

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

RECEIVED  
CITY OF LOS ANGELES  
SEP 29 2004  
ENVIRONMENTAL  
UNIT

RE: Notice of Preparation Environmental Impact Report.

EAF NO.: ENV-2003-5313.

Project Location/Address: 10250 Wilshire Blvd

Planning Area: Westwood

Council District #5.

Due Date for Public Comments: October 8, 2004

I am a resident of the area that will be greatly affected by the above-proposed building, Wilshire Blvd. to Santa Monica Blvd., and Club View Drive to Beverly Glen Blvd.

I have the following concerns that must be addressed in the EIR:

See following insert for list of concerns

Very truly yours,

Name/Print Martin Rotman, DDS Date: 9/23/04

Name/Signature ~~Martin Rotman~~

Address 10321 Rochester Ave.

City/State/Zip Los Angeles CA 90024

Telephone Number (310) 551-0722

This **CHECK LIST** outlines potential problems that are valid issues normally addressed in an EIR. Please review the list and address those items that concern you in your letter.

**Groundwater Issues:** Will the construction of this building and the excavation associated with it endanger the surrounding properties and streets because of changes made to the ground water? There are known aquifers running beneath the property that were major reasons for abandonment of previous developments. What effect will the construction have on these aquifers?

1. Consider the effects of dewatering and excavation during and following construction on adjacent properties both North and South of Wilshire Blvd.
  - A. Request that the EIR address the potential of Wilshire Blvd. collapsing either during construction or following construction when the water is allowed to resume its 'normal course'?
  - B. Can the aquifer be restored to normal flow conditions after construction is completed?
  - C. Will the clay seal over the aquifers be able to be resealed so that water flow can be restored to prior conditions?
  - D. Will the development of this property increase the risk of liquefaction of underlying sand and gravel soils during an earthquake?
  - E. Will the DWP Stone Canyon-Hollywood Trunk Line that lies on the northern side of the site be affected in any way during construction?
2. Will disturbance to the aquifers affect animal or plant life in our neighborhood?
3. Flow of water beneath the property
  - A. There are concerns about the effects of the planned excavation have on the flow of water when it is allowed to find its own new course as stated by Mr. Robbins of Fifield Co.
  - B. Please note; we have been advised that they will excavate to 70' level, then add a 10' cement base with the foundation starting at the 60 ft. depth where the largest flow of water (600-800 gallons) was found in due diligence tests in the Fall of 2003 as stated by Mr. M. Pepper of Fifield Co.
  - C. What effect will the new route of the water flow have on CWW homes?  
[1] Maps show the aquifer water flows in a southeasterly direction towards the golf course and then turns immediately southwest and flows under homes in CWW neighborhood.  
[2] There are concerns about the amount of the flow as it changes depending on drought years vs. non-drought years. The 100-year average rainfall shows the water table beneath the surface to be at 18' -25' levels.
4. Will ground water be discharged into existing storm drains in this area?
  - A. Is the existing storm drain connected to the LA storm drain system that dumps into Ballona Creek? Or does it abruptly end behind Club View Drive homes and flow onto the LA Country Club grounds?
  - B. What protection will homeowners have if the ground water from the open drain saturates the ground to the extent that their house foundations are affected?
  - C. Fifield has stated that they will allow the water to go through holes into the street curb drain following construction, as there will be very little water collected in their sump pump basins.
  - D. What protection will be provided against stagnant water and breeding of West Nile infected mosquitoes?
  - E. Who will solve the above problems and reconstruct the storm drains if necessary?

**Traffic issues:** Will this development significantly impact traffic flows in an already traffic impacted area?

- A. Ingress and egress for the new Wilshire-Comstock Condo
  - [1] What will the effects of ingress and egress on neighborhood traffic before and after traffic changes created by the new Santa Monica Transit Parkway?
  - [2] Will closure of streets or lanes on Comstock Ave or Club View Drive occur during

construction? We anticipate severe traffic problems if either of these streets are impacted by closures.

Please note: Comstock Ave will become the only direct north bound exit from CWW that links immediately to eastbound traffic on Wilshire Blvd. Soon the SMBTP construction will allow only westbound turns at Santa Monica Blvd., the southern boundary of CWW.

- B. Construction issues will affect ingress and egress into CWW neighborhood
  - [1] Hauling route –Line of construction haul and other trucks
  - [2] Construction personnel parking
- C. Parking following construction- Will residents, guests, staff and servants have enough on-site parking to preclude overflow onto neighboring streets?
- D. Will any of these people be eligible for preferential parking in our neighborhood?
- E. What will the final address be for the building? Two different addresses are currently in city records; 10250 Wilshire blvd. and 1250 Club View Drive.
- F. What regulations should the daily or weekly Trash trunks follow so that they do not disturb neighbors and impact traffic.

**Design issues:** What privacy will neighbors have from the development's balconies?

- A. Amount of glass windows and privacy for nearby neighbors
- B. Heat reflectivity – Current plans show building colors of black and grey that are heat retaining colors thereby making this building a drain on electricity when we need to conserve electricity.
- C. Security / Color of building /Trees planting – landscape of exterior of building as it relates to the visibility by pedestrians and drivers entering CWW area. Will the black and grey lower 2 stories create fear to residents hiking or driving on their only northbound exit? Neighbors hike and jog to Holmby Park and past the golf course on a daily basis.

**Shade and Shadow issues**

**Air quality issues**

**Prior entitlements**

- A. Does the footprint of the current building design conform to the Tract Map?
- B. Do the current recreational areas conform to the covenants?
- C. Mr. Armbruster, Fifield Co. representative has agreed to provide comparison drawings in response to these concerns.

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

RECEIVED  
CITY OF LOS ANGELES  
SEP 23 2004  
ENVIRONMENTAL  
UNIT

RE: Notice of Preparation Environmental Impact Report.

EAF NO.: ENV-2003-5313.

Project Location/Address: 10250 Wilshire Blvd

Planning Area: Westwood

Council District #5.

Due Date for Public Comments: October 8, 2004

I am a resident of the area that will be greatly affected by the above-proposed building, Wilshire Blvd. to Santa Monica Blvd., and Club View Drive to Beverly Glen Blvd.

I have the following concerns that must be addressed in the EIR:

The traffic impact is a serious issue. I have waited six minutes at the stop sign corner of Comstock and Club View. There are so many cars waiting to turn onto Wilshire that the bottleneck at rush hour is horrible. The additional cars from 10250 Wilshire will have serious impact on this problem. What can be done to alleviate this bottleneck?

When there are heavy rains in the area, trash cans and loose trash rush right down the steep river created on Comstock Avenue. Emergency brakes are imperative for the parked cars. Clearly the drainage system was not properly installed for the rain impact on this street. The water rises to the top of the curb and then covers the grass. People arriving and departing from our homes have to carefully wade through rushing water that reaches well above their ankles. Plans need to be made to deal with the construction debris that will wash in our direction.

I have seen photos of the drainage problem on Club View Drive. The potential health hazard from stagnate water and debris is obvious. I hope the Environmental Review Board will insist on a more effective drainage system.

