Following is our comments to the Draft EIR.

**COMMENTS FOR THE PLAYA VISTA PROJECT DRAFT EIR****VOLUME I****SECTION I: Executive Summary****F. Alternatives**

At this point the executive summary fails to address the alternatives that were not considered. The summary references project objectives which are outdated and have been conveniently described so that other alternatives were not considered. The objectives are not detailed until we get to Section II C. See our comments in II C and change accordingly in this section as well.



**Response 33-3**

The Draft EIR provides a full discussion of the Alternatives Considered but Rejected in Subsection 3.2 of Section VII, Alternatives, on page 1263. The Executive Summary provides a discussion of the alternatives analyzed in the Draft EIR in Section I.F on page 9. Although not required by CEQA, a further explanation regarding rejected alternatives has been added to the Executive Summary.

**Comment 33-4**

## SECTION II: Project Description

## C. Statement of Objectives

This section needs a complete overhaul. The objectives are inconsistent with one another. Many objectives are construed to eliminate certain viable alternatives such as a park or an alternate site.

On pages 171 & 172, the 7th Bullet states that an objective is “to provide up to 2600 new houses and apartments to help meet market demands...” This should be removed. Obviously if we are attempting to create jobs and subsequent housing in a same “mixed-use” community consistent with other objectives, we are not filling existing housing market demands. For the same reason the 11th bullet should also be removed, and the 1st one as well.

The 13th bullet “improve transportation systems... brought about by the project” is simply a result and a mitigating factor and should not be an objective. The 14th or last bullet on page 172 should be eliminated. It is illogical to include as an objective the creation of construction jobs. Any development or action that spends money creates jobs. In addition, these jobs are temporary, then taxing the states’ unemployment system.

On pages 173 and 174, the 1st bullet assumes population growth and resulting need for employment. There is no documentation to support this and no study that supports this. This objective should be eliminated. The 2nd bullet is inconsistent within itself. One cannot encourage the development suggested and conserve existing neighborhoods and related districts. The proposed project does not conserve neighborhoods anyway. Encouraging development should not ever be an objective.

**Response 33-4**

Section II.C, Statement of Objectives, of the Draft EIR on page 171 includes a statement of the Applicant's objectives that is consistent with the requirements of Section 15124(b) of the CEQA Guidelines. The Project Objectives state the underlying purpose of the Project and are sufficient for developing and analyzing a reasonable range of alternatives. The bullets referred to are individual aspects of the overall objectives that include the provision of housing to meet demand in a mixed-use concept. The proposed 2,600 new housing units would contribute to the supply of housing in the region. The Proposed Project provides housing at a much larger ratio of housing to jobs than the regional average thus supporting the objective of "net" housing growth. This occurs in the context of a community that includes employment and the benefits of a mixed-use, neighborhood oriented configuration. (The Draft EIR analyzes the jobs/housing ratio in Subsection 3.4.5, of Section IV. J, Population, Housing and Employment on page 774. As indicated, the six-county SCAG region is forecasted to have a jobs/housing ratio in 2010 of 1.36, and a ratio in the Local Area of 2.76. The Proposed Project would have a jobs/housing ratio of 0.45, bringing the Local Area to a ratio closer to the regional average.) Development provided in higher density projects, such as the Proposed Project, redirects development pressure away from surrounding existing land use. Thus, the comment is incorrect in its conclusion that bullets 1, 7, and 11 should be removed.

Bullet 13 is also appropriate. Bullet 13 states: "To improve the transportation systems in the area in a manner that addresses changes brought about by the Proposed Project." The Project includes as Project Design Features transportation improvements that have been incorporated into the Project Design, prior to the implementation of mitigation measures that are required to reduce Proposed Project impacts. As described in Subsection 3.3 of Section IV.K.(1), Traffic and Circulation, on page 837 the Proposed Project not only includes a system of internal streets, it also includes two regional roadway improvements (the completion of Bluff Creek Drive and the widening of Jefferson Boulevard) and the implementation of an internal shuttle system that would then be extended as described in the proposed mitigation measures.

Bullet 14 has been cited out of context. It states in full: "To create thousands of jobs and provide a substantial boost to the local economy." This objective is not inconsistent with other objectives, nor does it detract from the purpose of the Proposed Project as stated. Construction jobs are not temporary to the extent construction workers move from one construction project to another. There is no evidence submitted that construction workers are a drain on the State's unemployment system.

