



Division of Land / Environmental Review

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FINAL ENVIRONMENTAL IMPACT REPORT ***Volume 5***

NBC Universal Evolution Plan ***ENV-2007-0254-EIR*** ***STATE CLEARINGHOUSE NO. 2007071036*** ***Council District 4***

THIS DOCUMENT COMPRISES THE SECOND AND FINAL PART OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROJECT DESCRIBED. THE DRAFT EIR (VOLUMES 1 THROUGH 27) WHICH WAS PREVIOUSLY CIRCULATED FOR PUBLIC REVIEW AND COMMENT, COMPRISES THE FIRST PART.

Project Address: 100 Universal City Plaza, Universal City, CA 91608

Project Description: Universal City Studios LLLP, L.P., proposes the NBC Universal Evolution Plan (the "Project"), which sets forth the framework to guide the development of an approximately 391-acre site located in the east San Fernando Valley near the north end of the Cahuenga Pass (the "Project Site"). The Project, as proposed, would involve a net increase of approximately 2.01 million square feet of new commercial development, which includes 500 hotel guest rooms and related hotel facilities. In addition, a total of 2,937 dwelling units would be developed. Implementation of the proposed Project would occur pursuant to the development standards set forth in two proposed Specific Plans. The proposed Universal City Specific Plan addresses development within the portion of the Project Site located within the City of Los Angeles, whereas the proposed Universal Studios Specific Plan addresses development within the portion of the Project Site located under the jurisdiction of the County of Los Angeles. Under the proposed Project, portions of the Project Site that are currently in the County of Los Angeles would be annexed into the City of Los Angeles, while other areas would be detached from the City of Los Angeles and returned to the jurisdiction of the County of Los Angeles. The proposed annexation/detachment reflects the Applicant's objective to establish jurisdictional boundaries that follow existing and planned on-site land use patterns.

APPLICANT:

Universal City Studios LLLP, L.P.

PREPARED BY:

**Environmental Review Section
Los Angeles City Planning Department**

July 2012

III. Responses to Comments

(Continued)



Comment Letter No. 75

Peter Hartz
President
Toluca Lake HOA
P.O. Box 2013
Toluca Lake, CA 91602

Comment No. 75-1

Jon – please find enclosed our comment letter on the NBC Universal Evolution Plan EIR.

Thank you for the opportunity to review the project DEIR (dated November 2010) for the NBC Universal Evolution Plan (SCH #2007071036). The TLHOA provides the following comments:

1) The TLHOA is encouraged by the following language in the DEIR (emphasis added):

(a) Volume 1, Section IB. (p.13) and Section II.E. (p.277) - Project objectives: Recognize Relationships with Neighbors

A goal of the proposed Project is to **recognize and protect** the neighboring off-site residential and commercial developments through implementation of specific zoning regulations that would govern the development of the Project Site. These regulations, among other things, provide a level of certainty for the neighbors regarding the future use of the Project Site.

(b) Volume 1, Section II.E. (p.275) - Proposed Project Objectives.

The overall purpose of the proposed Project is to provide **a clear set** of comprehensive guidelines under which future development of the Project Site would occur.

(c) Volume 21, Appendix F (p.2) - Executive Summary.

The applicant is committed to **managing the noise** which is proposed within the site ... the tools ... should ensure compliance with all applicable standards.

Response to Comment No. 75-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

Comment No. 75-2

Notwithstanding the above, the TLHOA is concerned that future noise within the Project will negatively affect the Toluca Lake residential area. This is based on the following:

1. New major project noise sources (the only types of future noise to be regulated by the two proposed Specific Plans) were included in the analysis in the DEIR based on the proposed Conceptual Plan (see p. 90 - Introduction). Alarming, as stated in the DEIR, the Conceptual Plan “represents just one of the possible ways the Project Site may be developed” (see p. 286). Further, the Conceptual Plan does not indicate the location and orientation of actual future buildings (see p. 286). The TLHOA is unsure what value the analysis provides in the DEIR as the DEIR states that it is the two Specific Plans that will guide “actual development” and will govern “and not the Conceptual Plan.” (See p. 286)

Response to Comment No. 75-2

The Conceptual Plan, shown in Figure 13, Section II, Project Description, of the Draft EIR, is a reasonable example of how the Project Site might be developed based on Project needs in accordance with the proposed City and County Specific Plans. As discussed on page 1013 in Section IV.C, Noise, of the Draft EIR, for purposes of the noise analysis, the Project impacts were evaluated based on the proposed Conceptual Plan and proposed Specific Plan regulations. As part of the Substantial Compliance Analysis under the proposed City Specific Plan and the Substantial Conformance Review under the proposed County Specific Plan, the Applicant would have to demonstrate that the individual project complies with the requirements of the respective Specific Plan, including the sound attenuation requirements. Therefore, even if the location or orientation of a building changes from that shown on the Conceptual Plan, that individual project under the proposed Specific Plan would have to comply with the applicable sound attenuation requirements. The noise modeling detailed in Section IV.C, Noise, of the Draft EIR and Appendix F-1 of the Draft EIR shows that with compliance with the proposed Specific Plan operational sound attenuation requirements the Project’s noise impacts would be less than significant.

Comment No. 75-3

As presently constituted, the Specific Plans’ proposed noise regulations do little for the TLHOA as they incorporate the City and County Noise Ordinances at best. At worst, they include the elimination of seven sections of the Los Angeles County Noise Ordinance (Sections 12.08.390, 12.08.400, 12.08.440, 12.08.460, 12.08.470, 12.08.530, and 12.08.560 - see page 346), the very ordinance that the DEIR claims to be the most conservative (as opposed to the Noise ordinance of the City of Los Angeles) and the regulatory tool used to compare existing and future conditions in Section C of the DEIR.

The TLHOA is not comforted by the “clear set of guidelines” in the DEIR that refer to the respective Specific Plans as the solution for addressing future environmental noise that will be inflicted upon its residents. The regulations identified in the proposed Specific Plans are the same tools that are being used currently to address existing environmental pollution in our neighborhood. The DEIR should identify regulations that indeed “protect” our community from impulsive sounds and other types of noise that exist today that are not being addressed by utilizing the current City and County noise ordinances.

Response to Comment No. 75-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The proposed City and County Specific Plans’ proposed sound attenuation requirements incorporate the Los Angeles Municipal Code and Los Angeles County Code noise regulations, respectively. Specifically, as discussed in more detail in the summary of the proposed Universal Studios Specific Plan on page 994 in Section IV.C, Noise, of the Draft EIR, the Project’s operational and construction noise in the County portions of the Project Site would comply with Title 12, Chapter 12.08 of the Los Angeles County Code, which is the County’s Noise Ordinance and which provides regulations addressing both daytime and nighttime noise. Similarly, as discussed on page 996 of the Draft EIR, the proposed Universal City Specific Plan states that operational noise in the City portions of the Project Site would be subject to the Los Angeles Municipal Code’s noise regulations, as well as additional limits for daytime and nighttime operational noise which are based on the Los Angeles County Code’s noise regulations. The Los Angeles Municipal Code and Los Angeles County Code noise regulations were established to limit the type of excessive and intrusive noise types/levels that would constitute a disturbance or annoyance to a reasonable person living in the community. The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the established standard by which to evaluate and regulate future noise sources at the Project Site.

The comment suggests that the proposed Specific Plans eliminate seven sections of the Los Angeles County Noise Ordinance. The proposed Universal Studios Specific Plan (attached as Appendix A-2 of the Draft EIR) does not eliminate seven sections of the Los Angeles County Noise Ordinance. Rather, the proposed Universal Studios Specific Plan proposes that the new uses to be developed in the Mixed-Use Residential Area would not be in and of themselves “receptors” (i.e., they would not constitute “receptor properties,” “neighborhood receiving dwelling units,” “affected buildings,” or off-site properties) for the purposes of applying the sound attenuation requirements. This modification would not address or impact any community locations outside of the Project Site’s boundaries, nor

would this modification eliminate the numeric limits of the noise regulations provided for in the Los Angeles County Code as applied to the surrounding receptor areas.

In addition, the noise analysis in the Draft EIR thoroughly analyzes the existing noise environment within the Project area, the future noise levels estimated at surrounding land uses resulting from construction and operation of the proposed Project, and proposes project design features and mitigation measures to reduce significant impacts. As noted on page 982 of the Draft EIR, based on detailed noise modeling of all on-site Project noise sources, including sources within the theme park and the Mixed-Use Residential Area, the new Project operational sound sources would be in compliance with the proposed Specific Plan regulations and would not result in a significant impact in any of the receptor areas.

Lastly, with regard to impulsive sound sources, as noted on page 969 of Section IV.C, Noise, of the DEIR, an L_{max} measurement is the maximum noise level measured during a measurement period, and is used to regulate impulsive or intermittent sounds. The proposed County Specific Plan requires compliance with the Los Angeles County Code's noise regulations, which regulate impulsive sounds to an L_{max} of 70 dbA or the ambient noise level if higher during the daytime and 65 dbA or the ambient noise level if higher during the nighttime. See page 994 of Section IV.C, Noise, of the Draft EIR. Similarly, the proposed City Specific Plan requires compliance with an L_{max} of 70 dbA or the ambient noise level if higher during daytime and 65 dbA or the ambient noise level if higher during nighttime. See page 996 of Section IV.C, Noise, of the Draft EIR. The noise analysis addressed both existing and modeled Project source sound levels against the aforementioned L_{max} thresholds, and concluded that noise levels from Project operations would not exceed the established L_{max} standards. See pages 1015–1017 of Section IV.C, Noise, of the Draft EIR.

Further, the comment includes a statement regarding the County Noise Ordinance and the Draft EIR that warrants clarification. Based on the existing noise levels in the Project area, the Draft EIR concludes that after a review of both the City and County noise regulations, the County Noise Ordinance provides the most conservative regulations regarding Project operations. On the other hand, the County Noise Ordinance may not always provide the most conservative regulations for construction of the Project; therefore, the Draft EIR uses a combination of City and County standards and regulations to assess the Project's construction impacts for the purpose of providing a conservative analysis based on the noise characteristics of each analysis location.

Comment No. 75-4

2) The DEIR (p.304) states that “the proposed Specific Plans include design principles, which address development along the four edges of the Project Site and how this development interfaces with the offsite uses, and design standards, which provide such

requirements as screening, **sound attenuation** (emphasis added) and signage regulations that are included in both Specific Plans. Together, the design principles and standards provide an aesthetic design framework for the proposed Project based on the Project Site's physical character, including Universal City's identification with the entertainment industry, and the diverse conditions around the Project Site's perimeter, particularly interactions with the neighboring residences to the east".

The TLHOA is unable to locate any sound attenuation design principles in the DEIR that "manage the noise" that is assuredly going to impact its community during build-out of the Project Site, not to mention thereafter. The DEIR should identify how onsite operational noise will be prevented from traveling beyond the boundaries of the Project Site. A performance standard to this effect must be required as a mitigation measure. The mitigation measure could be very similar in construct to proposed Mitigation Measure C-2 that permits certain on-site activities that "do not result in an audible sound outside of the combined boundaries of the proposed Universal Studios Specific Plan and the proposed Universal City Specific Plan". This type of performance standard in the DEIR and Specific Plans would "recognize and protect the neighboring off-site residential and commercial developments", thereby accomplishing one of the "stated" objectives of the Project.

Response to Comment No. 75-4

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The proposed Specific Plans are included in Appendix A of the Draft EIR. The proposed Specific Plan sound attenuation requirements are set forth in Section 13 of the proposed City Specific Plan and Section 17 of the proposed County Specific Plan. The proposed Specific Plans' sound attenuation requirements are also discussed in Section IV.C, Noise, of the Draft EIR. The proposed County Specific Plan incorporates the numeric limits of the Los Angeles County Code's noise regulations and requires a Construction Noise Mitigation Plan. The proposed City Specific Plan incorporates the Los Angeles Municipal Code noise regulations, additionally requires compliance with the L_{50} and L_{max} standards reflected in the Los Angeles County Code noise regulations, and requires a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, and shielding and screening of staging areas. The commenter is referred to Section IV.C, Noise, of the Draft EIR, for additional information.

The comment also states that the Draft EIR should identify how any on-site operational noise would be prevented from travelling beyond the boundaries of the Project Site. The proposed City and County Specific Plans do include regulations to restrict operational noise, consistent with the Los Angeles Municipal Code and Los Angeles

County Code noise regulations, respectively. As noted in Response to Comment No. 75-3, above, the noise analysis detailed in Section IV.C, Noise, of the Draft EIR, and Appendix F-1 of the Draft EIR indicates that the new Project sound sources would be in compliance with the Los Angeles Municipal Code and Los Angeles County Code noise regulations at all receptor areas surrounding the Project Site. The Los Angeles Municipal Code and Los Angeles County Code noise regulations were established to limit the type of excessive and intrusive noise types/levels that would constitute a disturbance or annoyance to a reasonable person living in the community. The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the proper standard by which to evaluate and regulate future noise sources at the Project Site.