Thank you for your concerns and constructive action for our neighborhood.

Very truly yours,

Name/Print Dr. B.K. Polland Date: 9/21/04

Name/Signature B.K. Polland

Address 1619 Comstock Avenue

City/State/Zip LA CA 90024

Telephone Number 310 552 9898

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

RECEIVED  
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SEP 22 2004  
ENVIRONMENTAL  
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RE: Notice of Preparation Environmental Impact Report.

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Project Location/Address: 10250 Wilshire Blvd

Planning Area: Westwood

Council District #5.

Due Date for Public Comments: October 8, 2004

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I have the following concerns that must be addressed in the EIR:

- ① CHANGES IN THE AQUIFER, "UNDERGROUND RIVER" MAY DAMAGE NEIGHBORHOODS ROADS AND DWELLINGS
- ② EVERY NEW HI-RISE ADDS TO THE WILSHIRE BLVD "WIND TUNNEL" EXPERIENCE THE WIND AT WILSHIRE & WESTWOOD ON A WINDY NIGHT
- ③ EVERY DEVELOPER HAS A REASON WHY HE SHOULD BE EXEMPTED FROM THE WILSHIRE CORRIDOR MASTER PLAN. WHEN WILL THIS STOP?
- ④ FIFIELD HAS ALREADY SENT LETTERS TO HOMEOWNERS THREATENING ADVERSE CONSEQUENCES IF THE HIGH RISE CANNOT BE CONSTRUCTED. THE DEVELOPER OF "THE CALIFORNIAN" HAS DEMONSTRATED ILL WILL AND BAD MANNERS TOWARD THE LOCAL HOMEOWNERS' ASSOCIATION. I DO NOT THINK FIFIELD CAN BE A GOOD NEIGHBOR.
- ⑤ OUR LITTLE NEIGHBORHOOD IS A QUIET RESIDENTIAL AREA OF SINGLE-FAMILY DWELLINGS. THIS CONSTRUCTION AND THE FINISHED HIGH RISE WILL ADVERSELY AFFECT THE ENVIRONMENT OF OUR QUIET COMMUNITY.

Very truly yours,

Name/Print TERRY REICHELDETER Date: 9/20/2004

Name/Signature Terry Reichelderfer MD

Address 1404 COMSTOCK AVE

City/State/Zip LOS ANGELES, CA 90024

Telephone Number 310-274-6943

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

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**Council District #5.**

**Due Date for Public Comments: October 8, 2004**

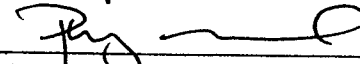
I am a resident of the area that will be greatly affected by the above-proposed building, Wilshire Blvd. to Santa Monica Blvd., and Club View Drive to Beverly Glen Blvd.

I have the following concerns that must be addressed in the EIR:

- Will the development of this property increase the risk of liquefaction of underlying sand and gravel soils during an earthquake?
- What effect will the construction have on water flow?
- How will this impact traffic?
- What privacy issue will be created as a result of the building

Very truly yours,

Name/Print Philip Raskind Date: 9/20/04

Name/Signature 

Address 1563 Ensley ave

City/State/Zip Los Angeles CA 90024

Telephone Number 310. 277. 1373

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

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Planning Area: Westwood

Council District #5.

Due Date for Public Comments: October 8, 2004

I am a resident of the area that will be greatly affected by the above-proposed building, Wilshire Blvd. to Santa Monica Blvd., and Club View Drive to Beverly Glen Blvd.

I have the following concerns that must be addressed in the EIR:

We have serious concerns regarding groundwater issues and the risks of water flow disruptions and damage to our area. We are worried about the foundations of our homes being affected by the new route of the water flow, the storm drain system, water stagnation resulting in possible health hazards and other water concerns which have been brought before you by the neighborhood association.

We are most concerned about the traffic flow, the increased pollution and congestion that the proposed building is sure to cause.

The proposal is for a building that is much too high, placing great stress on the environment.

Very truly yours, *Rini Freedman*

Name/Print Lawrence R. Freedman, MD Date: 9-21-04

Name/Signature *Lawrence R. Freedman MD*

Address 1537 Comstock Avenue

City/State/Zip Los Angeles, CA 90024

Telephone Number 310-553-1115

October 5, 2004

Nicholas Hendricks  
Environmental Review Coordinator  
Environmental Review Section  
City of Los Angeles  
200 N. Spring St., Room 750  
L.A., Ca 90012

Re: Notice PL-022-04  
ENV-2003-5313  
10250 Wilshire Blvd.

RECEIVED  
CITY OF LOS ANGELES

OCT 06 2004

CITY PLANNING DEPT  
EXECUTIVE OFFICE  
ROOM 525

Dear Mr. Hendricks:

Several different letters were sent to & received by LA Dept. of City Planning opposing an Addendum to a CND No. 213-77-SUB/Tract 27025. These letters were submitted by Dolby-Westwood Property Owners Assn. (dated 10/9/03, 10/16/03, and 10/31/03) by Friends of Westwood, Westwood Homeowners Assn., & The Comstock Condominium Assn. Each letter requested that an Environmental Impact Report be required for this project.

We are in receipt of an e-mail from Con Howl to Emily Gabel & Jimmy Lho dated 5/19/04 which states that "the Department has already issued (and published) what it believes is an adequate environmental determination."

Please clarify the requirement under CEPA to do an EIR & why the City of LA believes an Addendum to a CND is sufficient.



pg. 2 10/5/04 Holmby - Westwood Property Owners Assn.

Do not concern yourself with the voluntary aspect of the EIR by the applicant. Under the guidelines for the implementation of CEQA, an EIR must be required when there are new significant environmental effects + a substantial increase in the severity of previously identified significant effects.

The analysis of this project is now 26 yrs. old. What is the City of LA basing its requirement of an Addendum only on?

Further, please discuss section 15162(a) + 15164(a) as they do or do not relate to this project.

No Association has received a reply to its appeal of the Addendum to a CND from the City of LA. Please discuss reasons for no reply.

Regarding the Zimby fee + a letter from the former Director of the L.A. Planning Dept., Cal Hamilton in which he states that \$83,373.77 has been "accepted" by the Dept. of Rec. + Parks, "accepted" is NOT proof of payment. Was the fee paid by check or note? I want to see a copy of the check or proof that the amount due was paid in full within a year after requirement.

Thank you.

Sincerely,

Sandy Brown

Pres. H-WPOA

Melvin and Judy Pollner  
1243 Club View Drive  
Los Angeles, CA 90024  
(310) 275-2497

**RECEIVED**  
CITY OF LOS ANGELES  
NOV 14 2004  
ENVIRONMENTAL  
UNIT

November 9, 2004

Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

RE: Notice of Preparation Environmental Impact Report.  
EAF NO.: ENV-2003-5313.  
Project Location/Address: 10250 Wilshire Blvd  
Planning Area: Westwood  
Council District #5.

Dear Mr. Hendricks,

Please inform us when the EIR is completed and when the next scoping meeting is to occur. We would also appreciate a copy of the EIR findings.