Finally, with respect to bullets 1 and 2 on pages 173 and 174, respectively, these bullets are City of Los Angeles adopted objectives and policies, as stated on page 174 and as discussed further in Section IV.G, Land Use, of the Draft EIR. As discussed in Subsection 3.0, beginning on page 626, the Proposed Project would provide continuity with adjacent development and would be consistent with these policies.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

**Comment 33-5**

## SECTION IV: Environmental Impact Analysis

B. AIR, (LONG TERM ENVIRONMENTAL GOALS): the proposal has an adverse impact on air quality and noise from increased automobile traffic, and conflicts with long term environmental goals. This needs to be addressed.

**Response 33-5**

Long-term environmental goals with regard to air quality are set forth in the SCAQMD's Air Quality Management Plan, SCAG policies and the City's Air Quality Element of the General Plan. In terms of noise, the City's long term environmental goals are expressed in the City's General Plan Noise Element.

With regard to air quality, the Project's relationship with long term environmental goals were evaluated in Subsection 3.4.3 (Consistency with Adopted Plans and Policies) of Section IV.B, Air Quality of the Draft EIR. This analysis concludes that the Project is consistent with the long-term air quality objectives of all relevant air quality plans. The Proposed Project, inclusive of the recommended mitigation measures, is consistent with the City's General Plan Noise Element, as set forth in Section IV.E, Noise, of the Draft EIR.

**Comment 33-6**

H. EARTH, GEOLOGY AND SOILS: the E[IR] is not complete until complete independent studies are done on all forms of gasses that have been reported in the area. This should include the adjacent area (Phase I) as well since construction had been approved without the knowledge of the potential gas leaks. Resolution must be made on the origination of such gases, because mitigation measures cannot be undertaken until it is resolved. Furthermore, if mitigation results in such drastic measures on the construction of buildings, then alternatives need to be addressed that includes much less or no building on such properties.

**Response 33-6**

A detailed discussion regarding soil gas assessments and data is provided in Subsection 2.2.4 of Section IV.I, Safety/Risk of Upset, of the Draft EIR on pages 700-717, and is supported by Appendices J-4 to J-10, J-14, and documents in the reference library of the Draft EIR. These issues are also addressed in Topical Response TR-12, Soil Gas, on page 477, above.

**Comment 33-7****K. TRANSPORTATION CIRCULATION  
(3) BICYCLE PLAN**

There are no [C]lass I bikeways (Bike Paths) planned in the project area. Only bike lanes and routes are planned (Class II and III). This is inadequate to meet the demands of the cycling public, especially to encourage bicycle riding. The Playa Vista First Phase is also flawed for the same reason. As stated on page 956 2.2.2 the Ballona Creek Bike Trail (a [C]lass I bike path) “is located approximately 0.5 mile north of the proposed project.” This is a shame that a [C]lass I bike path is not linked up to the Ballona Trail since this is a primary bike path with heavy utilization and will bring potential residents and tourists to and from the beach. However, in the entire proposed project, (page 960 3.3) “class II bike lanes would be located in on-street lanes adjacent to traffic...”. This is inconsistent with the objective stated on page (954 2.1.2.1 General Plan) “to encourage and facilitate bicycle riding as an important mode of personal transportation as well as a pleasant source of outdoor exercise.” Riding a bicycle in traffic is not a pleasant source of outdoor exercise and instead people will drive their cars to the beach and to their indoor work-out gyms.

These issues were addressed in the scoping comments provided by the “Friends of the South Bay Bicycle Path” and this draft EIR failed to address this. It was revealed in testimony at the scoping hearing by myself, (page 103 of the transcript in the Appendix line 9 to 14). Three other speakers also addressed the bike path issue (table 1 summary of scoping meeting testimony).

**Response 33-7**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Pursuant to State CEQA Guidelines, the Draft EIR analyzes the impacts of the Proposed Project and where necessary proposes mitigation measures to address the Project’s impacts. As indicated in Subsection 3.4.1, Proposed Project Impacts, of Section IV.K.(3), Bicycle Plan, of the Draft EIR on page 961, the Project’s Class II lanes would link with other bikeways, would be compatible with adjacent Playa Vista First Phase Project bikeways and provide enhanced service for the Proposed Project’s population, Playa Vista First Phase Project’s population and regional travelers passing through the site on their longer journeys. The new bikeways would improve the quality of bikeway service. Thus, the Proposed Project would not interfere with the implementation of any planned bikeways, but would expand upon and complement existing Bike Plans. It should be noted that the Project’s Class II Bike Lanes, in conjunction with the bikeways in the Playa Vista First Phase Project, would provide an east-west route between Jefferson Boulevard and Centinela Avenue that runs adjacent to the Westchester Bluffs. The Bluffs which are being restored and maintained, and a riparian corridor that is being completed at its base, are both attractive features for bicycle riders.