Comment No. 75-5

3) The DEIR should recognize that noise travels and respects the jurisdictional boundaries neither of the City and County pertaining to the Project Site, nor of residential communities within the Project area. The DEIR should “recognize the relationship between the Project Site and the local community, and strive to reduce potential impacts to the community” by having one regulatory standard that can be administered with ease. The two Specific Plans should contain the same standard to eliminate environmental noise in Toluca Lake. This is a permissible use of Specific Plans as a regulatory tool as one can see on page 341. It states the following:

“Whenever the proposed Specific Plans contain provisions that establish regulations (including, but not limited to, standards relating to densities, heights, uses, parking requirements, subdivision design, infrastructure/utility design and implementation including wireless/communications facilities, building separations and exiting, grading, signage, the sale and service of alcoholic beverages, landscape design, open space, protected trees and other vegetation), which are different from, more restrictive or more permissive than would otherwise be allowed pursuant to the provisions contained in the City of Los Angeles or Los Angeles County Code, **the proposed Specific Plans would prevail** (emphasis added) and supersede those applicable provisions of the City of Los Angeles or Los Angeles County Code. Whenever the proposed Specific Plans are silent, the provisions of the City of Los Angeles or Los Angeles County Code or other ordinances would apply”.

The DEIR should analyze the noise impacts that are associated with the Specific Plan and in particular those amendments that “would modify the applicability” of certain sections of the County Noise Ordinance. The TLHOA is unaware of the environmental consequences of this aspect of the proposed Project. Further, the problem of relying on the City and County objectives, standards and polices for establishing noise thresholds is that they do

not create an acceptable living environment for the residents of Toluca Lake. They should not be the standard for the Specific Plans as they do not provide adequate limits, mitigation or eliminate the likelihood of future intrusive noise.

Response to Comment No. 75-5

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As noted on pages 991–993 of Section IV.C, Noise, of the Draft EIR, the noise analysis concluded that the standards set forth in the Los Angeles County Code’s noise regulations generally yield lower permissible operational noise levels in the receptor areas surrounding the Project Site, and thus are a more restrictive standard for potential on-site operational noise impacts, than the corresponding threshold levels for operational noise developed pursuant to the Los Angeles Municipal Code’s noise regulations and City CEQA Thresholds Guide. For this reason, operational impacts from noise sources within both the City and County were evaluated against the Los Angeles County Code noise standards. As a result, the proposed County Specific Plan incorporates the Los Angeles County Code’s noise regulations, and the proposed City Specific Plan incorporates the controlling standards from the Los Angeles County Code’s noise regulations (L_{50} and L_{max} standards), as well as the Los Angeles Municipal Code’s noise regulations. See pages 994–997 of Section IV.C, Noise, of the Draft EIR.

Lastly, as discussed in Response to Comment Nos. 75-3 and 75-4, the Los Angeles Municipal Code and Los Angeles County Code noise regulations were established to limit the type of excessive and intrusive noise types/levels that would constitute a disturbance or annoyance to a reasonable person living in the community. The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the proper standard by which to evaluate and regulate future noise sources at the Project Site. With the noise regulations set forth in the proposed City and County Specific Plans, which restrict operational noise consistent with the Los Angeles Municipal Code and Los Angeles County Code noise regulations, respectively, the Project’s operational noise impacts would be less than significant.

Comment No. 75-6

4) The TLHOA is concerned with the DEIR section (p. 286) that describes the implementation of the “Equivalency Program”. The flexibility built into the Program means that future operational noise sources will be difficult to identify as “the potential for noise impacts to occur are site specific to the location of each related project” (see page 93). The DEIR needs to include mitigation measures to assure residents of Toluca Lake that no

additional environmental impacts from new operational noise sources would result beyond the boundaries of the proposed Project Site.

Response to Comment No. 75-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The ability to exchange land uses under the equivalency provisions of the proposed Specific Plans would not alter the noise impacts of the proposed Project in a manner that would result in a significant community noise impact. This would be achieved by the requirement that any exchange in land uses pursuant to the equivalency provisions of the proposed Specific Plans must comply with all of the regulations and provisions set forth in the respective Specific Plans. In terms of implementation, as part of the Substantial Compliance Analysis process in the City and the Substantial Conformance Review process in the County, the Applicant would have to demonstrate that the project under review would not be inconsistent with the character of the Area and complies with the other requirements of the respective Specific Plan, including the sound attenuation requirements. Therefore, even if the land use of a proposed building changes, that individual project under the proposed Specific Plan would have to comply with the applicable sound attenuation requirements. The noise modeling detailed in Section IV.C, Noise, of the Draft EIR and Appendix F-1 of the Draft EIR shows that with compliance with the proposed Specific Plan operational sound attenuation requirements the Project's noise impacts would be less than significant. Continued compliance with the proposed Specific Plan requirements is subject to the enforcement provisions of the proposed Specific Plans. Please refer to Response to Comment No. 75-3, above, for additional information.

To clarify, the equivalency provisions of the proposed Specific Plans discussed above would apply to proposed Project development on the Project Site and provide a framework within which land uses can be exchanged for certain other permitted land uses so long as the limitations of the proposed Specific Plans are satisfied and no additional environmental impacts would occur above those addressed in the EIR. The language quoted in the comment regarding the location of related projects relates to the cumulative impacts analysis for noise. The potential cumulative impacts of the proposed Project and the 256 related projects are addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR (see page 269 of the Draft EIR).

Comment No. 75-7

5) The Environmental Impact Analysis section regarding Noise (Section IV.C.) must include more current "existing" ambient noise readings for the 12 receptor areas and their associated 47 receptor locations. As presently constituted, the DEIR contains noise data

that was taken between February and July 2007 (DEIR, page 974). This data is almost 4 years old and therefore more than likely inaccurately reflects the existing noise environment. Accordingly, it cannot properly be relied upon “to obtain a broad understanding of the existing ambient noise environment in the Project area”.

To be sure, the TLHOA concurs with the DEIR that many changes in the Project area have taken place in addition to changes within the Project Site (see page 274). An updated noise environment study needs to be prepared that includes recent data for public review which will enable the public to be more accurately informed as to existing conditions. Should such a more current study be prepared, it likely would show that the ambient conditions in the Project area will be closer to or exceed established criteria (i.e., the City and County Noise Ordinances) found in the November 2010, DEIR. Additionally, given that the publication date of the Veneklasen Associates, Inc. report is dated March, 2010, the TLHOA questions why the data provided for the existing receptor locations dates back to 2007, and why more current data was not provided

Response to Comment No. 75-7

The existing ambient noise measurements, which serve as the baseline for the noise analysis, were taken between February and July 2007. As discussed in the CEQA Guidelines, an “EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.... This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (CEQA Guidelines, Section 15125(a).) The Notice of Preparation for the Project was prepared on August 1, 2007, and thus the existing ambient noise measurements included in the noise analysis properly set the baseline for environmental conditions.

Nonetheless, in response to the comment, in May and June of 2011, Veneklasen Associates performed supplemental noise monitoring at 12 locations, which included one receptor in each of the Receptor Areas analyzed in the Draft EIR. The supplemental noise monitoring indicated that the current ambient noise levels were similar to the ambient noise levels measured during the 2007 monitoring. Please see Appendix FEIR-7 of this Final EIR.

With regard to the changes within the Project Site discussed in the Draft EIR, on page 274 in Section II, Project Description, the Draft EIR, it is explained that the term “Baseline Conditions” as used in the Draft EIR includes existing uses and projects currently under construction or anticipated to be under construction during the period in which the proposed Project is to be reviewed by the City and the County. As part of on-going operations at the Project Site, additions and changes to the Project Site occur on a continuous basis. As such, interior and exterior improvements are constantly occurring on

the Project Site. It is expected that such activities will continue during the time period the Project is under consideration by the City and the County. During the review process for the Project, it is anticipated that the Applicant would construct additional studio, studio office, theme park, and Universal CityWalk related facilities as part of its on-going business activities. These additional facilities are referred to as “interim projects.”

Comment No. 75-8

6) There are several statements in the DEIR that are incorrect and the TLHOA is concerned that the public has been misinformed. The DEIR should accurately describe the on-going environmental impacts that operational noise produces in the Toluca Lake community. Examples of false statements are provided below:

(Page 981)

“(2) Existing Project Site Noise Sources

(a) Types of Noise

There are a number and variety of noise sources currently located within the Project Site, but the majority of the noise sources **do not** impact the nearby community”. (emphasis added)

As evidenced by comments in response to the Notice of Preparation (NOP), there is also a clear history of well documented noise impacts in the surrounding Project area (see Attachments 1 through 7 regarding TLHOA impacts). Notwithstanding the aforementioned, Universal acknowledges (as recently as this week) their noise impacts upon the surrounding communities (see Attachment 8). Clearly, the standards being suggested to address future noise impacts in the DEIR and Specific Plans are the same ones in use currently. They do not work for the nearby community of Toluca Lake. The DEIR misinforms the public!

Response to Comment No. 75-8

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Attachments 1-8 provide various documents in support of the statements set forth in this comment. The quoted statement is part of a discussion of the various types of sound sources on the property. Page 981 of Section IV.C, Noise, of the Draft EIR discusses the existing noise sources at the Project Site, including: “(1) maintenance/operations; (2) traffic; (3) parking areas; (4) building mechanical and electrical equipment; (5) Universal Studios Hollywood attractions; (6) Universal CityWalk tenants and public areas; (7) special events; and (8) outdoor filming.” As the subsequent comment acknowledges, the Draft EIR goes on to

explain that the majority of noise sources on the Project Site would not impact nearby communities because they do not generate enough noise to be audible above ambient noise levels at the sensitive receptors in the Project area, as confirmed by the sound measurements and modeling included in the Draft EIR. “However, noise generated by on-site attractions, heating, ventilation, and air conditioning equipment, car alarms and special events are audible at off-site locations. These noise sources are thus determined to be the major existing contributing noise sources.” (See page 981 of Section IV.C, Noise, of the Draft EIR.)

Further, as noted in Response to Comment No. 75-3 above, the noise analysis detailed in Section IV.C, Noise, and Appendix F-1 of the Draft EIR indicates that the new Project sound sources would be in compliance with the Los Angeles Municipal Code and Los Angeles County Code noise regulations at all receptor areas surrounding the Project Site. The Los Angeles Municipal Code and Los Angeles County Code noise regulations were established to limit the type of excessive and intrusive noise types/levels that would constitute a disturbance or annoyance to the average person living in the community. The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the proper standard by which to evaluate and regulate future noise sources at the Project Site. The commenter is referred to Section IV.C, Noise, of the Draft EIR, for a discussion of the thresholds of significance used to evaluate the Project’s potential noise impacts pursuant to CEQA.

Comment No. 75-9

(b) Major Existing Contributing Noise Sources

The majority of noise sources on the Project Site, as discussed above, would not impact nearby communities, as they do not generate enough noise to be audible above ambient noise levels at the sensitive receptors in the Project area. **However, noise generated by on-site attractions, heating, ventilation, and air conditioning equipment, car alarms, and special events are audible at off-site locations**”. (Emphasis added)

The TLHOA requests that the DEIR provide analysis of the “audible” noise generated by the sources described in the section above and provide accurate predictions/estimates of future noise that is to be generated by said future sources per the Conceptual Plan and Specific Plans.

Further, the DEIR should provide analysis of more on-site tests (as was done for the temporary pyrotechnic test in Appendix F - see page 10) to better understand the peak impulsive noise impacts. In this regard, it should be noted that the noise generated onsite

by the DEIR consultants (Veneklasen Associates) was measured at an L_{max} level of 102 dBA at 75 feet from the noise source and the level of noise for that event in Toluca Lake was measured at 75 dBA. This level of noise is environmentally unacceptable and creates a significant negative impact upon the residents of our community.

Response to Comment No. 75-9

As suggested, the Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation. See pages 998–1019 of Section IV.C, Noise, of the Draft EIR. As discussed on page 983 of Section IV.C, Noise, of the Draft EIR, the “primary noise model used to calculate future Project noise levels was the LimA Noise Model, developed by Brüel & Kjar, with the cooperation of Stapelfeldt Ingenieurgesellschaft GmbH. The LimA Noise Model allows for the inclusion of building structures, terrain, and sound sources, and uses the calculation methods documented in International Standard ISO 9613-1 to calculate noise at defined receptor locations. So that the LimA noise modeling software accurately represented the surrounding conditions, a three dimensional replica of the Project Site was entered into the software. The terrain of the area, including the surrounding neighborhoods, was entered and based on data from the US Geological Survey. The heights and locations of the major buildings on and around the Project Site were entered and were based on field observations and aerial photographs. Only major buildings which are between sources and receptor areas were entered into the model.”

All acoustic noise volumes predicted by the LimA model were then field verified using noise source tests at the Project Site. The noise levels generated by these tests were measured at the Toluca Lake and Hollywood Manor area. The results of these tests were compared to the acoustic model for accuracy. In addition, the calculations of hourly averages and maximum noise levels from the model were reviewed for all receptor locations and found to correspond well.