Thank you,

*Melvin and Judy Pollner*

Melvin and Judy Pollner

Post-it® Fax Note	7671	Date	11-22-04	# of pages	1
To		From	<i>Nicholas Hendricks</i>		
Co./Dept.	<i>CSA</i>	Co.			
Phone #		Phone #			
Fax #		Fax #			

**Westwood Homeowners Association**  
**P. O. BOX 241986 Los Angeles, CA 90024**  
**Phone: (310) 470-4099 Fax: (310) 470-4099**  
**Website: WWW.WHAWEB.ORG**

October 7, 2004

VIA FAX 213 978 1343

Mr. Nicholas Hendricks  
Environmental Review Coordinator  
Environmental Review Section  
200 North Spring Street, Room 763  
Los Angeles, CA 90012

**RECEIVED**  
CITY OF LOS ANGELES

OCT 08 2004

ENVIRONMENTAL  
UNIT

Ref: ENV-2003-5313-EIR

Dear Mr. Hendricks,

The Westwood Homeowners Association wishes to respond to the Notice of Preparation (NOP) letter dated 9 September, 2004 from Mr. Con Howe, with the file number referenced above. This NOP concerns the proposed development at 10250 Wilshire Boulevard.

Our Association represents homeowners from Wilshire to Santa Monica Boulevards and from Veteran Avenue to Club View Drive. The proposed development lies within our area of responsibility. Our 500 members and the 1500 households in our area are concerned about this development. This letter will raise our principal concerns about safety, traffic, and other issues. We also incorporate by reference the similar letter written by Charles Edelson, Professional Engineer, dated October 1, 2004, including his attachments, and all other letters of response from similarly concerned citizens.

Our primary concerns are as follows:

1. Will the construction of this building and the excavation associated with it endanger the surrounding properties and streets because of changes made to the ground water and especially the known aquifers which run under this property, which were a major reason for abandonment of previous developments?
2. Will this development increase the risk of liquefaction of the underlying sand and gravel soils during an earthquake?
3. Will this development significantly impact traffic flows in an already traffic impacted area?
4. Will ground water be discharged into existing storm drains in this area? If so, will the water continue to be discharged, as present, onto the LA Country Club grounds catchbasin? If so, what protections will be provided against stagnant water and breeding of West Nile infected mosquitos?

5. Does the footprint of the current building design conform to the Tract Map? Similarly, do the current recreational areas conform to the covenants? (At the August Board meeting of the Westwood Homeowners Association, Mr. Armbruster, attorney for the developer, and Mr. Robbins, Vice President of the Fifield Corporation, agreed to provide comparison drawings in response to these concerns but have, so far, failed to produce them.)
6. Will disturbance to the aquifers affect animal or plant life in our neighborhood?
7. Will disturbance to the water table or the aquifers in any way affect the adjacent Stone Canyon-Hollywood water supply line?
8. Will the traffic into and out of the facility by residents, staff or servants create problems for the neighborhood?
9. Will residents, staff and servants have enough on-site parking to preclude overflow onto neighboring streets? What procedures, binding on subsequent owners, will the developer incorporate into agreements with the City to prevent overflow onto neighboring streets? How will these people be precluded from preferential parking in our neighborhood?
10. Mr. Robbins has twice publicly stated that the aquifers will be restored to original flow conditions after construction is complete. Can this be done? Can the clay seals over the aquifers be resealed so that water flow can be restored to prior conditions?
11. Will post construction neighborhood safety be certified under conditions of 100 year maximum rainfall?
12. What bond will be required of the developer and subsequent owners to assure compliance with long term mitigation of these and other potential dangers and as a guarantee for long term potential neighborhood damages, including potential damage to Wilshire Boulevard?
13. The proposed building height is greater than the 75 foot Specific Plan limit and violates the intent of the Wilshire-Westwood Scenic Corridor Specific Plan, the applicable local land use law. We are further concerned by the attempt of the developer to avoid a project EIR for this environmentally sensitive site and continuing attempts to avoid a Scoping Meeting to help define the bounds of the EIR.

Sincerely yours,

Westwood Homeowners Association

  
by Charles Edelsohn, Director

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OCT 07 2004

ENVIRONMENTAL  
UNIT

Mr. Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 North Spring Street, Room #750  
Los Angeles, CA 90012

October 5, 2004

Dear Mr. Hendrick:

My husband and I live on Club View Drive between Wilshire and Santa Monica Boulevards. We share the strong concerns of others who live on our street in regards to the proposed building of a twenty-one story condominium on the southeast corner of Wilshire and Comstock.

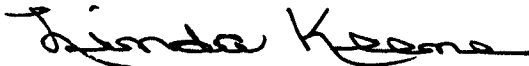
We understand the financial commitment of Fifield and their desire to build on this property; however, in fairness to an entire community that will be affected by this development, we urgently request that you require Fifield to submit a complete Environmental Impact Report. The northbound traffic on Club View Drive, particularly between 5 and 7p.m. is already extremely heavy and backs up beyond what is proposed to be the entrance and exit of this project. Club View Drive is a narrow street and when cars are parked on both sides of the street, which is allowed due to permit parking, there truly is not enough room for two cars to pass safely. Where are even more cars going to park?

I have lived in this neighborhood since I was a small child, and the presence underground water on this property has been an issue for at least 50 years. In spite of a lack of rainfall, I believe that the underground water floe is an issue, and, maybe, we will be fortunate and have more normal rainfall seasons in the years ahead.

Traffic, parking, water, these are issues that impact all of us. We trust that you and those you work with will research these issues appropriately.

Thank you for reading this letter.

Most sincerely,



Mrs. Donald L. Keene  
1530 Club View Drive  
Los Angeles, CA 90024

To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012

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Due Date for Public Comments: October 8, 2004

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I have the following concerns that must be addressed in the EIR:

re: The flow of water beneath my home

A few years ago there was moisture on the walls and going up the steps of the California Stuffs basement in my home (small, approx 8x12, 8' below the floor of my home). This was in a dry year in the middle of the summer. It was determined that the cause was not a water leak on our property or the abutting neighbor's property; no broken pipes, no overwatering, etc. I consulted with LACity engineers. I was told this phenomenon was not unusual. It was due to the underground water table that rose and fell with no explainable reason. My home is located in the SW corner of the CULW area. The underground river meanders this way. I fear if the

Very truly yours,

Name/Print JEAN BUSHNELL Date: 9/27/04

Name/Signature Jean Bushnell

Address 10348 EASTBORNE AV

City/State/Zip LA, CA 90024

Telephone Number 310-277-2109

existing water table is tampered with there will be severe consequences to my property, i.e. water damage to my basement which houses two growling furnaces and the water heater, sinking of the foundation, cracking and settling of the structures on my property (3) and destabilization of the entire CULW area.

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I have the following concerns that must be addressed in the EIR:

The Wilshire Westwood corridor between the 405 freeway to Santa Monica Blvd. is already over crowded with vehicles except late at night and early in the morning.

I am 80 years old and people from a generation before me used to tell me that when Wilshire Blvd. between Beverly Hills and Westwood was still a dirt road, there was a stream running across that area that was impassable with flooding after heavy rains. Wilshire at Comstock is a low point of land and it was said then that because of this "Pumpkin Patch" could never be built on. Presumably this overground running water became an underground waterway.