The Draft EIR concludes that the Proposed Project would not have a significant impact on the bicycle system. Therefore, additional bikeway improvements beyond those proposed are not required, including the Class I bike trail proposed by the commentor. See Section IV.K.(3), Bicycle Plan, of the Draft EIR.

### **Comment 33-8**

#### **L. RECREATION/PARKS/PUBLIC SERVICES**

The proposal has an adverse impact on the recreation potential of the area. As referenced in our comments in Kc. Transportation (Bike path Plan), the proposed project does not encourage bicycle riding and [C]lass I bike paths are needed.

### **Response 33-8**

The Draft EIR provides an analysis of Project impacts on Parks and Recreation activities in Section IV.L.(4) of the Draft EIR starting at page 1022. As indicated in that analysis the Project would provide recreation facilities that would: (a) improve existing park service ratios in the area; (b) meet the needs of Project residents; and (c) be open to the public. The Project would not have a significant impact on recreation. Please refer to Comment 33-7 regarding the Bicycle Plan.

### **Comment 33-9**

#### **SECTION VI. SIGNIFICANT IRREVERSIBLE IMPACTS**

This section does not sufficiently address how with all of the mitigation there are no significant impacts. The project clearly has the potential to adversely impact long-term environmental goals. Further mitigation is needed as has been suggested in our comments as well as other comments from the Santa Monica Baykeeper, Heal the Bay, and the Ballona Wetlands Landtrust. This would be the only way that the project can overcome these adverse impacts. The best way to overcome these impacts is to seriously consider a park in the project area. This would best suit long-term goals.

### **Response 33-9**

The portion of the comment regarding the conclusion in Section VI, Significant Irreversible Impacts, of the Draft EIR is incorrect. Section VI of the Draft EIR on pages 1254 through 1257 identifies significant irreversible impacts with regard to visual qualities, and a significant impact on regional air emissions that may or may not be reversible. It also identifies potentially significant impacts on police and fire services that may occur and be reversible, depending on whether the new fire station is completed and whether additional funding for the provision of police and fire services is made available. Also noted is the Proposed Project's irreversible new demand for solid waste facilities, described as a significant impact in Section IV.N.(3), Solid

Waste. As described on page 1257, "...no significant irreversible impacts [regarding solid waste] would occur, beyond existing conditions, with or without the Proposed Project, as a comprehensive long-term solution for solid waste disposal must be secured." Section VI also describes the irreversibility of Project impacts on traffic operations. It identifies irreversible adverse impacts and potentially significant residual significant impacts that could occur on a long-term basis if agencies other than the City of Los Angeles do not implement recommended mitigation measures.

A detailed discussion that describes the conclusions regarding the Project's significant impacts and reasons for concluding that other impacts are less than significant is provided in each of the environmental topics in Sections IV.A through IV.P.(3) of the Draft EIR. Pursuant to Section 15126.4 of the CEQA Guidelines, the Draft EIR "...describe(s) feasible measures which could minimize significant adverse impacts..." [emphasis added] Pursuant to Section 15093, a Project approval with residual significant impacts would require a Statement of Overriding Consideration by the decision-makers. The Draft EIR has recommended a considerable number of feasible mitigation measures to address Project impacts and avoid significant impacts to the extent feasible. Mitigation measures are proposed for the following topics: Earth, Air Quality, Hydrology, Water Quality, Biotic Resources, Noise, Artificial Light and Glare, Land Use, Safety/Risk of Upset, Traffic and Circulation, Fire Protection, Police Protection, Parks and Recreation, Energy Consumption, Water Consumption, Wastewater, Solid Waste, Visual Qualities, Paleontological Resources, and Archaeological Resources. Please refer to Section II, Corrections and Additions, of the Final EIR for revisions to the Draft EIR.