The comment also suggests that the noise generated for one of the model validation tests was measured at an L_{max} of 102 dBA at 75 feet from the noise source, and that this level of noise is unacceptable and creates a significant impact. It is important to note that this model validation test was a one-time impulsive noise specifically completed to measure and validate the model. The noise level was specifically elevated in order to record a distinct sound level for validation purposes and is not representative of typical operational sound levels on the Project Site. As discussed on page 10 of the Noise Technical Report (Appendix F-1 of the Draft EIR), the noise source was measured to have an L_{max} of 102 dBA at 75 feet from the noise source and the resultant noise level was 75 dBA in the Toluca Lake area and 69 dBA in the Hollywood Manor area. This particular test was done such that a signal to noise ratio could be positively identified and measured and allowed for

a very specific validation calculation. This source was applied to the acoustic model and the same locations were evaluated. The acoustic model yielded an L_{\max} of 77 dBA in Toluca Lake and 70.5 dBA in Hollywood Manor receptor areas, respectively. The values for measured and predicted noise levels demonstrated agreement amongst one another and thus supported the validity of the acoustic model with measured Project Site sources.

Comment No. 75-10

7) The TLHOA would like the DEIR to discuss the “program” that is identified on page 994. It states in part:

“c. Project Design Features

As part of its goal to control and reduce noise to the surrounding communities, the Applicant or its successor would implement a **program** to place noise limitations on the output of major sources of noise through the implementation of the proposed Universal Studios Specific Plan and the proposed Universal City Specific Plan”.

The DEIR does not include a specific program that will address the impact of noise generated by future operations. The residents of Toluca Lake cannot rely on the standards of the City and County (that are in the Specific Plans) for resolution of their concerns, and instead look to Universal Studios to do so, and to describe such a program in detail prospectively.

Response to Comment No. 75-10

As discussed in Response to Comments Nos. 75-2 through 75-4, above, the Project proposes to regulate sound sources through sound attenuation requirements in the proposed City and County Specific Plans. Individual Projects under the proposed Specific Plans would be required to comply with the respective City and County Specific Plan sound attenuation requirements. As part of the Substantial Compliance Analysis process in the City and the Substantial Conformance Review process in the County, the Applicant would have to demonstrate that the individual project complies with the requirements of the respective Specific Plan, including the sound attenuation requirements. Continued compliance with the proposed Specific Plan requirements is subject to the enforcement provisions of the proposed Specific Plans. The Noise Technical Report (Appendix F-1 of the Draft EIR) notes that potential noise reduction measures that might be applied to Project sources include noise barriers, full or partial enclosures, reduction of audio and unamplified sound effect levels, and the orientation and design of loudspeaker systems and venues.

The proposed City and County Specific Plans also incorporate noise limitations from the Los Angeles Municipal Code and Los Angeles County Code noise regulations, respectively. As discussed in Response to Comment No. 75-3, above, the Los Angeles

Municipal Code and Los Angeles County Code noise regulations were established to limit the type of excessive and intrusive noise types/levels that would constitute a disturbance or annoyance to a reasonable person living in the community. The Los Angeles Municipal Code and Los Angeles County Code noise regulations are designed to protect the neighboring residences and commercial uses and are the standards applicable to noise sources throughout the City and County, respectively, and accordingly are the proper standard by which to evaluate and regulate future noise sources at the Project Site. It is not clear as to which City and County standards the commenter refers. However, as discussed in the Noise Technical Report (attached as Appendix F-1 to the Draft EIR), with compliance with the proposed City and County Specific Plans, the Project's operational noise impacts would be less than significant.

Comment No. 75-11

8) While the main effort of this response has been to address onsite and offsite operational noise, the residents of Toluca Lake are also concerned about the Significant and Unavoidable impacts of construction noise. The DEIR must provide a more detailed explanation of steps to be taken to ensure that impacts are indeed short-term and that cumulative impacts are addressed appropriately when correct and more updated noise data is provided as requested in this response.

Response to Comment No. 75-11

As detailed in Section IV.C, Noise, of the Draft EIR, on-site construction activities have the potential to result in significant impacts during daytime and nighttime hours. The potential noise impacts of construction in the Studio, Entertainment and Business Areas, construction in the Mixed-Use Residential Area assuming both single phase and multi-phase horizontal construction activities, and a composite construction scenario in which construction occurs throughout the Project Site at the same time were evaluated and are described in detail on pages 998–1010 of Section IV.C, Noise, of the Draft EIR. The analysis also evaluated the impacts from simultaneous construction of the off-site related projects and the Project (cumulative analysis).

The Draft EIR also recommends mitigation measures to reduce daytime construction noise levels, as discussed further below. The mitigation measures would reduce noise levels, however, depending on the receptor location and ambient noise levels at the time of construction, the construction activities could exceed the thresholds. Mitigation measures proposed for nighttime construction would reduce impacts to less than significant levels except for when exterior nighttime construction is permitted under one of the following exceptions to the restrictions on hours of construction: construction activities which must occur during otherwise prohibited hours due to restrictions imposed by a public agency; roofing activities which cannot be conducted during daytime hours due to weather

conditions; emergency repairs; and construction activities which cannot be interrupted, such as continuous pours of concrete. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. As discussed in the Draft EIR, it is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur is limited, and when they do occur, the extent of this significant impact would be limited in duration.

It is important to note that the proposed City Specific Plan, the proposed County Specific Plan, and the Draft EIR propose several noise reduction measures for construction activities. The proposed County Specific Plan and City Specific Plan require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed (Mitigation Measure C-1). Mitigation Measure C-2 also limits the time and days during which construction can take place. The construction mitigation measures would reduce the daytime noise levels associated with grading and construction activities attributable to the Project; however, depending on the receptor and ambient noise levels at the time of construction, these activities could continue to increase the daytime noise levels at nearby noise-sensitive uses above the established threshold. Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when exterior nighttime construction as allowed by the Exceptions noted in Mitigation Measures C-2 occur, as discussed above. (Draft EIR, Section IV.C, Noise, page 1036.)

Please also refer to Response to Comment No. 75-8 for additional information.

Comment No. 75-12

9) The TLHOA hereby incorporates the following comments made by the Lakeside Golf Club with respect to Alternative 9:

Alternative 9 - Extension of Forman Avenue.

[TLHOA] is opposed to Alternative 9, which incorporates the Los Angeles County Highway Plan extension of Forman Avenue from its present terminus at Valley Spring Lane through

and across the upper one-third of the golf course to Universal Studios. [TLHOA] believes that the County Highway Plan's extension of Forman Avenue can no longer be effectuated. At one time, [TLHOA] understands that there was a dedication of Forman Avenue from Valley Spring Lane to the Los Angeles River. However, in 1979 a group of Lakeside members obtained an Order of Vacation of Forman Avenue between Valley Spring Lane and the Los Angeles Flood Control Channel - Street Vacation Map-18516 recorded June 13, 1979 as Instrument No. 79641029. Please see a copy of the Order to Vacate No. 79-01619, attached hereto as Attachment 10. As such, the County Highway Plan is outdated and the Forman Avenue extension, specifically, is not a viable alternative.

Lakeside would be destroyed with the approval of Alternative 9. The Forman Avenue extension would cut through the Property (to the north) midway through the golf course. Of 18 holes, 5 holes would be completely eliminated under this alternative. Lakeside, and the investment of hundreds of community members, would be worth essentially nothing under the current zoning and land use designation.

According to the DEIR, the County General Plan Transportation Element policy maps, referred to as the Los Angeles County Highway Plan ("County Highway Plan"), reflect the General Plan's growth and development policies and identify the location of existing and proposed roadway improvements. The County Highway Plan identifies a future major public highway (100 foot right-of-way) through the Project Site that connects Forest Lawn Drive/Lakeside Plaza Drive and Lankershim Boulevard/Bluffside Drive. This future roadway (i.e. the East-West Road) is generally located along the north side of the Project Site, parallel to and south of the Los Angeles River Flood Control Channel. [TLHOA] understands that the proposed alignment for this unbuilt roadway would be through the existing on-site Studio and Business Areas, thus, requiring demolition of existing on-site structures and parking lots, as well as the relocation of the existing private access gates at Lakeside Plaza Drive and Muddy Waters Drive. The County Highway Plan, in addition to the East-West Road, also identifies a planned roadway that connects the East-West Road to Riverside Drive to the north. This roadway which is an extension of the existing Forman Avenue is shown in an alignment that would cross the Lakeside Golf Club about midway across the golf course.

[TLHOA] is aware that one of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the County Highway Plan. It should be clear that [TLHOA] is in support of that discretionary request. Specifically, [TLHOA] is opposed to Alternative 9 and any other alternative that would incorporate the East-West Road into the Project. (The two East-West Road alignments that have been identified in the DEIR are: (1) East-West Road from Barham Boulevard to Lankershim Boulevard without the Forman Avenue extension (Alternative 8); and (2) East-West Road

from Barham Boulevard to Lankershim Boulevard with the Forman Avenue extension (Alternative 9).)

In addition to [TLHOA's] opposition to the Forman Avenue extension and Alternative 9, Alternative 9's analysis of environmental impacts is wholly inadequate, making it impossible for the City and County to approve Alternative 9 without further environmental analysis. The Alternative 9 analysis includes only a very brief review of traffic/circulation, air quality, noise, and historic resources impacts and merely glosses over anticipated impacts to [TLHOA]. The DEIR Alternative 9 discussion is otherwise devoid of analysis regarding: aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, and utilities.

Alternative 9 should be rejected. In the unfortunate event that Alternative 9 (and/or the Forman Avenue extension) is considered for future approval, CEQA requires significant revisions to and analysis of the potential resulting environmental impacts.

Response to Comment No. 75-12

The comment incorporates Comment Nos. 56-6 through 56-8 from the Lakeside Golf Club comment letter dated February 3, 2011, which is included as Comment Letter No. 56 in this Final EIR. Response to Comment Nos. 56-6 through 56-8 are reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Also refer to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), which provides a detailed discussion and analysis of the issues raised in this comment.

Comment No. 56-6

a. Alternative 9 - Extension of Forman Avenue.

Lakeside is opposed to Alternative 9, which incorporates the Los Angeles County Highway Plan extension of Forman Avenue from its present terminus at Valley Spring Lane through and across the upper one-third of the golf course to Universal Studios. Lakeside believes that the County Highway Plan's extension of Forman Avenue can no longer be effectuated. At one time, Lakeside understands that there was a dedication of Forman Avenue from Valley Spring Lane to the Los Angeles River. However, in 1979 a group of Lakeside members obtained an Order of Vacation of Forman Avenue between Valley Spring Lane and the Los Angeles Flood Control Channel - Street Vacation Map- 18516 recorded June 13, 1979 as Instrument No.

79641029. Please see a copy of the Order to Vacate No. 79-01619, attached hereto as “Exhibit A.” As such, the County Highway Plan is outdated and the Forman Avenue extension, specifically, is not a viable alternative.

Response to Comment No. 56-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The existing County Highway Plan was adopted on November 25, 1980. As stated on page 416 of Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the County is currently in the process of updating the County General Plan including, but not limited to, an update to the County Highway Plan. The Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension (see Figure 4.4 referenced on pages 79–80 of the Draft Mobility Element). While the Draft County Highway Plan as proposed would delete the East-West Road with the Forman Avenue Extension, the officially adopted County Highway Plan as of this date is the County Highway Plan adopted in 1980. As such, one of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the County Highway Plan, and the Alternative 9 analysis as presented in the Draft EIR remains valid and relevant to the City and County’s review of the proposed Project. The 1979 vacation of Forman Avenue between Valley Spring Lane and the Los Angeles River Flood Control Channel (through the golf course) is acknowledged as a correction and addition to the Draft EIR (see Correction and Addition No. V.A, Section II, of the Final EIR). Refer also to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 56-7

Lakeside would be destroyed with the approval of Alternative 9. The Forman Avenue extension would cut through the Property (to the north) midway through the golf course. Of 18 holes, 5 holes would be completely eliminated under this alternative. Lakeside, and the investment of hundreds of community members, would be worth essentially nothing under the current zoning and land use designation.

According to the DEIR, the County General Plan Transportation Element policy maps, referred to as the Los Angeles County Highway Plan (“County Highway Plan”), reflect the General Plan’s growth and development policies and identify the location of existing and proposed roadway improvements. The County Highway Plan identifies a future major public highway (100 foot right of- way) through the Project Site that connects Forest Lawn Drive/Lakeside Plaza Drive and Lankershim Boulevard/Bluffside Drive. This future roadway (*i.e.* the East-West Road) is generally located along the north side of the Project Site, parallel to and south of the Los Angeles River Flood

Control Channel. Lakeside understands that the proposed alignment for this unbuilt roadway would be through the existing on-site Studio and Business Areas, thus, requiring demolition of existing onsite structures and parking lots, as well as the relocation of the existing private access gates at Lakeside Plaza Drive and Muddy Waters Drive. The County Highway Plan, in addition to the East-West Road, also identifies a planned roadway that connects the East-West Road to Riverside Drive to the north. This roadway which is an extension of the existing Forman Avenue is shown in an alignment that would cross the Lakeside Golf Club about midway across the golf course.

Lakeside is aware that one of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the County Highway Plan. It should be clear that Lakeside is in support of that discretionary request. Specifically, Lakeside is opposed to Alternative 9 and any other alternative that would incorporate the East-West Road into the Project. (The two East-West Road alignments that have been identified in the DEIR are: (1) East-West Road from Barham Boulevard to Lankershim Boulevard without the Forman Avenue extension (Alternative 8); and (2) East-West Road from Barham Boulevard to Lankershim Boulevard with the Forman Avenue extension (Alternative 9).)