The natural flow of water from the hills above Sunset Blvd. has to run somewhere and I am sure it follows this depression and

Very truly yours,

(please see attached)

Name/Print \_\_\_\_\_ Date: \_\_\_\_\_

Name/Signature \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Telephone Number \_\_\_\_\_

To: **Nicholas Hendricks, Environmental Review Coordinator**  
**City of Los Angeles, Environmental Review Section**  
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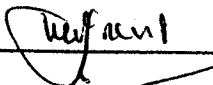
I have the following concerns that must be addressed in the EIR:

probably through the present Century City area until it makes  
its way toward and into the Pacific ocean.

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Very truly yours,

Name/Print Donald W. Grant Date: 9/23/04

Name/Signature 

Address 19379 Wilshire Blvd., Suite 1804

City/State/Zip Los Angeles, CA 90024

Telephone Number (213) 351-6002



October 1, 2004

Mr. Nicholas Hendricks  
Environmental Review Coordinator  
Environmental Review Section  
200 North Spring Street, Room 763  
Los Angeles, CA 90012

**RECEIVED**  
CITY OF LOS ANGELES

OCT 07 2004

ENVIRONMENTAL  
UNIT

Ref: ENV-2003-5313-EIR

Dear Mr. Hendricks,

I write in response to the Notice of Preparation letter dated 9 September, 2004 from Mr. Con Howe, with the file number referenced above. This NOP concerns the proposed development at 10250 Wilshire Boulevard.

I live at 10334 Wilkins Avenue, about half a mile from the proposed development. While I am a Director of the Westwood Homeowners Association, this letter is not a communication of the Association. I am a Professional Engineer registered in the State of California.

As a Professional Engineer, my primary concern is with the safety of this development and the safety of the surrounding neighborhood. I submit a list of my concerns about safety, traffic, and other issues and also copies of the Engineering Reports and letters I have written analyzing some of these issues.

This letter will only raise the issues. However, I will be happy to discuss them in greater detail with qualified members of the Planning Staff.

My primary concerns are as follows:

1. Will the construction of this building and the excavation associated with it endanger the surrounding properties and streets because of changes made to the ground water and especially the known aquifers which run under this property, which were a major reason for abandonment of previous developments?
2. Will this development increase the risk of liquefaction of the underlying sand and gravel soils during an earthquake?
3. Will this development significantly impact traffic flows in an already traffic impacted area?
4. Will ground water be discharged into existing storm drains in this area? If so, will the water continue to be discharged, as present, onto the LA Country Club grounds catchbasin? If so, what protections will be provided against stagnant water and breeding of West Nile infected mosquitos?

5. Does the footprint of the current building design conform to the Tract Map? Similarly, do the current recreational areas conform to the covenants? (At the August Board meeting of the Westwood Homeowners Association, Mr. Armbruster, attorney for the developer, and Mr. Robbins, Vice President of the Fifield Corporation, agreed to provide comparison drawings in response to these concerns but have, so far, failed to produce them.)

6. Will disturbance to the aquifers affect animal or plant life in our neighborhood?

7. Will disturbance to the water table or the aquifers in any way affect the adjacent Stone Canyon-Hollywood water supply line?

8. Will the traffic into and out of the facility by residents, staff or servants create problems for the neighborhood?

9. Will residents, staff and servants have enough on-site parking to preclude overflow onto neighboring streets? What procedures, binding on subsequent owners, will the developer incorporate into agreements with the City to prevent overflow onto neighboring streets? How will these people be precluded from preferential parking in our neighborhood?

10. Mr. Robbins has twice publicly stated that the aquifers will be restored to original flow conditions after construction is complete. Can this be done? Can the clay seals over the aquifers be resealed so that water flow can be restored to prior conditions?

11. Will post construction neighborhood safety be certified under conditions of 100 year maximum rainfall?

12. What bond will be required of the developer and subsequent owners to assure compliance with long term mitigation of these and other potential dangers and as a guarantee for long term potential neighborhood damages, including potential damage to Wilshire Boulevard?



Charles Edelson

Attachments:

1. Letter to Aviv Tuchman, April 7, 2004
2. Letter to Honorable Jack Weiss, February 10, 2004
3. WHA letter to Honorable Jack Weiss, February 10, 2004
4. WHA letter to Honorable Jack Weiss, December 16, 2003

April 7, 2004

Mr. Aviv Tuchman  
Tuchman and Associates  
1000 Wilshire Boulevard, Suite 2100  
Los Angeles, CA 90017

Dear Mr. Tuchman,

This is an amended report replacing my report of March 16. In light of the additional documents you have discovered, I have extended my engineering review and evaluation to encompass, not only the two previous packages of documents presented by Mr. Armbruster and the Fifield Corporation, but also the most recent package you gave me. Taking your package of multiple letters as a new document, there now are a total of 8 engineering documents related to soils, water, environment and traffic.

In summary, the first seven documents provided by Mr. Armbruster evaluate the vacant lot at 10250 Wilshire Boulevard from the perspective of the builder or developer. Generally they suggest that a building may safely be constructed on this site if certain precautions are taken with respect to the ground water and soil conditions. They conclude that the incremental traffic loads introduced by the new building fall below the criteria for mitigations to be required by the LA DOT. Unfortunately, these documents do not address the issue of the impact of this building construction on the environment of the surrounding neighborhood, as would be done in an Environmental Impact Report (EIR). However, the latest document raises significant concern both about the construction internal to the site and about the surrounding properties.

The concern about surrounding properties is based on the statement made in a letter dated June 15, 1977 from the R. T. Frankian Company, Soil Engineers, to Parkview Wilshire, Ltd. as follows: "... It is felt that if an attempt is made to dewater the entire profile to the lower basement elevation, there would be an attendant **subsidence of adjacent properties (i.e. Wilshire Boulevard) ...**" (Bold added.)

Further, in distinct contradiction to the oral statements made by Mr. Pepper and Mr. Armbruster that the water table in the site is constant at 20 to 23 feet and is independent of rainfall, the letters state that the water table rose from 20 to 23 feet below grade in the Spring of 1977 to 13 feet below grade in the Spring of 1979. This led to the statement in a letter dated April 23, 1979 as follows: "Our concern is, if the general rise in the apparent water table above the clay layer is accompanied by an equal rise in the level of the lower water table, there exists the possibility that removal of overburden (**in excavating for the garage**) would cause a **blowout of the clay layer.**" (Bold added.)

Where my previous report of March 16 could only state that the studies provided do not address the safety of the surrounding properties, I now call to your attention that the newly acquired engineering document raised the issue of subsidence of adjacent properties, called specific attention to Wilshire Boulevard, and cautioned that excavating for the garage could cause a blowout. In light of this new information, your case for requiring a full Environmental Impact Report is greatly strengthened as a necessary safety measure for the surrounding community.

A review of each individual engineering document is contained in an Appendix.