The comment regarding consideration of a park is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

The Heal the Bay comments have been incorporated into the Final EIR. That letter is presented as Letter 36, inclusive of Comments 36-1 through 36-39 and Responses 36-1 through 36-39. The Ballona Wetlands Land Trust comments have been incorporated into the Final EIR. That letter is presented as Letter 30, inclusive of Comments 30-1 through 30-133 and Responses 30-1 through 30-133. Santa Monica Baykeeper has not submitted comments on the Draft EIR.

### **Comment 33-10**

#### SECTION VII. Alternatives

We discussed above the problems (Section II C. Statement of Objectives) that some of the objectives are inconsistent with long range goals and suggested those objectives that should be eliminated. These objectives in the draft EIR have been carefully written to exclude the consideration of a regional park as an alternative. The EIR should revise the objectives accordingly. Then the alternatives can be better evaluated.

**Response 33-10**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

Please refer to Response 33-4 regarding the Project objectives. As noted in Response 33-4, the statement of objectives presents the objectives of the Proposed Project, pursuant to Section 15124(b) of the CEQA Guidelines.

**Comment 33-11**

While the draft EIR considered alternative 6 (75% residential reduction) it was poorly evaluated because it had no retail and office uses. A new alternative should be addressed with a 75% residential reduction and 75% retail/office reduction so that the community is closer to the self-sufficient mixed-use mode thereby meeting closer to many of the objectives set forth in the draft EIR.

**Response 33-11**

The selection of Alternatives was based on guidance presented in Section 15126.6 of the State CEQA Guidelines. As indicated in Section 15126.6(a), “an EIR shall describe a range of reasonable alternatives to the project...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 decisionmaking and public participation.” The Draft EIR analyzes a reasonable range of alternatives in Section VII, Alternatives.

Included in this analysis, Alternative 4, Reduced Intensity – 25% Reduction, on page 1324 provides an analysis of an alternative that does reduce residential uses and still includes office and retail uses. Alternative 6, 75% Reduced Residential: No Office, Retail, or Community-Serving Uses, on page 1372 of the Draft EIR provides yet another option beyond Alternative 4.

**Comment 33-12**

Page 1263 (3.3) Alternatives Considered but rejected:

The regional parks should be re-evaluated based on revised objectives as stated above. In addition to this the analysis is incorrect. On page 1263 of the summary of the rejected park alternative, “would produce no jobs or housing”. Construction and implementation of a park does provide jobs. Furthermore, any mixed-used development where housing and jobs are mixed does not solve a housing shortage, nor does it provide new net jobs. Further reasons state that a park does “not provide an opportunity to implement a mixed-use community... and not contribute to additional housing”. This is not an appropriate objective anyway. This objective was simply written to exclude any development that is not mixed-use, and not housing. Besides,

mixed-use development can occur elsewhere, not on the fringe of delicate coastline far from central Los Angeles.

### **Response 33-12**

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

With regard to Project Objectives, please refer to Response 33-4, above. As described in Response 33-11, the Draft EIR provides a reasonable range of alternatives, per CEQA. As further described in CEQA Guidelines Section 15126.6(c), the reasons for rejecting alternatives from detailed consideration include the following: (i) failure to meet most of the basic project objectives; (ii) infeasibility; or (iii) inability to avoid significant environmental impacts.”

The comment is accurate in noting that the Regional Park option would provide jobs. However, such a park would produce no housing. Accordingly, a correction has been made to the Draft EIR to acknowledge some jobs would be provided under the Regional Park option. The employment resulting from the regional park alternative (maintenance workers, caretakers, etc.), however, would be substantially lower compared to the Proposed Project.

Please refer to Response 33-4 regarding the statement about the Project’s contribution to the supply of housing. As noted above, the statement of objectives presents the objectives of the Project as proposed, pursuant to Section 15124(b) of the CEQA Guidelines.

Please refer to Section II.33, Corrections and Additions, of the Final EIR for a revision to the Draft EIR regarding the above comments.

### **Comment 33-13**

Page 1423 (5.0) Environmentally Superior Alternative

Alternative 6 was selected, but as stated above an alternative should be addressed with a 75% residential/retail/office reduction. This would have come closer to most of the objectives and met them if objectives were revised.

When the regional park is accurately evaluated, this will clearly be the environmentally superior alternative.

Please revise the Draft EIR to include these pertinent issues that have been addressed.



**Response 33-13**

The selection of alternatives and the regional park alternative are addressed in Responses 33-3 and 33-11, above. Other than the corrections/additions described in Responses 33-3 and 33-12, no revisions to the Draft EIR are required.