Response to Comment No. 56-7

The comments in support of the Project's request to delete the East-West Road from the County Highway Plan and in opposition to Alternative 9 and any alternative that would incorporate the East-West Road into the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The potential impacts to the Lakeside Golf Club attributable to Alternative 9, East-West Road with the Forman Avenue Extension, have been identified and analyzed in Section V. Alternatives to the Proposed Project, of the Draft EIR. As stated on page 2413 of the Draft EIR, if the Forman Avenue Extension is built, the Lakeside Golf Club would lose some of its property and parts of the golf course would need to be reconfigured in order to maintain the facility as an 18-hole golf course. In summary, as stated on pages 2426–2428 of the Draft EIR, certain traffic, air quality and noise impacts are anticipated to be increased at the Lakeside Golf Club under Alternative 9. Construction impacts to the Lakeside Golf Club, in particular, would be substantially increased over the Project because, in addition to construction noise from on-site development and the East-West Road construction, the construction of the Forman Avenue extension would cut through the middle of the golf course. As Alternative 9 would introduce an arterial roadway carrying potentially high volumes of traffic through the golf course where none exist today, significant traffic noise impacts for the Lakeside Golf Club would also occur.

The alignment of the East-West Road as shown on the adopted Los Angeles County Highway Plan is incorrectly described in the comment. As shown in Figure 226 on page 2414 of the Draft EIR, between Barham and Lankershim Boulevards, the eastern half of the proposed alignment is located north of the Los Angeles River Flood Control Channel, whereas the western half of the proposed alignment is located south of the Los Angeles River Flood Control Channel.

Refer also to Response to Comment No. 56-6, above, which states that the Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension. Also refer to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), which provides a detailed discussion and analysis of the issues raised in this comment.

Comment No. 56-8

In addition to Lakeside's opposition to the Forman Avenue extension and Alternative 9, Alternative 9's analysis of environmental impacts is wholly inadequate, making it impossible for the City and County to approve Alternative 9 without further environmental analysis. The Alternative 9 analysis includes only a very brief review of traffic/circulation, air quality, noise, and historic resources impacts and merely glosses over anticipated impacts to Lakeside. The DEIR Alternative 9 discussion is otherwise devoid of analysis regarding: aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazardous materials, hydrology/water quality, land use/planning, mineral resources, population/housing, public services, recreation, and utilities.

Alternative 9 should be rejected. In the unfortunate event that Alternative 9 (and/or the Forman Avenue extension) is considered for future approval, CEQA requires significant revisions to and analysis of the potential resulting environmental impacts.

Response to Comment No. 56-8

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Refer also to Response to Comment Nos. 56-6 and 56-7, above, which state that the Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension.

With respect to the comment on the alternatives analysis in the Draft EIR, CEQA Guidelines Section 15126.6(d) states that the analyses of alternatives shall be discussed in less detail than that applied to the proposed Project. Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. (CEQA Guidelines 15126.6.) One of the

discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the County Highway Plan. Thus, as stated on page 2152 of Section V, Alternatives to the Proposed Project, of the Draft EIR, the purpose of analyzing Alternative 9 is to “evaluate the environmental impacts of the planned East-West Road as compared to the Project’s roadway circulation.” Alternative 9 serves to inform the decision makers in the evaluation of the Project’s requested deletion of the East-West Road from the County Highway Plan, and it includes sufficient information for this purpose. As explained on page 2424 of the Draft EIR, the analysis of Alternative 9 focuses on an assessment of the potential impacts with regard to traffic, noise, air quality, and historic resources, as these are the areas of potential impact that could differ from those of the proposed Project. Further analysis of the other environmental issues included within the Draft EIR is not required since, under Alternative 9, the amount of development is the same and would occur in a similar geographic distribution as the proposed Project. It is the expectation that, if construction of the East-West Road with the Forman Avenue Extension were to go forward, the CEQA lead agency for that project would conduct the appropriate environmental review.

Comment No. 75-13

Furthermore, the TLHOA is informed by Mr. Charles J. Gonzalez, the current Historian for Lakeside, the DEIR fails to acknowledge an Order of Vacation that was recorded in 1979 (see Attachment 10). In an article published by Lakeside to commemorate its 75th anniversary (and edited by Mr. Gonzalez), it states:

“The Road Through Lakeside” - Before the creation of our wonderful Lakeside Golf Club there existed a grant of property rights created through the dedication of a 50-footwide public road which extended from the present Forman Avenue through the Lakeside property and across the Los Angeles River. The dedication occurred on the Lankershim Ranch map filed in Book 31 Pages 39 thru 44 Miscellaneous Records. The use of the dedicated street by public entry would have ruined the golf course and severely impacted Lakeside Golf Club. The dedication of this street existed until a group of Lakeside members decided to petition the City of Los Angeles to vacate the dedication of the street across Lakeside Golf Club.

In 1979 the members were able to obtain an Order of Vacation of Forman Avenue between Valley Spring Lane and the Los Angeles Flood Control Channel - Street Vacation Map-18516 recorded June 13, 1979 as Instrument No. 79641029. A special thanks and acknowledgement to Bob Selleck, Jim Irsfeld, and Bill Little, who contributed their time and effort to obtain the vacation of the street for all of the members of Lakeside Golf Club.” (end of article)

The DEIR must recognize, cite the Order of Vacation and include the basis (i.e. the City's public record) for its adoption.

Response to Comment No. 75-13

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The 1979 vacation of Forman Avenue between Valley Spring Lane and the Los Angeles River Flood Control Channel (through the golf course) is acknowledged as a correction and addition to the Draft EIR (see Correction and Addition No. V.A, Section II, of this Final EIR) and Response to Comment No. 75-12. This commenter is also referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 75-14

10) The TLHOA hereby incorporates the following comments made by the CSUG with respect to traffic impacts:

Traffic

The traffic analysis under-forecasts the amount of traffic that the proposed project will generate and then takes credit for an unrealistic transportation demand management (TDM) program to further discount the traffic by 22%. It erroneously assigns traffic to roadways and freeways that are over capacity and pretends that none of it will find alternate routes. And it relies on mitigation measures written in legalese that will allow the developer to weasel out of implementation of many of the measures.

Response to Comment No. 75-14

The comment incorporates Comment No. 39-194 from the Communities United for Smart Growth comment letter, dated February 3, 2011, which is included as Comment Letter No. 39 in this Final EIR. Response to Comment No. 39-194 is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-194

Traffic

The traffic analysis under-forecasts the amount of traffic that the proposed project will generate and then takes credit for an unrealistic transportation demand management (TDM) program to further discount the traffic by 22%. It

erroneously assigns traffic to roadways and freeways that are over capacity and pretends that none of it will find alternate routes. And it relies on mitigation measures written in legalese that will allow the developer to weasel out of implementation of many of the measures.

Response to Comment No. 39-194

The comment incorrectly states that the Project's trip-generation analysis accounts for a 22 percent TDM credit. As noted in Chapter V of the Transportation Study (see Appendix E-1 of the Draft EIR), the TDM program assumed a tiered-trip credit ranging from 20.0 percent for the residential component of the Project, 16.5 percent for land uses in the Studio and Business Areas along Lankershim Boulevard that are in close proximity to the Universal City Metro Red Line Station, to a 10.0 percent trip credit for uses that required walking more than three to four blocks to the Universal City Metro Red Line Station and/or walking that distance to the on-site shuttle system. No credit was applied to the CityWalk retail component or to the Theme Park patron trips of the Entertainment Area. The assumed trip credits have been illustrated in Figure 37 of the Transportation Study (see Appendix E-1 of the Draft EIR). These trip credits resulted in a site-wide trip credit of approximately 11.4 percent for new land uses in the afternoon peak hour. Since the TDM program would be implemented site-wide, the TDM credits were also applied to the existing uses on-site, thereby reducing existing trips from the Project Site which therefore results in a higher site-wide trip reduction due to the TDM program benefits that would be available to the existing land uses. The TDM credits were developed in conjunction with and approved by LADOT.

The commenter is referred to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further detail on the trip credits assumed for the Project.

With regard to the assignment of traffic to roadways and freeways, as noted in Section IV.B.1.2.c.(2) of the Draft EIR, the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model, the Universal City Transportation Model, that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base:

The City's model network was modified to include the following:

- “1. Network detail (to add all directional ramps, collector streets in addition to the City's network of freeways, and major and minor arterials in the Study Area, and update link characteristics such as number of lanes, capacity, and speed parameters).

2. Traffic Analysis Zone system refinements to include more detail in the Study Area in order to obtain improved travel forecasts.
3. Updated network assignment features to simulate traffic patterns very close to actual traffic patterns observed in traffic counts.”

These model modifications were included to offer more detailed and reliable future traffic forecasts in the Study Area. Existing conditions were simulated using the model, and the results of the traffic flows were compared to existing traffic counts. The model parameters were calibrated within three percent of the existing traffic counts, in compliance with Los Angeles Department of Transportation standards. Detailed descriptions of the model development and calibration/validation processes are provided in Appendix H of the Transportation Study dated March 2010 included in Appendix E-1 of this Draft EIR.

The Universal City Transportation Model was developed and calibrated/validated to the satisfaction of LADOT. Similar to analysis conducted with the Southern California Association of Governments’ regional model, the analysis accounts for the unique nature of the street system within and around the Study Area, and the traffic conditions on both the freeway and street networks. The traffic volumes were assigned to the intersections and streets after a thorough investigation of traffic patterns and in collaboration with LADOT and Caltrans. The Universal City Transportation Model assignments of Project traffic account for the traffic volumes and operating conditions on the freeway system and route Project traffic based on the shortest time paths that reflect traffic congestion. The commenter is referred to Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR) that provides a detailed description of the Universal City Transportation Model’s development and validation process.

With regard to implementation of the mitigation measures, as required by LADOT, the Project would implement the mitigation measures required as part of the Project’s approvals. The commenter is referred to Response to Comment No. 39-164 above regarding the Project’s mitigation phasing plan.

Comment No. 75-15

The Project Site Trip Generation Table 30, page 780, indicates that the Entertainment Area currently generates traffic at the rate of 17.53 trips per 1,000 square feet. The new Entertainment Area square footage in that same table is forecast to generate traffic at the rate of 5.97 trips per 1,000 square feet, a 66% reduction in the trip rate, not a very positive assessment of the success of the new venues. Table 30 actually says that the 288,600 sq ft of new entertainment area and the 500-room hotel will **decrease** trips in the pm peak

hour by 102 trips. If the new entertainment area square footage was forecast to generate traffic at the same rate as the existing entertainment area, the site would generate 3,336 more daily trips, 10% more than the net increase forecast.

The project's trip generation analysis is based on the assumption that the Gibson Amphitheater is currently in use every evening on weekdays and that it is completely sold out. No data is provided to substantiate this claim. By making this assumption, the EIR authors reduce the impacts of the future project by taking credit for the elimination of pm peak hour trips on typical weekdays, which they claim were theoretically generated by the Amphitheater, but which in fact are not typical of weekday commute periods. This disguises the magnitude of the project's traffic impacts.

Table 30 also includes no estimate of traffic expected to be generated by the additional 1.5 million annual theme park visitors forecast to be attracted to the Universal theme park. The 1.5 million additional annual visitors represent a 33% increase over current attendance figures.⁸¹

Appendix I of the Traffic Study [*Appendix E-1*] estimates the daily theme park attendance as 24,896 and the future attendance as 31,399, a 27% increase. This under-represents the potential increase in theme park-related trips. The traffic analysis therefore significantly under-represents the traffic generation of the site and misrepresents the magnitude of its traffic impacts.

Even with the apparent under-forecasting of the project's trip generation, the DEIR does forecast that the amount of traffic generated by the project will nearly double, increasing from 44,883 trips per day to 81,334, an 81% increase. Morning peak hour traffic will double, increasing from 3,015 trips to 6,084, a 101% increase. Afternoon peak hour traffic will increase by 77%, from 4,714 vehicle trips to 8,337 vehicle trips. This is more than significant. It is outrageous!

Response to Comment No. 75-15

The comment incorporates Comment No. 39-195 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-195, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

⁸¹ *Source of 4.5 million current attendance: Themed Entertainment Association.*

Comment No. 39-195

The Project Site Trip Generation Table 30, page 780, indicates that the Entertainment Area currently generates traffic at the rate of 17.53 trips per 1,000 square feet. The new Entertainment Area square footage in that same table is forecast to generate traffic at the rate of 5.97 trips per 1,000 square feet, a 66% reduction in the trip rate, not a very positive assessment of the success of the new venues. Table 30 actually says that the 288,600 sq ft of new entertainment area and the 500-room hotel will **decrease** trips in the pm peak hour by 102 trips. If the new entertainment area square footage was forecast to generate traffic at the same rate as the existing entertainment area, the site would generate 3,336 more daily trips, 10% more than the net increase forecast.