## Findings

1. To evaluate the potential that changes in the underground aquifer flows will affect neighboring homes and high rise buildings would require a three dimensional geologic/hydrologic analysis to estimate the flow rates and pressures at various depths and locations extending beyond the lot boundaries. Once the current conditions are estimated, a predictive estimate could be made of the effect of dewatering on neighboring structures. An estimate could also be made of the likelihood that the construction could be done in a manner that would restore the natural aquifer to conditions close to pre-construction conditions. Based on the geologic/hydrologic findings, an estimate could also be made as to the danger of liquefaction under earthquake conditions. None of these has been done.
2. Based on oral statements by Fifield, there may be significant changes in the building plans. The current building plans should be compared to previous building plans. If the building plans have been altered significantly the original plans of the tract map approved, this could affect both the grandfathering and the validity of the claim that the 1979 Conditional Negative Declaration of environmental impact is still sufficient.
3. The Mactech report alludes to previous studies by Leroy Crandall in 1965 and 1972. The J. Byer firm also did geotechnical studies in the 1960-1970 era. (See Note 1) You have discovered one engineering document with significant adverse information (Report 8) that was not disclosed by Fifield and Armbruster, despite their claim that all information had been delivered. This raises the serious question as to how many other negative reports have not been made available. All of these geotechnical studies should be made available by the developer for review.
4. The existence of the Santa Monica fault line, near Sunset Boulevard, may not have been known when the CND was issued. If so, this is another element of "new knowledge" which should require a full EIR.

## Conclusions

The engineering and geotechnical reports made available by Mr. Armbruster generally support their claim that a building can be built on this site if sufficient engineering precautions are taken during the construction. However, the report you discovered, not made available by them, challenges even that.

I do not believe that all of these engineering and geotechnical reports are in any way equivalent, as claimed, to the studies and reports which would be necessary for the full EIR process required to validate the safety of, and impact on, the surrounding neighborhood, including the high rise buildings and homes near the proposed development. Neither is there any suggestion in these reports of what mitigations might be required to provide an adequate level of safety to, and reduced impact on, the surrounding neighborhoods.

The revelations in the correspondence of Report 8 raise the stakes immensely. The June 20, 1978 letter calls attention to the rising water level. The October 19, 1978 letter describes a pre-loading system as a way to try to overcome this problem and to build anyway. This is a balancing act of downward building load versus upward hydrostatic pressure. This sort of design was attempted in Mexico City with very poor results when the underlying water level changed.

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Note 1. Ms. J. C. Chauvin, Principal, J. Byer Group Inc., has informed Mike Metcalfe that the J. Byer consulting firm conducted a series of three geotechnical investigations of this site, including one on assignment from the J. H. Snyder company.

According to the April 23, 1979 letter, the water level rose ten feet in two years and the engineer fears that the clay layer has broken through and might be subject to a blowout during excavation. If the lower water layer under pressure has already broken through the clay seal over it by way of sealed bore holes, the entire garage structure may be subjected to massive uplift forces. Once broken through, the clay layer laid down over thousands of years may never be able to be sealed again.

These concerns by the soils engineer also expose the danger that the "diversion" system described orally by Mr. Pepper in December may have a fatal flaw. Under the diversion system the water flow is to be restored to its natural condition of flow under the building after construction is completed. However, if the soil engineers could not restore the seal of the clay layer after a few bore holes, and they worry that the garage excavation may cause a blowout due to the over pressure, restoration of the seal after the entire garage structure is excavated may not be possible. If the diversion and restoration system is flawed in this way, and the alternate dewatering system is flawed because of the "... attendant subsidence of adjacent properties (i.e. Wilshire Boulevard) ...", as stated in the June 25, 1977 letter, both building construction safety and control of the water table after construction is completed may be compromised. This may be why previous development was stopped.

As bad as the situation may be for the developer, it may be worse for the adjacent properties. If the attempt to re-seal the clay layer at 32 feet under the entire garage area fails, massive amounts of water may flow upward out of the hole in the clay dam. Removal of this water from the underground aquifer, either by permanent dewatering, or by inability to re-seal the clay layer after a blowout, may result in subsidence for the homes downstream of the site, peril to life and property, and destruction of flora.

Your claim that a full EIR is required was not challenged by those earlier reports made available for review by Mr. Armbruster. The revelations in the new document would seem to make a full EIR mandatory.

Charles R. Edelsohn, P.E.

**APPENDIX**  
Review of Individual Engineering Reports  
(Concerns and Interpretations Italicized)

**1. July 28, 1988 R. T. Frankien and Associates - Report of Foundation Investigation**

This is a careful and well done analysis of the composition and strength of the soil to a depth of about 40 to 60 feet below the surface. Test borings were done, soil samples were removed and were tested to determine the strength of the soils relative to the proposed construction. Engineering comments were made on the suitability of the shoring methods recommended by another company. No serious problems were noted as far as the construction of the building.

However, there are some anomalies compared to the current plans. On page 2 the report states, "This office conducted an investigation of this site in 1977 and 1978 for a building which was to have been similar in concept to the proposed development. The lowest basement was to have extended some 30 feet below the ground surface."

Also on page 2 the report states, "It is proposed to construct a 22 story structural steel building which will be underlain by a three level deep subterranean garage. The subterranean garage is also to be framed using structural steel. The lowest parking slab will be depressed some 36 to 41 feet below the present ground surface elevations."

*This raises a concern. In an oral communication in December, Mr. Pepper and Mr. Armbruster stated that the new Fifield building will require excavation to about 70 feet.*

*If the "lowest parking slab" in 1988 was to have been 36 to 41 feet deep, and the 1978 building was to have "extended some 30 feet below the ground surface", the present plan for excavation to 70 feet may represent a substantial deviation from that approved in the grandfathered Tract map of 1979.*

**Boring Log Notes**

- Boring 1. Maximum depth 30 feet. "boring caving below 25 feet ----- abandon at 30 feet."
- Boring 2. "End of boring at 40 feet. Water at 32 feet at end of hole"
- Boring 3. "abandon hole at 33 feet Water at 28 feet"
- Boring 4. "End of boring at 65 feet. Water in hole at 24 ½ feet"
- Boring 5. "Abandon hole at 8 feet"
- Boring 5A. "End of boring at 55 feet"
- Boring 6. "End of boring at 20 feet After 12 minutes - water at 17 ½ feet"
- Boring 7. "End of boring at 20 feet Water at 18 feet after 10 minutes"
- Boring P-1. "End of boring at 65 feet"
- Boring P-2. "End of boring 60 feet"
- Boring P-3. "End of boring 60 feet"

Note: P series of borings make no mention of water at any levels.

**2. September 1, 1988 R. T. Frankien and Associates - Additional Seismic Response Data**

This report provides additional data on peak ground accelerations to be anticipated during the life of the building.

### **3. September 22, 1988 - Hydroquip Pump and Dewatering - Dewatering Tests**

Two dewatering test wells were drilled and dewatering potential was tested. TW-1 was drilled to 61 feet and TW-2 was drilled to 45 feet. They anticipate dewatering will produce a flow of 100 to 150 gpm.