**LETTER NO. 34**

Zina Josephs, President  
Friends of Sunset Park  
1122 Oak Street  
Santa Monica, CA 90405

**Comment 34-1**

FRIENDS OF SUNSET PARK, a neighborhood organization in Santa Monica, is writing this letter to ask your department to fully address the impacts of the proposed Playa Vista Phase 2 project on Sunset Park.

The City of Los Angeles is stating that there will be no traffic impacts on Santa Monica. We categorically do not believe this. We want the issues in the attached memo from Santa Monica Planning Commissioner Arlene Hopkins both clearly and fully addressed.

**Response 34-1**

The comment provides background information on the letter submittal. More specific comments with responses follow.

**Comment 34-2**

In addition, we want to re-iterate our extreme concern about the following:

1. The impacts on increased traffic on our residential streets as drivers cut through neighborhoods to avoid increasingly gridlocked arterial streets such as Lincoln Blvd. and Centinela. We are especially concerned about cut-through traffic on the streets listed in our 1995 Friends of Sunset Park letter to L.A. City Planning—23rd, 21st, 17th, 16th, Marine, Dewey, 11th, Cloverfield, Ocean Park Blvd., Pico Blvd., and Pearl Street. We are currently seeing, in the late afternoon, increasing numbers of south-bound cars on 20th, which then either go east on Pico, Pearl, or Ocean Park Blvd. in order to reach the Centinela entrance to the eastbound 10 and the southbound 405 while avoiding the mess on Cloverfield, or else head south to Walgrove via 23rd Street. We think this will get much worse when Playa Vista is completed, as it is becoming increasingly difficult to enter the eastbound 10 freeway during afternoon rush hour.

**Response 34-2**

Potential impacts from the Proposed Project on residential streets are addressed in Subsection 3.4.7. of Section IV.K.(1), Traffic and Circulation, of the Draft EIR, beginning on page 872. The Draft EIR concludes that the Proposed Project will not have a significant impact

on the neighborhood streets in the Sunset Park area referenced in the comment. Please see Topical Response TR-5, Neighborhood Traffic Impacts, on page 458, which provides a more detailed discussion of the neighborhood traffic impact analysis.

### **Comment 34-3**

2. Why were no traffic studies done on intersections on Lincoln Blvd. north of Washington Blvd?

### **Response 34-3**

The commentor states that no intersections were analyzed along Lincoln Boulevard north of Washington Boulevard. In fact, a total of seven intersections along Lincoln Boulevard north of Washington Boulevard were analyzed as part of the traffic impact analysis for the Proposed Project: Lincoln Boulevard/Venice Boulevard, Lincoln Boulevard/Rose Avenue, Lincoln Boulevard/Ocean Park Boulevard, Lincoln Boulevard/Pico Boulevard, Lincoln Boulevard/I-10 eastbound ramps, Lincoln Boulevard/I-10 westbound ramps, and Lincoln Boulevard/Wilshire Boulevard. See Figure 65 on page 809 of the Draft EIR for a map illustrating all of the study intersections.

### **Comment 34-4**

3. We strongly suggest that a study be done on the impacts from Playa Vista (Phase 1 & 2 combined) on Santa Monica Airport, especially regarding jet travel. Playa Vista developers are targeting high end, high tech tenants who are likely to use jet travel. At the same time, LAX is discouraging corporate jet travel.

### **Response 34-4**

The impacts associated with the First Phase Playa Vista Project were addressed in a separate EIR (EIR No. 90-0200-SUB(C)(CUZ)(CUB), State Clearinghouse No. 90010510), certified by the City of Los Angeles in September, 1993, and Mitigated Negative Declaration/Addendum to the EIR, certified by the City of Los Angeles in December 1995. The Draft EIR analyzed the impacts of the Proposed Village at Playa Vista Project assuming a full build out of the adjacent First Phase Project at Playa Vista, as well as all other known projects expected to be completed in the study area.

The Proposed Project does not propose any additional corporate, “high-end” office space, but rather includes space for professional offices (i.e., doctors, dentists, banks, real estate offices, etc.). The Proposed Project is not anticipated to affect the operations of private/chartered jets at Santa Monica Airport or LAX.