The project's trip generation analysis is based on the assumption that the Gibson Amphitheater is currently in use every evening on weekdays and that it is completely sold out. No data is provided to substantiate this claim. By making this assumption, the EIR authors reduce the impacts of the future project by taking credit for the elimination of pm peak hour trips on typical weekdays, which they claim were theoretically generated by the Amphitheater, but which in fact are not typical of weekday commute periods. This disguises the magnitude of the project's traffic impacts.

Table 30 also includes no estimate of traffic expected to be generated by the additional 1.5 million annual theme park visitors forecast to be attracted to the Universal theme park. The 1.5 million additional annual visitors represent a 33% increase over current attendance figures.¹ Appendix I of the Traffic Study [Appendix E-1] estimates the daily theme park attendance as 24,896 and the future attendance as 31,399, a 27% increase. This under-represents the potential increase in theme park-related trips. The traffic analysis therefore significantly under-represents the traffic generation of the site and misrepresents the magnitude of its traffic impacts.

Even with the apparent under-forecasting of the project's trip generation, the DEIR does forecast that the amount of traffic generated by the project will nearly double, increasing from 44,883 trips per day to 81,334, an 81% increase. Morning peak hour traffic will double, increasing from 3,015 trips to 6,084, a 101% increase. Afternoon peak hour traffic will increase by 77%, from 4,714 vehicle trips to 8,337 vehicle trips. This is more than significant. It is outrageous!

¹ Source of 4.5 million current attendance: *Themed Entertainment Association*.

Response to Comment No. 39-195

Impacts associated with the Theme Park are forecasted based on building square footage, number of employees, or the number of vehicle trips and analyzed in each issue area in Section IV, Environmental Impact

Analysis, of the Draft EIR. With regard to trip generation estimates, a detailed analysis of the trip generation of the entertainment-related uses was provided in Appendix I of the Transportation Study (see Appendix E-1, Transportation Study, of the Draft EIR). As set forth therein, the increased attendance to the Theme Park was accounted for in the trip generation by determining a relationship between the peak commuter weekday patronage and the corresponding annual patronage at the theme park. The yearly peak conditions at the Theme Park occur during the holiday and summer months and on weekend days. The peak commuter weekday on a non-summer and non-holiday week was determined to be representative of the overall conservative peak conditions system-wide, since it represents peak conditions on the adjacent street system, as well as the busiest commuter weekday conditions (Tuesday–Thursday) during a non-summer, non-holiday week at the Theme Park.

Based on data from the last ten years, a relationship between the peak commuter weekday patronage and the corresponding annual patronage at the Theme Park was determined. This relationship was then utilized to determine the projected peak commuter day patronage given the anticipated annual future patronage at the Theme Park. This was then utilized in the trip-generation analysis to obtain project trips (arrivals and departures) by time of day. CityWalk Retail peak patronage on the peak commuter weekday and peak utilization at the Cineplex and a fully occupied Amphitheater were also assumed in the computation of peak-hour trip generation at the Project Site on a peak commuter non-holiday, non-summer weekday for both baseline and future conditions evaluation. In addition to these trips, trips associated with service and maintenance vehicles and trucks that serve the theme park and other entertainment components were estimated and added to get the total trip generation of the Entertainment Area. Finally, the total peak-hour Entertainment Area trips generated, as noted above, were allocated to specific traffic analysis zones in the same proportion as the number of parking spaces available in the lots that serve these uses.

More recently developed rides/attractions at the Theme Park have been large-footprint buildings that house rides with relatively low simultaneous patronage (as compared to prior guest shows that accommodate large groups simultaneously in theater-style presentations). Also, there is a physical and operational limit to the number of guests that can be accommodated within the Theme Park at the same time. Moreover, the addition of an attraction or ride may have limited or no effect on attendance growth and may be added to maintain attendance. Therefore, the increase in total square footage of buildings does not necessarily result in a proportional increase in the number of visitations on each day of the year.

Comment No. 75-16

The traffic analysis [Table 35, page 798 - Site Transit Trip Analysis] assumes that 13% of the AM peak hour person trips and 11% of the PM peak hour person trips will be made via transit. This is an unrealistic assumption given that 73% of the AM peak hour trips and 63% of the PM peak hour trips are forecast to be made by employees and residents on site, not tourists visiting the theme park. According to the Southern California Association of Governments, only 4% of home-to-work trips in Los Angeles County are made by public transportation.

Response to Comment No. 75-16

The comment incorporates Comment No. 39-196 from Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-196, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-196

The traffic analysis [Table 35, page 798 - Site Transit Trip Analysis] assumes that 13% of the AM peak hour person trips and 11% of the PM peak hour person trips will be made via transit. This is an unrealistic assumption given that 73% of the AM peak hour trips and 63% of the PM peak hour trips are forecast to be made by employees and residents on site, not tourists visiting the theme park. According to the Southern California Association of Governments, only 4% of home-to-work trips in Los Angeles County are made by public transportation.

Response to Comment No. 39-196

The Applicant has proposed a comprehensive TDM program that provides significant transit incentives to employees, residents, and visitors of the Project including, transit passes, local shuttle system, flex cars, etc. This TDM program would substantially increase the transit mode-split of patrons of the Project Site beyond those experienced at other locations in the City of Los Angeles. As noted in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), numerous studies across California and nationally, have found much higher trip reductions for residents and workers living near rail stations:

“TOD office workers were found to be more than 3.5 times as likely to commute by transit, an increase from the 2.7 times ratio found in the 1993 study. On average, transit was reported as the primary commute mode by 18.8% (11.5% rail and 7.3% bus) and 3.4% for bike/walk by station-area workers. The study also

estimated mode share data for station-area residents. Residents living near transit stations were found to be five times more likely to commute by transit compared to the average resident worker in the same city. On average, transit was reported as the primary commute mode for work trips by 26.5% (24.3% rail and 2.2% bus) and 1.9% for bike/walk by station-area residents. Transit was reported as the primary commute mode for non-work trips by 8.1% (5.3% rail and 2.9% bus) and 4.3% for bike/walk.

A recent study by Chatman (*Transit-Oriented Development and Household Travel: A Study of California Cities*, Daniel G. Chatman, 2006) included a detailed data collection effort and analysis of travel behavior in the San Diego and San Francisco-Oakland-San Jose metropolitan areas. A total of 727 station-area workers were surveyed in 2005. The reported average transit mode-split for station-area workers was 12.9% (8.3% rail and 4.6% bus) and 6.4% bike/walk. The study also surveyed 1,113 households in 2003-2004. The reported average transit mode-split for station-area residents was 14.1% (12.0% rail and 2.1% bus) and 9.0% bike/walk.”

Therefore, the transit trip reductions assumed in the traffic analysis presented in Section IV.B.1 of the Draft EIR present a conservative estimate. Additionally, as noted in the City of Los Angeles Department of Transportation’s Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Project’s trip generation would be monitored by LADOT, and the Project would be required to comply with the trip estimates and TDM credits noted in the Draft EIR as the Project’s TDM Program would be required to include:

“[A] periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals; non-compliance to the trip-reduction goals would lead to financial penalties or may require the implementation of physical transportation improvements.”

Comment No. 75-17

The traffic analysis also discounts the trips by community retail and neighborhood retail by excessive amounts. Community retail trips are discounted by 40% to reflect people passing by and stopping at the retail stores. The neighborhood retail trips are discounted by 75%, 50% for pass by trips and 25% for walk and bike trips. These unrealistic reductions in trip making downplay the potential impacts of the project on the surrounding community.

Response to Comment No. 75-17

The comment incorporates Comment No. 39-197 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-197, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-197

The traffic analysis also discounts the trips by community retail and neighborhood retail by excessive amounts. Community retail trips are discounted by 40% to reflect people passing by and stopping at the retail stores. The neighborhood retail trips are discounted by **75%**, 50% for pass by trips and 25% for walk and bike trips. These unrealistic reductions in trip making downplay the potential impacts of the project on the surrounding community.

Response to Comment No. 39-197

As described in Section IV.B.1.3.d.(1)(a) of the Draft EIR, the trip-generation estimates of the Project's retail land uses within the Mixed-Use Residential Area were developed using rates from the *Trip Generation, 7th Edition*, a national standard used by the traffic engineering profession. As noted in Appendix I of the Transportation Study (see Appendix E-1 of the Draft EIR), for purposes of the Transportation Study, of the 180,000 square feet of proposed neighborhood retail and community serving commercial uses in the Mixed-Use Residential Area, the trip-generation rates were conservatively estimated based on 115,000 square feet at the trip rate for community retail uses, 30,000 square feet at the trip rate for neighborhood-serving retail uses, and 35,000 square feet at the trip rate for community amenities. The trip-generation estimates account for a 40 percent pass-by credit for the community retail uses and 50 percent pass-by credit for the neighborhood-serving retail uses. These credits are based on standard pass-by trip reductions that are allowed by LADOT guidelines for retail uses (refer to Attachment G, LADOT Policy on Pass-By Trips in *Traffic Study Policies and Procedures*). In addition, the *ITE Trip Generation Handbook* (Institute of Transportation Engineers, 2004) provides pass-by percentages from retail/shopping centers of various sizes from around the nation. Based on the data presented in the *ITE Trip Generation Handbook*, the smaller the retail center, the greater the percentage of pass-by trips. Given the type of retail development anticipated at the Project Site, the allowable pass-by rates per the Institute of Traffic Engineers would be greater than or consistent with the allowable rates published by the City of Los Angeles. Additionally, the City of Los Angeles examined and approved all the rates, parameters, and

assumptions utilized in the model development, calibration, validation and application of the NBCU Model for use in the Project's Transportation Study.

An additional 25 percent credit has been accounted for attributable to the walk and transit trips to the neighborhood-serving retail uses. No walk/transit credit has been taken for the community retail uses. These credits are standard credits consistent with the transit credits outlined in *LADOT Traffic Study Policies and Procedures, May 2009*, which allows a 15% transit credit for projects within 0.25 miles of a transit station or Rapid Bus stop. In the case of the Project, LADOT concurred that the provision of the internal shuttle system connecting the retail uses to the residential uses with frequent local service justified the level of transit credit. The remaining ten percent were assumed to walk to the retail center from the adjacent residential units. These trip generation credits account for the neighborhood-serving nature of the uses and the fact that these uses would support the 2,937 residential dwelling units that are proposed within walking distance.

Please refer to Response to Comment No. 39-196 regarding Project trip monitoring.

Comment No. 75-18

It is curious why the project applicant can forecast that its TDM program will be so effective at reducing trips from both the new land uses on site as well as the existing land uses on site.

If they can reduce trip generation of the existing site so well, why don't they demonstrate it now?

Response to Comment No. 75-18

The comment incorporates Comment No. 39-198 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-198, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-198

It is curious why the project applicant can forecast that its TDM program will be so effective at reducing trips from both the new land uses on site as well as the existing land uses on site.

If they can reduce trip generation of the existing site so well, why don't they demonstrate it now?

Response to Comment No. 39-198

The various components of the TDM measures can provide the projected effectiveness in conjunction with the development of the Project land uses. Please also see Response to Comment Nos. 39-130 and Topical Response No. 8: Mitigation Monitoring and Phasing.

Comment No. 75-19

In order to ensure that the TDM mitigation measures are as effective as forecast, an additional mitigation measure should be included in the Final EIR; a trip cap should be established for each phase of development and subsequent phases should not be allowed to proceed without achieving the TDM goals established for each phase. This can easily be monitored with automatic loop detectors to count traffic entering and exiting the site. Such trip caps and annual monitoring programs have been in effect at Fox Studios in Century City and as part of UCLA's Long Range Development Plan for many years. LADOT has experience monitoring such trip caps based on annual reports submitted by the developments.

In the LADOT traffic assessment letter included in Appendix E-2 notes that the Transportation Demand Management (TDM) Program should include "a periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals." This language is not strong enough, nor enforceable without specifying what those TDM goals are by phase of development. A Mitigation Measure must be added to the Final EIR specifying the trip caps by phase and precluding advancement of development into a subsequent phase without meeting the TDM goals of the prior phase.

Response to Comment No. 75-19

The comment incorporates Comment No. 39-199 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-199, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-199

In order to ensure that the TDM mitigation measures are as effective as forecast, an additional mitigation measure should be included in the Final EIR; a trip cap should be established for each phase of development and subsequent phases should not be allowed to proceed without achieving the TDM goals established for each phase. This can easily be monitored with automatic loop detectors to count traffic entering and exiting the site. Such

trip caps and annual monitoring programs have been in effect at Fox Studios in Century City and as part of UCLA's Long Range Development Plan for many years. LADOT has experience monitoring such trip caps based on annual reports submitted by the developments.

In the LADOT traffic assessment letter included in Appendix E-2 notes that the Transportation Demand Management (TDM) Program should include "a periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals." This language is not strong enough, nor enforceable without specifying what those TDM goals are by phase of development. A Mitigation Measure must be added to the Final EIR specifying the trip caps by phase and precluding advancement of development into a subsequent phase without meeting the TDM goals of the prior phase.