*Again, no tests were conducted to the 70 foot depth Fifield now plans, there was no attempt to investigate beyond the two spot wells drilled, and there is no mention of the effect of dewatering on neighborhood properties.*

### **4. July 20, 1990 - SCS Engineers - Water Quality Report**

"... no technical reason why this water could not be discharged to the storm drain."

### **5. 16 April, 1991 - Tetra Tech - Environmental Audit**

Survey of Public Records indicating that there are no known carcinogens on the site or close enough to cause a problem.

### **6. August 26, 2003 - Mactech Engineering - Geotechnical Investigation**

References previous Mactech/Leroy Crandall Reports of August 26, 1965 and November 7, 1972. Page 11 states, "Excavation up to about 35 to 40 feet will be required for the lower subterranean parking level of the proposed development."

*This is inconsistent with the Fifield oral statement that excavation will go to 70 feet.*

#### **1965 Boring**

Boring 1. Depth to 101 feet. "Water encountered at a depth of 40 feet below ground surface. Heavy caving occurred between 43 to 48 feet (to 4 feet in diameter) during drilling with bucket equipment. Drilling mud used in drilling process with rotary wash equipment."

Note: Drilling mud used in drilling process. Mud removed after drilling completed; water level measured at a depth of 26' 2 days after removing mud."

#### **1972 Borings**

Boring 1. Depth to 100 feet. "Note: Drilling mud used in drilling process. Mud removed after drilling completed; water level measured at a depth of 26' 2 days after removing mud."

Boring 2. Depth to 98 feet. "Note: Drilling mud used in drilling process. Mud removed after drilling completed; water level measured at a depth of 23' 2 days after removing mud."

#### **2003 Borings.**

Boring 3. "End of boring at 75 feet. Note: Drilling mud used in drilling process. Mud removed after completion of drilling. Boring was converted to a ground water monitoring well."

Boring 4. "End of boring at 76 feet. Note: Drilling mud used in drilling process. Mud removed after completion of drilling. Water level measured at a depth of 18' 20 minutes after removal of mud."

*The use of drilling mud suggests that there was too much water for uncontaminated soil sampling to be obtained without the use of sealing mud to seal off the water. There is no indication of water flow rates.*

#### **7. September 17, 2003 - Linscott, Law and Greenspan, Engineers - Traffic Impacts**

Based on trip rates provided in the WLA TIMP, the project is estimated to generate 19 vehicle trips during the weekday PM peak hour. A traffic assessment is not required by the TIMP for trip rates below 42 per peak hour.

*This report concludes that no further traffic assessment is required. No local detailed study done.*

#### **8. Document File of R. T. Frankian & Associates, by Kenneth S. Pitcher, Civil Engineer**

**Date: June 15, 1977**

“We have examined the various dewatering concepts which are available and have concluded that dewatering should be attempted only for construction periods and should be limited to providing a means to work below the friatic surface. It is felt that **if an attempt is made to dewater the entire profile to the lower basement elevation, there would be an attendant subsidence of adjacent properties (i.e. Wilshire Boulevard)** as the effective intergranular stress is increased in the silty soils below some 25 feet. Thus we have concluded that the dewatering should consist of simply diverting the perched water which will tend to enter the excavation within the finite zone some 25 to 30 feet below the present ground surface. This may be accomplished with a chemical grouting of the water bearing zone or installation of some form of sheet piling within this limited zone.” (Bold added.) (See Note 2)

*Clearly in this early assessment of the construction design, the Civil Engineer hired by the developer immediately cautions that there are dangers to adjacent properties, especially Wilshire Boulevard. This statement warns that permanent dewatering, the most likely method to control uplift as will be seen in later letters, will expose the surrounding area to the danger of subsidence.*

**Date: June 20, 1978**

“Excavations made during the spring of 1977 disclosed a water surface some 23 to 27 feet below grade and recent borings made shortly following the record rainfall, disclosed a water surface some 16 feet below grade.”

*This and later statements refute the oral claim made by Mr. Armbruster and Mr. Pepper that the water level does not change in response to rainfall but remains constant at about 20 feet.*

**Date: October 19, 1978**

“The intent of this pre-loading system is to produce a downward thrust on the major column pad footings early in construction and to systematically reduce this thrust as the building load is applied.”

“Generally it is expected that anchor capacities will be on the order of 200 kips each. Thus assuming that the design dead load on one of the major footings is about 4000 kips, something like 20 anchors would be required for that footing.”

Note 2. “Friatic surface” is assumed to mean that the surface is friable and “perched water” is assumed to refer to the layer of water perched above the clay layer which separates it from the deeper water layer.



*There is fear by the engineer, because of the high, and rising, water level, that the hydrostatic uplift forces during construction might be enough to lift the garage. To counter this worry, a system of pre-loaded columns is discussed. The plan is to balance the uplift forces with the downward force from 20 anchors on each column and then to reduce the added downward force during construction. The danger is so large that the developer is willing to go to great expense to maintain the stability of his building during construction. The danger to adjacent properties, including Wilshire Boulevard, should also be his concern.*

**Date: January 4, 1979**

“On November 27, 1978, a single test boring was made in the approximate middle of the subject site. ...”

“The log of this boring, Boring No, 8, is attached. As may be noted, water was encountered at a depth of about 15 feet below grade. ...”

*By January, the water level had risen again, this time to 15 feet.*

**Date: April 23, 1979**

“It is our understanding that the first dewatering wells were started this date and that water was encountered some 13 feet below grade. A review of the variation in apparent water levels within the site indicates that a steady rise in the level has occurred since the date of our first investigation in the Spring of 1977. We have concluded that there exists a possibility this rise in water level within the site is a reflection of the water table located below the clay layer (at some 32 feet below present grade). Water may be entering through the test borings made earlier by this firm and Leroy Crandall and Associates. Borings are normally backfilled and packed; it is possible that the permeability of the backfill is much higher than the surrounding native clayey zone below 32 feet.”

“Our concern is, if the general rise in the apparent water table above the clay layer is accompanied by an equal rise in the level of the lower water table, there exists the possibility that the removal of overburden (in excavating for the garage) would cause a blowout of the clay layer. In essence the concern is that the loss of overburden at the basement elevation would exceed the difference in head of the lower water table.

“Should the above condition be found to apply, it will be necessary to temporarily dewater the this lower water table by some amount during construction.”