Santa Monica Airport has no commercial service, so a general increase in population at the Proposed Project will not necessarily lead to any increase in use at the airport. To the extent that a general increase in population at the Proposed Project will lead to increased private general aviation traffic at the airport, there is no reasonable way of measuring the prospect of private use of civil aviation. The airport imposes flight and noise restrictions which would apply to any resident at the Proposed Project, such as the Single Event Noise Exposure Level (SENEL) restriction contained in section 10.04.04.060 of the Santa Monica Municipal Code. There are also curfew and other restrictions described in Chapter 10.04 of the Municipal Code. Uses and limitations upon traffic at the airport are within the jurisdiction of the Federal Aviation Administration and, to some extent, the City of Santa Monica.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

#### **Comment 34-5**

4. It is unfair that Playa Vista Phase 2 is going through the approval process before Playa Vista Phase 1 traffic impacts have been seen yet, due to lack of occupancy and continued construction. For example, a building at Lincoln and Jefferson is expected to have almost 1,000 employees occupying it in the next year.

We want to express our support for public acquisition of the remaining undeveloped area of the Ballona wetlands/Playa Vista site east of Lincoln. This would be important regional open space in a highly dense area along the coast. Local environmental groups would like to see it used as an interactive wildlife center for children of all levels to learn about the wildlife of the last remaining 5% of L.A. County's wetlands. We feel this would be a good use of the land, and would greatly cut down the negative impacts on our City. We ask for your support for this alternative.

#### **Response 34-5**

The traffic impact analysis in the Draft EIR incorporates traffic impacts from the Playa Vista First Phase Project. Please see Topical Response TR-1, Playa Vista Transportation Model, on page 445, for a discussion of the traffic model and methodology.

The comment is noted and will be incorporated into the Final EIR for review and consideration of decision-makers.

#### **Comment 34-6**

Ms. Chang and Ms. Elguira,

Herewith please find the questions as posed by Santa Monica citizens. We will look forward to your presentation on Wednesday evening.

Thank you.

Arlene Hopkins  
 Santa Monica Planning Commission

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IN PREPARATION FOR THE SANTA MONICA PLANNING COMMISSION MEETING OF WEDNESDAY, 3 DECEMBER, HERewith PLEASE FIND THE CURRENT QUESTIONS AS POSED BY LOCAL CITIZENS FOR LOS ANGELES CITY PLANNING AND LADOT ON THE DEIR FOR PLAYA VISTA PHASE 2.

If the DEIR addresses any of these questions, please include a reference to those pages in your response.

**Response 34-6**

The comment provides background information on the letter submittal. Specific comments regarding the attachment and responses follow.

**Comment 34-7**

**VEHICULAR TRAFFIC:**

1. Traffic Impacts Baseline: What is the traffic baseline, and how was it developed? Please provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of the baseline traffic.
  
2. Traffic Impacts Baseline + Cumulative Traffic Impacts (excluding Playa Vista Phases I & II and the Howard Hughes plant site Tract 52092—as approved in 1995): Per the DEIR, it is understood there are approximately 96 approved, “in-the-pipeline” development projects of significance considered in the traffic impact analysis. What are the specific approximately 96 projects? Is the proposed LAX expansion included? If not, why not? For each of the approximately 96 projects, please provide the traffic data including the projected increase due to each specific project. Further, for each of the approximately 96 projects, please provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of cumulative traffic impacts.
  
3. Traffic Impacts Baseline + Cumulative Traffic Impacts + Additional Playa Vista Traffic Impacts: Please provide the traffic data for each of the following Playa Vista components:

(a) the Howard Hughes plant site Tract 52092, (b) Playa Vista Phase I and (c) Playa Vista Phase II (Village at Playa Vista).

3.1 It is understood that (b) Playa Vista Phase I will generate 44,000 new daily car trips and (c) Playa Vista Phase II will generate 24,220 new daily car trips, for a total of 68,220 projected new daily car trips. Please verify these numbers. In addition, please provide the projected new daily car trips for (a) the Howard Hughes plant site Tract 52092 (as approved in 1995). Please aggregate these numbers to provide a grand total of projected new daily car trips for Playa Vista.

3.2 For each of the three Playa Vista components, please provide a detailed response that includes specific and technically detailed information on: (a) the traffic model and methodology used, (b) description, (c) quantification, (d) analysis, and (e) evaluation dimensions of the traffic impacts for the baseline + cumulative + additional.