Response to Comment No. 39-199

As noted in the comment and Section IV.B.1.5.n of the Draft EIR, the Project's mitigation phasing program has been designed such that the Project is required to implement all mitigation measures tied to each phase prior to moving onto the next development phase (see the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 attached as Appendix E-2 of the Draft EIR). Refer to Response to Comment Nos. 39-130 and 39-196 for further details on the implementation of transportation mitigation measures and trip monitoring and mitigation monitoring requirements.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 75-20

Establishment of the baseline number of trips generated by the site will be the first step in developing the trip caps for each phase of development. In reviewing the DEIR assessment of the existing trip generation of the site, it appears that the DEIR authors significantly overstate the number of existing trips generated. The trip generation analysis in Appendix I of Appendix E-1 estimates the peak hour trips of the site based on theoretical trip rates by land use and park attendance. Table A5 of that appendix lists the total existing trip generation of the site as 3,015 trips in the AM peak hour and 4,715 trips in the PM peak hour. Data provided in Figure 45 of the DEIR Section IV.B.1 contradicts that assessment. Figure 45 contains the empirical data with regard to peak hour turning movement traffic counts at all of the study intersections. If one adds up the movements into and out of the NBC/Universal site, represented by the movements at the project access points (intersections 72, 34, 35, 73, 43, and 55), the total number of trips into/out of the site in the

peak hours are 1,600 trips in the AM peak hour and 1764 trips in the PM peak hour. Even including half of the trips accessing the site at intersection 36 (Lankershim/Campo de Cahuenga/Universal Hollywood), which includes trips to/from the hotels and office building on Universal Hollywood Drive, the total number of trips into/out of the site would only be 2,089 in the AM and 2,300 in the PM peak hours.

Overstating the theoretical trip generation of the site does not change the existing levels of service calculated at study area intersections, since they are based on the count data, nor does it change the identification of project impacts, since they are based on the incremental change in future conditions at those intersections. What it does affect is the determination of any future trip caps, as well as call into question the calibration of the theoretical trip generation calculations for the site.

Response to Comment No. 75-20

The comment incorporates Comment No. 39-200 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-200, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-200

Establishment of the baseline number of trips generated by the site will be the first step in developing the trip caps for each phase of development. In reviewing the DEIR assessment of the existing trip generation of the site, it appears that the DEIR authors significantly overstate the number of existing trips generated. The trip generation analysis in Appendix I of Appendix E-I estimates the peak hour trips of the site based on theoretical trip rates by land use and park attendance. Table A5 of that appendix lists the total existing trip generation of the site as 3,015 trips in the AM peak hour and 4,715 trips in the PM peak hour. Data provided in Figure 45 of the DEIR Section IV.B.I contradicts that assessment. Figure 45 contains the empirical data with regard to peak hour turning movement traffic counts at all of the study intersections. If one adds up the movements into and out of the NBC/Universal site, represented by the movements at the project access points (intersections 72, 34, 35, 73, 43, and 55), the total number of trips into/out of the site in the peak hours are 1,600 trips in the AM peak hour and 1764 trips in the PM peak hour. Even including half of the trips accessing the site at intersection 36 (Lankershim/Campo de Cahuenga/Universal Hollywood), which includes trips to/from the hotels and office building on Universal Hollywood Drive, the total number of trips into/out of the site would only be 2,089 in the AM and 2,300 in the PM peak hours.

Overstating the theoretical trip generation of the site does not change the existing levels of service calculated at study area intersections, since they are based on the count data, nor does it change the identification of project impacts, since they are based on the incremental change in future conditions at those intersections. What it does affect is the determination of any future trip caps, as well as call into question the calibration of the theoretical trip generation calculations for the site.

Response to Comment No. 39-200

The trip-generation model for various uses at the Project Site was developed and calibrated based on actual traffic counts at all the Project Site driveways collected on consecutive days of a typical week and verified by the City of Los Angeles Department of Transportation. The City of Los Angeles Department of Transportation also independently collected traffic counts at the driveways on several weekdays to verify and validate the traffic counts.

The Project includes various uses whose trip-generation characteristics are unique. It also includes general office, retail, residential and hotel uses whose trip-generation characteristics are well known and published in the Institute of Transportation Engineers' Trip Generation, 7th Edition Information Report. Using the size of the unique uses, such as studio and studio office, and the observed traffic counts at the driveways that serve these uses, peak-hour trip generation of these uses was calibrated.

The Entertainment Area uses, such as the Theme Park, have trip-generation characteristics that are based on seasonal patronage. The existing baseline conditions that are reflected in Table A5 (within Appendix E-1, Appendix I) are those that represent maximum peak commuter weekday conditions on a non-summer non-holiday week. The calibrated trip-generation rates for the Entertainment Area were developed utilizing patronage information and pedestrian and vehicular data from the gates, parking lots and driveways. Based on data from the last ten years, a relationship between the peak commuter weekday patronage and corresponding annual patronage at the Theme Park was determined. This relationship was then utilized to determine the projected peak commuter day patronage given the anticipated annual future patronage at the Theme Park.

The comparison of existing traffic counts in Figure 45 of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, with the trip generation of the Project Site for existing baseline conditions (that represents the peak trip generation of the Entertainment Area uses on a commuter weekday on a non-holiday, non-summer week and not the trip generation on the day traffic counts were taken) is not appropriate as the Project's trip generation for the Entertainment Area is based on calibrating data over a ten-year period. As noted in Section IV.B.1, Traffic/Access-Traffic/Circulation, the

model parameters were calibrated within three percent of the existing traffic counts, in compliance with LADOT standards.

Comment No. 75-21

The Improvement Phasing Plan of Attachment J of Appendix E-2 lists the maximum allowable PM peak hour trips that can be generated by the four phases of the project. These trip levels are presumed to be net new trips above the existing trip generation of the site. These are: Phase 1 - 1,101 trips; Phase 2 - 2,573 trips; Phase 3 - 3,284 trips; and Phase 4 - 1,309 trips. The table below illustrates how the use of empirical traffic counts changes the allowable trips per phase compared to the use of the project applicant's theoretical assessment of PM peak hour trips.

Phase	Applicant's Proposed Maximum No. of New Trips	Trip Cap Depending Upon Source of Existing Trips Data			
		Traffic Counts	Trip Cap	Theoretical Trips	Trip Cap
1	1,101	2,300	3,401	4,714	5,815
2	2,573		5,974		8,388
4 [sic]	3,286		9,260		11,674
4	1,309		10,569		12,983
Total	8,269		10,569		12,983

The calculation above also calls into question the estimate of total Project Site Trip Generation presented in Table 30 of Section IV.B.1 of the DEIR. That table states that the project currently generates 4,714 PM peak hour trips and will add 3,623 trips for a future total of 8,337 PM peak hour trips. This contradicts the Phasing Plan in Attachment J of Appendix E-2 that proposes the addition of 8,269 trips over four phases of development.

Response to Comment No. 75-21

The comment incorporates Comment No. 39-201 from Comment Letter No. 39 Communities United for Smart Growth dated February 3, 2011. Please see Response to Comment No. 39-201, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-201

The Improvement Phasing Plan of Attachment J of Appendix E-2 lists the maximum allowable PM peak hour trips that can be generated by the four phases of the project. These trip levels are presumed to be net new trips above the existing trip generation of the site. These are: Phase 1 – 1,101 trips; Phase 2 – 2,573 trips; Phase 3 – 3,284 trips; and Phase 4 – 1,309 trips. The table below illustrates how the use of empirical traffic counts change the allowable trips per phase compared to the use of the project applicant's theoretical assessment of PM peak hour trips.

		Trip Cap Depending Upon Source of Existing Trips Data			
Phase	Applicant's Proposed Maximum NO. of New Trips	Traffic Counts	Trip Cap	Theoretical Trips	Trip Cap
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4 [sic]	3,286		9,260		11,674
4	1,309		10,569		12,983
Total	8,269		10,569		12,983

The calculation above also calls into question the estimate of total Project Site Trip Generation presented in Table 30 of Section IV.B.1 of the DEIR. That table states that the project currently generates 4,714 PM peak hour trips and will add 3,623 trips for a future total of 8,337 PM peak hour trips. This contradicts the Phasing Plan in Attachment J of Appendix E-2 that proposes the addition of 8,269 trips over four phases of development.

Response to Comment No. 39-201

The comment is regarding the Transportation Improvement Phasing Plan provided in Attachment J to Appendix E-2 of the Draft EIR. The trip-generation triggers identified in the Transportation Improvement Phasing Plan are not additive as suggested in the comment, but rather they are cumulative trip-generation triggers. For clarification purposes, the following explanation is offered.

Each of the Project's transportation mitigation measures are associated with both the number and location of trips that can be generated within the Project Site prior to the need for that mitigation measure. For example, prior to the issuance of the certificate of occupancy for any building(s) that would exceed 959 trips in Zones A, B, or C (i.e., the entire development), the following mitigation measures must be in place:

- a. First portion of the Transportation Demand Management Program
- b. Hollywood Event Management Infrastructure, and
- c. System-wide traffic signal system upgrade.

Prior to the issuance of a building permit for any building(s) in Zone A (the Business Area and Studio Area) or Zone C (the Mixed-Use Residential Area), the Lakeside Plaza Drive roadway improvements must be suitably guaranteed, and prior to the issuance of any certificates of occupancy for building(s) in Zones A and C that exceed(s) the cumulative total of 1,101 trips in those two zones, the improvement must be completed.

The cumulative trip-generation triggers by phase and Project Site area are as follows:

Phase Trips	Area A	Area B	Area C	Maximum
1 (new)	204	N/A	897	1,101
2 (new)	473	N/A	999	N/A
1 + 2 (subtotal)	677	N/A	1,896	2,573
3 (new)	293	418	0	N/A
1 – 3 (subtotal)	970	418	1,896	3,284
4 (new)	339	0	0	N/A
1 – 4 (Total)	1,309	418	1,896	3,623

Thus, the trip-generation triggers are based on cumulative trips, not additive trips as incorrectly suggested in the comment.

The trip-generation triggers identified in the Transportation Improvement Phasing Plan are consistent with the trip-generation estimates in Table 30 of Section IV.B.1 of the Draft EIR, which states that the Project Site currently generates 4,714 trips in the P.M. peak hour and the Project will add 3,623 trips in the P.M. peak hour for a future total of 8,337 trips in the P.M. peak hour.

Comment No. 75-22

On page 597, the DEIR states that four of the 117 study intersections in the City of Los Angeles currently operate under ATSAC and 109 are controlled by the more sophisticated

ATCS and that the capacity analysis for these locations was adjusted by 7 and 10%, respectively, to reflect these existing signal system improvements. The project proposes to provide new traffic signal controllers at 49 intersections as part of its mitigation program. No additional capacity enhancement should be credited to these locations in their level of service analysis, as that would be double counting the benefits of ATSAC and/or ATCS.

Response to Comment No. 75-22

The comment incorporates Comment No. 39-202 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-202, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-202

On page 597, the DEIR states that four of the 117 study intersections in the City of Los Angeles currently operate under ATSAC and 109 are controlled by the more sophisticated ATCS and that the capacity analysis for these locations was adjusted by 7 and 10%, respectively, reflect these existing signal system improvements. The project proposes to provide new traffic signal controllers at 49 intersections as part of its mitigation program. No additional capacity enhancement should be credited to these locations in their level of service analysis, as that would be double counting the benefits of ATSAC and/or ATCS.

Response to Comment No. 39-202

As described in Section IV.B.1.5 of the Draft EIR, the Project has proposed a system-wide signal system upgrade by providing signal controller upgrades at a total of 48 intersections and the installation of closed-circuit television (CCTV) cameras at 10 intersections within the traffic Study Area. As noted in Section IV.B.1.5.m of the Draft EIR and City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), many study intersections within the City of Los Angeles jurisdiction currently operate with the Type 170 signal controller. Newer controllers (Type 2070) provide for enhanced and real-time operation of traffic signal timing. Type 2070 controllers allow LADOT to provide instant adjustments to the signal's timing parameters to respond to real-time traffic demands. The City of Los Angeles has determined that the upgrade of the Type 170 controllers at intersections to the enhanced Type 2070 signal controllers would increase intersection capacity and improve traffic operations along the corridors. An integral part of the real-time operation of the traffic signal timings is the strategic placement of closed-circuit television cameras at key intersections. This provides LADOT with the ability to monitor traffic

operations and respond instantly to incidents that delay vehicles and transit service.

The City of Los Angeles has determined that the upgrade of the signal controllers and installation of the closed-circuit television cameras at the above locations would increase intersection capacity by 1 percent (a 0.01 improvement in volume-to-capacity [V/C] ratio) along numerous corridors within the Study Area, above and beyond the benefits obtained from the Automated Traffic Surveillance and Control (ATSAC) System and Adaptive Traffic Control System (ATCS). This mitigation benefit is consistent with credits allowed to other development proposals in the City of Los Angeles. It should also be noted that granting a mitigation benefit for a significant signal-system improvement is similar to the credits allowed for street improvements such as the addition of turn lanes, etc.