*The water level has risen to within 13 feet of the surface, a ten foot rise in two years. The engineers are really starting to get worried. If the lower water layer under pressure has broken through the clay seal over it because they could not seal the bore holes, the entire garage structure may be subjected to massive uplift forces if a large excavation is made for the garage. This is the danger to the building.*

*If the “diversion” method to restore the water to its natural flow after construction is used, the clay layer below 32 feet must be removed (certain if the excavation will go to 70 feet as stated by Mr. Pepper) or at least disturbed. If the clay seal is removed, the same sealing problem against the hydrostatic pressure of the lower aquifer may occur in the restored seal over the lower aquifer when the water table again rises as in 1979. If it is only disturbed, the clay layer may ‘blowout’ during construction or later when the water table again rises. If the seal cannot be made perfect, and/or a “blowout” occurs in the clay layer, the result may be the same permanent dewatering as that warned against in the quoted risk of, “... an attendant subsidence of adjacent properties (i.e. Wilshire Boulevard).” Neither alternative may be either feasible or permanent. This is the danger to the community. I can only point out the danger. It requires a full EIR to assess the risk.*

February 10, 2004

The Honorable Jack Weiss  
Councilman, Fifth District  
200 North Spring Street, Room 440  
Los Angeles, CA 90012

Reference: Republication Notice Issued 10/23/03  
Addendum to Conditional Negative Declaration No. 217-77-SUB/Tract 27025

Dear Councilman Weiss:

With the support of your staff, Mark Armbruster, representing Fifield Corporation, the developer of the property at 10250 Wilshire Boulevard, has contacted and initiated meetings with an ad-hoc group led by Carol Spencer, my friend and neighbor. The first meeting between Fifield representatives and nine neighbors to exchange information was positive and helpful. However, the nine of us who met with Mr. Armbruster and Mike Pepper of Fifield, certainly cannot speak for the community as a whole. We can represent neither the community nor the organizations which have been established to represent the community. Carol Spencer agrees with this position.

I know that reaching an agreement between the developer and the community is one of your goals. To enable community and stakeholder involvement, I think it would be helpful if your office initiated a series of open meetings with the Boards of Directors of the Westwood Homeowners Association, the Century Westwood Watch and the Holmby-Westwood Homeowners Association.

In my previous letters, I discussed some of the potential environmental dangers of high rise development of this land over a natural aquifer or underground stream, and the impact of additional traffic on already overloaded Club View Drive and Comstock Avenue. As we learn more details about how the 70 foot deep foundation will disrupt this natural flow, there is justifiable concern over the stability of the land from the north side of Wilshire to Santa Monica Boulevard. Information received so far has uncovered a range of concerns about safety, the environment, and quality of life, which can only be allayed thorough a full Environmental Impact Report and the process it entails and not by reliance on a Conditional Negative Declaration adopted in 1979, 25 years ago.

Guidelines Section 15162 to Section 21166 of the California Environmental Quality Act states:

“a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration,

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

This development meets these criteria requiring a subsequent EIR as follows:

*I. This project is expected to have a significant effect on the ground water level of adjacent properties if the presently known underground aquifer is disturbed. Construction plans are expected to require excavation well below the level of ground water and to divert or pump to the surface the high volume ground water flow the developer acknowledges to be present above the expected excavation level. The effect of modification of the underground aquifer and water table is not discussed in the 1979 Conditional Negative Declaration.*

*II. The effect of ground water and liquefaction of soils under earthquake conditions was determined to be a significant factor in studies of the damage pattern that occurred in Los Angeles during the 1994 Northridge earthquake. This information was not known and could not have been known when the 1979 Conditional Negative Declaration was issued.*

*III. The 1979 Conditional Negative Declaration makes no mention of automobile traffic. Automobile traffic flows are now recognized as significant environmental impact factors that must be evaluated and included in an EIR along with satisfactory mitigation measures.*

A full EIR must use the current scientific understanding of soil liquefaction in earthquakes, knowledge only discovered in the aftermath of the 1994 Northridge earthquake. It must contain a thorough geophysical analysis of the total water flow between the surface and bedrock and how that

flow will be affected by the temporary and permanent modifications to the subsurface geophysical structure that will be created by the development. It should predict the effects of the modified water flow on both upstream and downstream soil structural integrity, the safety of neighboring structures, and on the ecology. It should also incorporate our greater present understanding of traffic flow, now analyzable through traffic simulation, and the much greater traffic density we face in 2004 compared to 1979.

The study should be based on analyses by traffic, geotechnical, hydrological, and engineering experts and, of course, the EIR process will provide the opportunity for comment by the community, including Westwood Homeowners Association, the Holmby-Westwood Homeowners Association, the Wilshire Comstock Condominium Association, the Los Angeles Country Club, the Los Angeles Department of Water and Power, and the public, in consonance with your goal to get developer and community agreement.

A full EIR is necessary, 1) to comply with the CEQA, 2) so that those conditions required to prevent danger to the DWP facility, the Comstock Condominium and to our houses between Wilshire and Santa Monica can be imposed and 3) so that we will know that emergency vehicles will be able to get into our neighborhood.

Please call on me to help in any way I can.

Charles R. Edelson

Copy: Maya Zaitzevsky  
City Planning Associate  
200 North Spring Street, Room 763  
Los Angeles, CA 90012

# **Westwood Homeowners Association**

**P. O. BOX 241986 Los Angeles, CA 90024**

**Phone: (310) 470-4099 Fax: (310) 470-4099**

**www.whaweb.org**

**February 10, 2004**

The Honorable Jack Weiss  
Councilman, Fifth District  
200 North Spring Street, Room 440  
Los Angeles, CA 90012

Reference: Republication Notice Issued 10/23/03  
Addendum to Conditional Negative Declaration No. 217-77-SUB/Tract 27025

Dear Councilman Weiss:

This letter is written at the direction of the Board of Directors of the Westwood Homeowners Association, that direction approved by vote at the Board meeting of February 3, 2004.

With the support of your staff, Mark Armbruster, representing Fifield Corporation, the developer of the property at 10250 Wilshire Boulevard, has contacted and initiated meetings with an ad-hoc group led by Carol Spencer. While the meeting between Fifield representatives and nine neighbors to exchange information was positive and helpful, the nine cannot speak for the community as a whole. We understand that reaching an agreement between the developer and the community is one of your goals. To enable community and stakeholder involvement, we offer, as a forum for the developer, an open meeting with the Board of Directors of the Westwood Homeowners Association. We suggest that similar open forums be arranged with the Century Westwood Watch and the Holmby-Westwood Homeowners Association.

In a previous letter, we discussed some of the potential environmental dangers of high rise development of this land over a natural aquifer or underground stream, and the impact of additional traffic on already overloaded Club View Drive and Comstock Avenue. As we learn more details about how the 70 foot deep foundation will disrupt this natural flow, there is justifiable concern over the stability of the land from the north side of Wilshire to Santa Monica Boulevard. Information received so far has uncovered a range of concerns about safety, the environment, and quality of life, which can only be allayed thorough a full Environmental Impact Report and the process it entails and not by reliance on a Conditional Negative Declaration adopted in 1979, twenty five years ago.

Guidelines Section 15162 to Section 21166 of the California Environmental Quality Act states:

a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration,

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

This development meets these criteria requiring a subsequent EIR as follows:

*I. This project is expected to have a significant effect on the ground water level of adjacent properties if the presently known underground aquifer is disturbed. Construction plans are expected to require excavation well below the level of ground water and to divert or pump to the surface the high volume ground water flow the developer acknowledges to be present above the expected excavation level. The effect of modification of the underground aquifer and water table is not discussed in the 1979 Conditional Negative Declaration.*

*II. The effect of ground water and liquefaction of soils under earthquake conditions was determined to be a significant factor in studies of the damage pattern that occurred in Los Angeles during the 1994 Northridge earthquake. This information was not known and could not have been known when the 1979 Conditional Negative Declaration was issued.*

*III. The 1979 Conditional Negative Declaration makes no mention of automobile traffic. Automobile traffic flows are now recognized as significant environmental impact factors that must be evaluated and included in an EIR along with satisfactory mitigation measures.*

A full EIR must use the current scientific understanding of soil liquefaction in earthquakes, knowledge only discovered in the aftermath of the 1994 Northridge earthquake. It must contain a thorough geophysical analysis of the total water flow between the surface and bedrock and how that flow will be affected by the temporary and permanent modifications to the subsurface geophysical structure that will be created by the development. It should predict the effects of the modified water flow on both upstream and downstream soil structural integrity, the safety of neighboring structures, and on the ecology. It should also incorporate our greater present understanding of traffic flow, now analyzable through traffic simulation, and the much greater traffic density we face in 2004 compared to 1979.