4. Validity of Traffic Model: Per the DEIR, 218 intersections have been studied, but only one intersection has been found to be significantly impacted by Playa Vista Phase II. It is understood that the DEIR is using a method of identifying significance that has not been approved by the City of Los Angeles or the City of Santa Monica. What “method of identifying significance” has been used in the DEIR, and on what basis was this method selected? Further, if the same “method of identifying significance” as is presently used in the City of Santa Monica were to be used, what would be the findings of significance, and how would those findings differ from the present findings in the DEIR? (For this final question, in other words, please provide an “apples to apples” comparison.)

5. Validity of Assumptions: Per the DEIR, the main traffic impact mitigation system is for Playa Vista residents to take public transit such as buses. How can this assumed scenario be accurately predicted, enforced, and monitored? “What if,” instead, the Playa Vista residents maintain current transportation patterns by using private automobiles? Has this possible scenario been studied? If no, why not? If yes, what were the findings? If yes, what traffic mitigation measures would address these findings?

6. Scope of the Study: No studies were reported for intersections on Lincoln Boulevard north of Washington Boulevard. Were any studies—even preliminary—conducted? If yes, what were the findings—whether reported or not in the DEIR. If no studies were conducted, why not?

7. Impacts on Residential Neighborhoods: It is understood that for the 218 intersections studied in the DEIR, 42 are currently rated E or F in the A.M. peak hour, while 49 are rated E or F in the P.M. hour. This means they operate at 90 or 100% of design capacity. This is, essentially gridlock, under the present conditions without either the full cumulative traffic impacts of presently approved projects or the traffic impacts of Playa Vista. After Playa Vista is built and traffic mitigations are complete, the number of E or F rated intersections will more than double to 85 in the A.M. and 102 in the P.M. hours.

7.1 Since even at Level D, drivers might wait through an extra signal, drivers will be motivated to seek alternate routes. It is a given that the only north-south thoroughfares that connect between Playa Vista and Santa Monica are Lincoln Blvd. and Centinela/Bundy. Lincoln Blvd. is presently gridlocked and Centinela/Bundy is projected to become gridlocked. Has this issue been studied in the DEIR? If no, why not? If yes, what were the findings? What recommended traffic mitigations address the potential impacts upon residents as drivers seek relief by traveling upon residential streets?

7.2 For Santa Monica, were the traffic impacts upon residential streets specifically studied? If no, why not? If yes, what were the findings? If yes, what were the recommended traffic mitigations?

7.3 If drivers should grow weary waiting at gridlocked signals on thoroughfares and then cut-through residential neighborhoods, would that not result in a decreased gridlock on the thoroughfares, and therefore create a scenario under which additional density and increases in daily car trips could be allowed?

7.4 A specific situation: At the intersection of Ocean Park Boulevard and Centinela, Playa Vista Phase 1 A.M. south-bound traffic will be increased by 690 new daily car trips, but southbound traffic at Venice Boulevard is increased by only 440 new daily car trips. What is the explanation for this decrease of 250 new daily car trips? Will any of this decrease be the result of drivers seeking relief by cut-through of residential neighborhoods?

8. Traffic Mitigations in Santa Monica: While Culver City has been offered 4 new buses to mitigate projected traffic impacts upon Culver City, Santa Monica has been offered nothing in terms of traffic mitigations. Why not?

#### AIR TRAFFIC:

1. Private or Chartered Air Plane Traffic: The types of businesses that Playa Vista developers are seeking (such as the entertainment industry) are more likely to fly in private/chartered jets. Since LAX is discouraging corporate/private jets from using LAX so that they can increase runways for the larger commercial jets, it appears that the building of Playa Vista both Phase 1 and Phase 2 will increase jet use of Santa Monica Airport.

1.1 What is the estimated increase of jet travel at Santa Monica Airport from Playa Vista Phases I & II, separately and combined? Further, what will be the impacts on noise and air quality for Santa Monica. It should be noted that the City of Santa Monica and a neighborhood organization, Friends of Sunset Park, requested such a study in 1995, but to date one has not been conducted.

1.2 Have there been any studies of the impacts of private or chartered air plane traffic upon Santa Monica or its neighborhoods? If yes, what were the findings and recommended mitigations. If not studied, why not?

2. Helicopter Traffic: What is the estimated impact on number of flights, noise and air pollution on Santa Monica from the 2 grandfathered (unlimited flights allowed) helicopter pads at Playa Vista?

**Response 34-7**

This comment duplicates comments 22-34 through 22-45 in letter 22. Please See Responses 22-34 through 22-45.