Comment No. 75-23

The definition of LOS F on page 738 notes that it is “FAILURE. Back ups [sic] from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.” Yet in Table 20, “Existing Conditions,” the DEIR authors categorize Cahuenga Boulevard/Highland Avenue, Highland Avenue/Odin Street and Highland Avenue/Camrose Drive as LOS A, in spite of the fact that they all experience FAILURE with stopped traffic congestion extended back from the Highland/Franklin intersection. Similarly, the table categorizes Oakcrest Drive/Cahuenga Boulevard West and Mulholland Drive/Cahuenga Boulevard West as LOS A and B, respectively in the PM peak hour, when anyone who has ever driven that street would know that queues extending south from Barham/Cahuenga extend south of the Mulholland intersection causing both of these intersections to operate at LOS F. The traffic counts taken at these intersections and the LOS calculations are suspect because the traffic typically is barely moving through them during peak hours and is constrained by queues from downstream intersections. There are many other examples of misinformation in this table, which downplays the level of congestion currently experienced around the project site. These mischaracterizations are carried forward into the analysis of future conditions.

Response to Comment No. 75-23

The comment incorporates Comment No. 39-203 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-203, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-203

The definition of LOS F on page 738 notes that it is “FAILURE. Back ups from nearby locations or on cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.” Yet in Table 20, “Existing Conditions,” the DEIR authors categorize Cahuenga Boulevard/Highland Avenue, Highland Avenue/Odin Street and Highland Avenue/Camrose Drive as LOS A, in spite of the fact that they all experience FAILURE with stopped traffic congestion extended back from the Highland/Franklin intersection. Similarly, the table categorizes Oakcrest Drive/Cahuenga Boulevard West and Mulholland Drive/Cahuenga Boulevard West as LOS A and B, respectively in the PM peak hour, when anyone who has ever driven that street would know that queues extending south from Barham/Cahuenga extend south of the Mulholland intersection causing both of these intersections to operate at LOS F. The traffic counts taken at these intersections and the LOS calculations are suspect because the traffic typically is barely moving through them during peak hours and is constrained by queues from downstream intersections. There are many other examples of misinformation in this table, which downplays the level of congestion currently experienced around the project site. These mischaracterizations are carried forward into the analysis of future conditions.

Response to Comment No. 39-203

The comment refers to the traffic operations and Level of Service analysis conducted for the intersections of Cahuenga Boulevard/Highland Avenue & Pat Moore Way/US 101 on-ramps (Intersection 62), Highland Avenue & Camrose Drive (Intersection 63), Highland Avenue & Odin Street (Intersection 64), Oakcrest Drive & Cahuenga Boulevard (Intersection 49), and Mulholland Drive & Cahuenga Boulevard (Intersection 50).

As noted in Section IV.B.1.2.(3)(1) of the Draft EIR, the analysis presented in the Draft EIR and the Transportation Study (see Appendix E-1 of the Draft EIR) employs standard Los Angeles Department of Transportation policies and procedures that are used for all development proposals across the City of Los Angeles. According to Los Angeles Department of Transportation policy, the study utilized the “Critical Movement Analysis—Planning” method of intersection capacity calculation to analyze signalized intersections. As part of the Transportation Study for the Project, traffic counts were completed to measure the traffic flow levels during the morning and afternoon peak hours and verified by LADOT. In addition, at the direction of the Los Angeles Department of Transportation, observations were made of traffic flow in the field and on the City’s closed circuit television system, and the Level of Service at a number of intersections was downgraded based on the observed performance. The commenter’s observations are noted and

have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project

In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR and Table 25 of the Transportation Study (see Appendix E-1 of the Draft EIR), the operating conditions (volume to capacity ratios) at each of the intersections listed in the comment are lower (better) in the Future with Project with Funded Improvements scenario, with the Project and its transportation improvement and mitigation program, than those projected under the Future without Project conditions. Therefore, the Project's transportation improvement and mitigation program not only mitigates the Project's incremental impact at these locations to less than significant, but also improves the operating conditions at these intersections. Therefore, even if the intersections were currently operating at a lower (worse) Level of Service, the Project is not expected to result in a significant impact at these locations.

Comment No. 75-24

The traffic data used in the analysis of the transportation setting is outdated and many of the intersection turning movements were counted between Thanksgiving and New Years and are not representative of typical conditions in the project area. Many of the traffic counts were conducted in the summer of 2006 (May–June, 2006). Counts at intersection numbers 1 through 94 were collected between October 2006 and January 2007. The counts at Burbank intersections were mainly from March 2006, but three of the intersections in Burbank were counted in 2003 or 2004. LADOT traffic impact study guidelines require that traffic counts be not more than two years old for use in EIR traffic studies in the City of Los Angeles. The Transportation Setting Section is not representative of the true baseline conditions in the study area due to the use of outdated information.

Traffic counts were collected at the following intersections between Thanksgiving and Christmas in 2006 and are not representative of typical conditions in the project:

- Vineland/1010 [sic] NB Off Ramp
- Vineland/Ventura
- Plaza Parkway/Ventura
- Campo de Cahuenga/Ventura
- MTA/Campo de Cahuenga
- 101 SB Ramps/Cahuenga
- Barham/Cahuenga

- Barham/Cahuenga/Buddy Holly
- Oakcrest/Cahuenga
- Mulholland/Cahuenga
- Cahuenga/Hillpark
- Barham/Dewitt
- Barham/Lake Hollywood
- Barham/Coyote Canyon
- Highland/Pat Moor
- Cahuenga E/Odin

There is no reason that collection of traffic data at these critical intersections, many of which are in the immediate vicinity of the project site, could not have been delayed until after the Holiday Season. Their use calls into question the accuracy of the transportation setting section.

Response to Comment No. 75-24

The comment incorporates Comment No. 39-204 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-204, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-204

The traffic data used in the analysis of the transportation setting is outdated and many of the intersection turning movements were counted between Thanksgiving and New Years and are not representative of typical conditions in the project area. Many of the traffic counts were conducted in the summer of 2006 (May-June, 2006). Counts at intersection numbers 1 through 94 were collected between October 2006 and January 2007. The counts at Burbank intersections were mainly from March 2006, but three of the intersections in Burbank were counted in 2003 or 2004. LADOT traffic impact study guidelines require that traffic counts be not more than two years old for use in EIR traffic studies in the City of Los Angeles. The Transportation Setting Section is not representative of the true baseline conditions in the study area due to use of outdated information.

Traffic counts were collected at the following intersections between Thanksgiving and Christmas in 2006 and are not representative of typical conditions in the project:

- Vineland/I010 [sic] NB Off Ramp
- Vineland/Ventura
- Plaza Parkway/Ventura
- Campo de Cahuenga/Ventura
- MTA/Campo de Cahuenga
- 101 SB Ramps/Cahuenga
- Barham/Cahuenga
- Barham/Cahuenga/Buddy Holly
- Oakcrest/Cahuenga
- Mulholland/Cahuenga
- Cahuenga/Hillpark
- Barham/Dewitt
- Barham/Lake Hollywood
- Barham/Coyote Canyon
- Highland/Pat Moor
- Cahuenga E/Odin

There is no reason that collection of traffic data at these critical intersections, many of which are in the immediate vicinity of the project site, could not have been delayed until after the Holiday Season. There [sic] use calls into question the accuracy of the transportation setting section.

Response to Comment No. 39-204

The comment refers to the date of traffic counts used in the preparation of the traffic impact analysis for the Draft EIR and the Transportation Study. LADOT requires the use of traffic counts that are less than two years old from the date of the issuance of the Project's Notice of Preparation. As noted in Section IV.B.1.2.a.(2) of the Draft EIR, intersection

turning movement counts for typical weekday morning (7:00 A.M. to 10:00 A.M.) and afternoon (3:00 P.M. to 6:00 P.M.) peak periods and fieldwork (intersection lane configurations, signal phasing, etc.) for the analyzed intersections were collected in Spring and Fall 2006, and Spring 2007. The Notice of Preparation for the Project was issued in July 2007. Therefore, all traffic counts conducted in 2006 and 2007 meet LADOT's requirement.

Traffic counts used in the Draft EIR and the Transportation Study were conducted per standard Los Angeles Department of Transportation policies and procedures that require traffic counts to be conducted during non-summer, non-holiday weekdays (Tuesdays through Thursdays), and are used by other development proposals across the City of Los Angeles. The counts conducted between Thanksgiving and Christmas meet this criteria since none of the counts were conducted during the Thanksgiving or Christmas weeks, or the week before Christmas. Similarly, all May/June 2006 traffic counts used in the Draft EIR and the Transportation Study meet LADOT criteria, as they were all conducted prior to June 8, 2006, which qualify as non-summer, non-holiday weekdays. It should also be noted that the Los Angeles Unified School District is in session during this time period and therefore the traffic counts include school traffic.

The comment also questions the use of counts conducted in 2003 and 2004 for three of the analyzed intersections in the City of Burbank. Traffic counts for these three intersections were provided by the City of Burbank and the City of Burbank staff indicated that these counts were representative of the traffic conditions at those intersections in July 2007.

It should also be noted that future traffic volumes were derived from the Universal City Transportation Model and the existing traffic volumes are used only for validation purposes. Additionally, all traffic volumes (future and existing) were reviewed and approved by LADOT, Los Angeles County Department of Public Works, Caltrans, and the City of Burbank.

Comment No. 75-25

The Base Roadway Improvements listed on page 607 and shown on Figure 53 are not funded and are not likely to be in place prior to project completion. They should not be included in the future base traffic scenario as they present an overly optimistic characterization of traffic conditions. The widening of Highland Avenue at Franklin is not funded and requires right of way. The widening of Cahuenga Boulevard at Barham Boulevard and at Odin Street have no funding. Including these as base traffic conditions allows the NBC/Universal project to avoid having to implement these improvement concepts as mitigation for project impacts at those locations.

Response to Comment No. 75-25

The comment incorporates Comment No. 39-205 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-205, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-205

The Base Roadway Improvements listed on page 607 and shown on Figure 53 are not funded and are not likely to be in place prior to project completion. They should not be included in the future base traffic scenario as they present an overly optimistic characterization of traffic conditions. The widening of Highland Avenue at Franklin is not funded and requires right of way. The widening of Cahuenga Boulevard at Barham Boulevard and at Odin Street has no funding. Including these as base traffic conditions allows the NBC/Universal project to avoid having to implement these improvement concepts as mitigation for project impacts at those locations.

Response to Comment No. 39-205

As set forth in Section IV.B.1.2.c.(5) of the Draft EIR, the future base roadway improvements were compiled based on information provided by LADOT, Los Angeles County Department of Public Works, and the City of Burbank. At the time of the preparation of the Draft EIR and the Transportation Study, these jurisdictions had confirmed that all of the future base roadway improvements listed in Table 27 of the Draft EIR had firm funding commitments to be built by the year 2030, the projected buildout year for the Project.

Highland Avenue & Franklin Avenue (Intersection 65)—The comment states that the proposed widening of Highland Avenue is currently not funded. This is incorrect, since the proposed improvement assumed at this intersection under the future base conditions has already been built. The Existing Conditions analysis does not include this improvement as it was not in place at the time the traffic counts were conducted at this location.

Highland Avenue & Franklin Place/Franklin Avenue (Intersection 66)—The comment states that the proposed widening of Highland Avenue is currently not funded. This is incorrect since the proposed improvement assumed at this intersection under the future base conditions has already been built. The Existing Conditions analysis does not include this improvement as it was not in place at the time the traffic counts were conducted at this location.

Cahuenga Boulevard & Barham Boulevard (Intersection 47)—As noted above, at the time of the preparation of the Transportation Study, LADOT confirmed that all of the future base roadway improvements listed in Table 27 of the Draft EIR had firm funding commitments to be built by the year 2030. However, based on recent direction from LADOT, it has been determined that this improvement is on hold pending further discussions with Caltrans. Therefore, in the event that this assumed base roadway improvement is not implemented prior to the time required by the Project's transportation improvement subphasing plan, the Applicant shall fund the widening of the westbound approach of Cahuenga Boulevard (West) to provide one through lane and one right-turn only lane in the event that funding for its implementation is unavailable. (See Correction and Addition No. IV.B.1.A, Section II, of this Final EIR.)

Odin Street & Cahuenga Boulevard (Intersection 67) - At the time of the preparation of the Draft EIR and the Transportation Study, LADOT confirmed that all of the future base roadway improvements listed in Table 27 of the Draft EIR and Table 11 of the Transportation Study have firm funding commitments to be built by the year 2030. It should be noted that LADOT has already implemented part of the future base improvement at this location since the preparation of the Existing Conditions analysis in Section IV.B.1 of the Draft EIR. However, based on recent direction from LADOT, it has been determined that the remaining improvement is on hold pending further discussions with Caltrans. Therefore, in the event that this assumed base roadway improvement is not implemented prior to the time required by the Project's transportation improvement subphasing plan, the Applicant shall fund the assumed base improvement in the event that funding for its implementation is not available. (See Correction and Addition No. IV.B.1.A, Section II, of this Final EIR.)

Comment No. 75-26

The statement on page 624, "The Internal-External and External-Internal trip categories represent approximately 3,498 of the 3,623 afternoon peak hour trip ends shown on Table 30 on Page 780," is misleading as it makes it appear to the public that only 3.5% of the project's trips have been assumed to remain on site. The trip generation data on Table 30, however, make the assumption that between 18% and 25% of the trips in the Mixed-Use Residential Area will remain internal. This is hidden in the blended trip estimate for the 2,937 dwelling units and 180,000 sq. ft. of commercial space, which is presented as one number, 20,465 daily trips. If they had been calculated separately, the residential would generate 17,210 trips (if assumed to be condos) and 19,137 trips (if apartments) and the commercial would generate 7,729 trips. Together they would total 24,939 trips (condos) or 27,416 trips (apartments) rather than the reported 20,465 trips, 18-25% less total traffic in that portion of the site.