The study should be based on analyses by traffic, geotechnical, hydrological, and engineering experts and, of course, the EIR process will provide the opportunity for comment by the community, including Westwood Homeowners Association, the Holmby-Westwood Homeowners Association, the Wilshire Comstock Condominium Association, the Los Angeles Country Club, the Los Angeles Department of Water and Power, and the public, in consonance with your goal to get developer and community agreement.

A full EIR is necessary, 1) to comply with the CEQA, 2) so that those conditions required to prevent danger to the DWP facility, the Comstock Condominium and to our houses between Wilshire and Santa Monica can be imposed, and 3) so that we will know that emergency vehicles will be able to get into our neighborhood.

Sincerely yours,

Charles R. Edelsohn, Board Member,  
for Westwood Homeowners Association

Copy: Maya Zaitzevesky  
City Planning Associate  
200 North Spring Street, Room 763  
Los Angeles, CA 90012

# **Westwood Homeowners Association**

**P. O. BOX 241986 Los Angeles, CA 90024**

**Phone: (310) 470-4099 Fax: (310) 470-4099**

16 December, 2003

The Honorable Jack Weiss  
200 North Spring Street, Room 440  
Los Angeles, CA 90012

Dear Councilman Weiss:

Recently I sent you essentially this same letter representing only myself, as a Professional Engineer. At our last meeting, which you attended, the Directors of the Westwood Homeowners Association voted to have me re-send this letter in the name of the Association. I know that you and your Deputies are taking an active interest in the development of the building site at 10250 Wilshire Boulevard. I will be attending a meeting with Mark Armbruster, representing the developer, hosted by two of your Deputies, Renee Schillaci and Evan Lincove. On behalf of the Association, I thank you for your interest and concern.

Evan Lincove informed our neighborhood of this planned development a few months ago. Some neighbors asked me for my view of the potential impact. After giving this project some thought, I realize that there is significant potential environmental danger to the surrounding residential neighborhood and to the adjacent Los Angeles Country Club. As a Professional Engineer, I feel that I am honor bound to bring these potential dangers to your attention.

The dangers arise from the potential of any sizeable structure on that site to interfere with the natural aquifer and water flows of the underground stream bed beneath the property. I was reminded of the great controversy which resulted from the construction of the Barrington Towers over a similar aquifer several years ago. The problems which result from the disruption of a natural underground stream may include a rise in the underground water table upstream of a dam formed by a large subterranean foundation and garage, a lowering of the water table downstream, and a diversion of the stream to either side of the dam. Further, either temporary or permanent pumping of the underground aquifer could exacerbate these dangers. Any one or more of these conditions could arise from the proposed 21-story building.

If the water table upstream should rise, there is the potential for subsidence and water damage to the homes in the Holmby-Westwood area, to the high-rise buildings on Wilshire, and to the Los Angeles City DWP facility immediately upstream and across Wilshire Boulevard. If the water table downstream should fall, the single family houses in the Century Westwood Watch area along Club View Drive, or elsewhere downstream



depending on the subsurface flows, could suffer from instability or subsidence. If the underground stream is diverted by the new building, the maintenance facilities of the Los Angeles Country Club, just East and at a lower elevation, could be damaged. A significant change in water table could result in easier liquefaction of the soil during an earthquake and extensive damage to these housing units, including the high-rise buildings and the DWP facility.

Given the potential dangers and the increase in geophysical and hydrological engineering knowledge in the many years since the original building permit was granted, I believe it is incumbent on the City of Los Angeles to require a new environmental review including hydrological and geophysical studies of this natural waterway, with opportunity for public comment, before any building permit is renewed or granted.

Since my previous letter, I have learned that the 1979 plans, and available updated versions, prohibit vehicular access to the building from Wilshire Boulevard. Instead, access is mandated to be via Club View Drive, a single family residential street which already has severe traffic problems, and with possible egress only onto Comstock. I believe the City should review and consider reversal of this prohibition. Further, because of the enormous increase in automobile traffic in Westwood since 1979, I believe it is also necessary for the City to require a new environmental review to include traffic studies and to set forth measures to mitigate traffic problems to be created in our local neighborhood.

Sincerely yours,

Charles Edelsohn, P.E.  
Director, Westwood Homeowners Association

Melvin and Judy Pollner  
1243 Club View Drive  
Los Angeles, CA 90024  
(310) 275-2497

**RECEIVED**  
CITY OF LOS ANGELES  
OCT 06 2004  
ENVIRONMENTAL  
UNIT

October 2, 2004

**To: Nicholas Hendricks, Environmental Review Coordinator  
City of Los Angeles, Environmental Review Section  
200 N. Spring St., Rm. #750  
Los Angeles, CA 90012**

RE: Notice of Preparation Environmental Impact Report.

EAF NO.: ENV-2003-5313.

Project Location/Address: 10250 Wilshire Blvd

Planning Area: Westwood

Council District #5.

Due Date for Public Comments: October 8, 2004

Dear Mr. Hendricks:

We are writing to express our concern regarding the need for a new and comprehensive environmental impact study for the project planned for the lot bounded by Wilshire Boulevard, Comstock Avenue and Club View Drive. The proposed project has the potential to impact the surrounding neighborhood in an extremely negative, even dangerous, manner. Although a report was prepared some 25 years ago, changing patterns of traffic, evolving neighborhood conditions and the extremely problematic issues regarding the underground aquifer make it imperative that the project be carefully evaluated with regard to the following:

**Underground Aquifer:** The nature of the underground aquifer and the consequences of various proposed interventions in the course of construction have yet to be carefully and comprehensively evaluated. Homeowners, including us, located at levels above the project already experience seepage and dampness from underground water. The developer's proposal to divert or block the flow of water below ground level of the project may affect the flow throughout the neighborhood with dire consequences for homes, streets and perhaps, even, the proposed project itself. The impact of the building and the proposed interventions on the aquifer must be carefully and rigorously evaluated.

**Traffic:** The project is located at a heavily used intersection. During the evening rush hour, for example, northbound traffic on Comstock (intending to cross Wilshire) frequently backs up on to Club View Drive while waiting for the lights to change. Drivers occasionally enter the eastbound lane on Club View to get to the "head of the line" (and turn west on Wilshire) creating a dangerous situation. The planned driveway is positioned at precisely the point to maximize problems as residents seek to leave or enter the building and will seriously exacerbate this congested and hazardous intersection.