Response to Comment No. 75-26

The comment incorporates Comment No. 39-206 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-206, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-206

The statement on page 624, “The Internal-External and External-Internal trip categories represent approximately 3,498 of the 3,623 afternoon peak hour trip ends shown on Table 30 on Page 780,” is misleading as it makes it appear to the public that only 3.5% of the project’s trips have been assumed to remain on site. The trip generation data on Table 30, however, make the assumption that between 18% and 25% of the trips in the Mixed-Use Residential Area will remain internal. This is hidden in the blended trip estimate for the 2,937 dwelling units and 180,000 sq. ft. of commercial space, which is presented as one number, 20,465 daily trips. If they had been calculated separately, the residential would generate 17,210 trips (if assumed to be condos) and 19,137 trips (if apartments) and the commercial would generate 7,729 trips. Together they would total 24,939 trips (condos) or 27,416 trips (apartments) rather than the reported 20,465 trips, 18-25% less total traffic in that portion of the site.

Response to Comment No. 39-206

Contrary to the suggestion in the comment, the 20,465 trip-generation estimate in Table 30 of the Draft EIR does not reflect an 18 percent to 25 percent reduction for internal trips. As explained on pages 623–625 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, internal trips consist of intrazonal and interzonal trips. Intrazonal trips are very short trips that stay within a localized area. Interzonal trips move from one Traffic Analysis Zone to another Traffic Analysis Zone within a large project. The Universal City Transportation Model allocated 125 trips to intrazonal connection and interzonal trip ends to stay within the Project Site. Since both of these trip categories stay entirely within the Project Site, two trip ends on the trip-generation summary table represent only one vehicular trip. Therefore, the 125 internal trip ends represent 63 internal trips.

Comment No. 75-27

The proposed project will result in significant impacts to four freeway segments in the AM peak and seven freeway segments in the PM peak hours [page 630]. These freeway segments are already at capacity and many of the on-ramps are also at capacity. It is not realistic for the traffic analysis to assume that project-generated traffic will be able to enter

and use the freeway to the extent that it has. There is no more room on the freeway through the Cahuenga Pass for the amount of traffic that the project purports to add to it. This understates the project's impacts on the arterial street network by assuming that traffic will be able to get onto an over saturated freeway system.

Response to Comment No. 75-27

The comment incorporates Comment No. 39-207 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-207, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-207

The proposed project will result in significant impacts to four freeway segments in the AM peak and seven freeway segments in the PM peak hours [page 630]. These freeway segments are already at capacity and many of the on-ramps are also at capacity. It is not realistic for the traffic analysis to assume that project-generated traffic will be able to enter and use the freeway to the extent that it has. There is no more room on the freeway through the Cahuenga Pass for the amount of traffic that the project purports to add to it. This understates the project's impacts on the arterial street network by assuming that traffic will be able to get onto an over saturated freeway system.

Response to Comment No. 39-207

The comment states that the Project will result in significant impacts to four freeway segments during the morning peak hour and seven freeway segments during the afternoon peak hour. As explained on page 630 of the Draft EIR, this is before TDM trip reduction and mitigation. With implementation of mitigation measures, significant impacts would remain at six freeway segments (see page 692 of the Draft EIR). Refer to Topical Response No. 6: Freeway Improvements (see Section III.C, Topical Responses, of this Final EIR) for information regarding the proposed freeway improvements.

As noted in Section IV.B.1.2.c.(2) of the Draft EIR, the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model, the Universal City Transportation Model, that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base:

“The City’s model network was and modified to include the following:

1. Network detail (to add all directional ramps, collector streets in addition to the City’s network of freeways, and major and minor arterials in the Study Area, and update link characteristics such as number of lanes, capacity, and speed parameters).
2. Traffic Analysis Zone system refinements to include more detail in the Study Area in order to obtain improved travel forecasts.
3. Updated network assignment features to simulate traffic patterns very close to actual traffic patterns observed in traffic counts.

These model modifications were included to offer more detailed and reliable future traffic forecasts in the Study Area. Existing conditions were simulated using the model, and the results of the traffic flows were compared to existing traffic counts. The model parameters were calibrated within three percent of the existing traffic counts, in compliance with Los Angeles Department of Transportation standards. Detailed descriptions of the model development and calibration/validation processes are provided in Appendix H of the Transportation Study dated March 2010 included in Appendix E-1 of this Draft EIR.”

The Universal City Transportation Model was developed and calibrated/validated to the satisfaction of LADOT. Similar to analysis conducted with the Southern California Association of Governments’ regional model, the analysis accounts for the unique nature of the street system within and around the Study Area, and the traffic conditions on both the freeway and street networks. The traffic volumes were assigned to the intersections and streets after a thorough investigation of traffic patterns and in collaboration with LADOT and Caltrans.

As noted in Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR):

“Traffic assignment is the process by which the model estimates the flows or volume of traffic on each individual link of the network.”

and

“The equilibrium traffic assignment technique employs the following approach: starting with speeds on each link which

approximate the free-flow speed, the minimum travel time (impedance) paths between TAZs are determined by the model and zone-to-zone trips are assigned to these paths. After all trips have been assigned, the model adjusts speeds and travel impedances to reflect the flows on each link using a series of functions (VDF) that relate volume and delay or travel time. As minimum time paths change between TAZs as a result of these adjustments, the model determines new routes and performs a new allocation of trips. This process continues for a number of iterations (specified by the model) until approximate (close to) equilibrium is reached whereby all potential paths between each TAZ pair have equal minimum impedances. In other words, no path or route between each TAZ pair with impedance less than that calculated at equilibrium can be found.”

Therefore, the Universal City Transportation Model assignments of Project traffic account for the traffic volumes and operating conditions on the freeway system and route Project traffic based on the shortest time paths that reflect traffic congestion. A detailed description of the Universal City Transportation Model’s development and validation process is provided in Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR).

Comment No. 75-28

The Transit Analysis [page 632] is flawed in that it bases its estimate of future available capacity on the Metro system, including the Metro Red Line, on the system’s current average load factors. With the extension of the Metro Rail system that is underway since the passage of Measure R, particularly the western extension of the subway system, the future unused capacity on the Metro Red Line will be drastically reduced. The Metro Red Line is close to capacity today during peak hours. With the extension of the Metro Purple Line to Westwood and the other planned rail projects, people will be lucky to be able to find standing room on the Red Line in the future.

Response to Comment No. 75-28

The comment incorporates Comment No. 39-208 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-208, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-208

The Transit Analysis [page 632] is flawed in that it bases its estimate of future available capacity on the Metro system, including the Metro Red Line, on the

system's current average load factors. With the extension of the Metro Rail system that is underway since the passage of Measure R, particularly the western extension of the subway system, the future unused capacity on the Metro Red Line will be drastically reduced. The Metro Red Line is close to capacity today during peak hours. With the extension of the Metro Purple Line to Westwood and the other planned rail projects, people will be lucky to be able to find standing room on the Red Line in the future.

Response to Comment No. 39-208

As noted in Section IV.B.1.2.b.(4) of the Draft EIR, a detailed analysis of the existing ridership data, obtained from the transit agencies, for the transit lines serving the Project Site vicinity was conducted for the morning (6:00 A.M. to 10:00 A.M.) and afternoon (3:00 P.M. to 7:00 P.M.) peak periods. The results of this analysis are summarized in Table 25 of the Draft EIR. The maximum loads summarized in the table are the maximum number of people on the bus/train on any run during the peak periods in the peak direction. Using the maximum capacity assumptions provided by Metro for the Metro Red Line, it was determined that a residual capacity of approximately 381 and 312 riders is available on the Metro Red Line during the run with the maximum load. Therefore, the Metro Red Line has sufficient capacity today to handle future transit riders.

With regard to the loads on the Metro Red Line with the extension of the Metro Purple Line to Westwood, the Draft Environmental Impact Statement/Environmental Impact Report for the Westside Subway Extension (Metro, September 2010) did not project issues with overcrowding on the Metro Red Line as a result of the Westside subway extension. Therefore, the future transit riders are not anticipated to result in a significant impact on the Metro Red Line.

Comment No. 75-29

The construction traffic analysis incorrectly characterizes the truck trip activity as less than significant. For the Studio, Business and Entertainment Area construction, it forecasts 43 truck trips per hour for 10 hours per day for 8 months and for the Mixed-Use Residential Area it forecasts 89 truck trips per hour for 10 hours per day for another 8 months. This could only be considered not significant by someone who does not live in the area. The analysis under-estimates the impact of the trucks on traffic by using a passenger car equivalency factor of 2.0. In congested roadways and on hilly streets with significant grades (i.e., Barham Boulevard), each truck is well more than a 2.0 PCE.

Response to Comment No. 75-29

The comment incorporates Comment No. 39-209 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to

Comment No. 39-209, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-209

The construction traffic analysis incorrectly characterizes the truck trip activity as less than significant. For the Studio, Business and Entertainment Area construction, it forecasts 43 truck trips per hour for 10 hours per day for 8 months and for the Mixed-Use Residential Area it forecasts 89 truck trips per hour for 10 hours per day for another 8 months. This could only be considered not significant by someone who does not live in the area. The analysis underestimates the impact of the trucks on traffic by using a passenger car equivalency factor of 2.0. In congested roadways and on hilly streets with significant grades (i.e., Barham Boulevard), each truck is well more than a 2.0 PCE.

Response to Comment No. 39-209

As described in Section IV.B.1.3.d.(4)(a) of the Draft EIR, Table 8 of the Transportation *Research Circular No. 212* and Exhibit 16.7 of the 2000 *Highway Capacity Manual* suggest a passenger car equivalency of 2.0 for trucks on arterial streets. In addition, it should be noted that the proposed haul routes do not include travel of haul trucks on Barham Boulevard as suggested in the comment (refer to Figure 72 in Section IV.B.1 of the Draft EIR and Figures 64 and 65 of the Transportation Study).

For the Studio, Business, and Entertainment Areas, as described in Section IV.B.1.3.d.(4)(b) of the Draft EIR, the projected level of haul truck traffic (approximately 43 trips per hour on a peak day), in conjunction with the mitigation measures proposed in Mitigation Measure B-41 in Section IV.B.1 of the Draft EIR, is not expected to result in a significant traffic impact. For the Mixed-Use Residential Area, as described in Section IV.B.1.3.d.(4)(b) of the Draft EIR, the projected level of haul truck traffic (approximately 45 trips per hour on an average day and 89 trips per hour on a peak day), in conjunction with the mitigation measures proposed in Mitigation Measure B-41 in Section IV.B.1 of the Draft EIR (Mitigation Measure B-44 in the Final EIR), is not expected to result in a significant traffic impact. The haul truck routes (shown in Figure 72 of the Draft EIR) were selected based on a thorough examination of streets serving the Project Site to ensure that trucks were not assigned to local streets and that minimum travel is required on any collector streets. The proposed haul truck routes would utilize Lankershim Boulevard, Forest Lawn Drive, Cahuenga Boulevard (West), Universal Studios Boulevard, and/or Buddy Holly Drive to access the freeways. Lankershim Boulevard, Forest Lawn Drive, and Cahuenga Boulevard (West) are classified as Major Highway Class II in the City of Los Angeles' *General Plan* and are designed to accommodate the projected level of truck traffic.

Further, these are not hilly streets with significant grades. Of the proposed routes, the Forest Lawn Drive route would have the least impact on the street system, as the trucks would use only a Major Highway Class II to access the freeway and traffic volumes are typically lower on this street as compared to the other routes described above.

In addition, as described in Mitigation Measure B-41 in Section IV.B.1 of the Draft EIR, the Project Applicant or its successors would prepare detailed construction traffic management plans, including street closure information, detour plans, haul routes, and staging plans satisfactory to the affected jurisdictions. The construction traffic management plans shall be based on the nature and timing of the specific construction and other projects in the vicinity of the Project Site and include numerous elements to ensure minimum impact on the street system and the surrounding community. It should also be noted that construction impacts are temporary impacts.

Comment No. 75-30

Neighborhood Traffic Intrusion

The Neighborhood Intrusion Impact Analysis is completely inadequate and does not reflect the reality of traffic conditions in the project area. The DEIR authors contend that despite the fact that the proposed project will impact the freeways and parallel arterial streets, all of which will be at LOS F, that no traffic will divert to alternate routes through neighborhoods, because “no parallel routes via residential streets are available to bypass...” most of the congested streets. This is absurd and ignores the intrusion onto residential streets that is already happening today on roadways that wind through the hills. It demonstrates that the DEIR authors either don’t understand traffic patterns in the study area, or they deliberately chose to ignore the impacts on residential streets.

Response to Comment No. 75-30

The comment incorporates Comment No. 39-210 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-210, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-210

Neighborhood Traffic Intrusion

The Neighborhood Intrusion Impact Analysis is completely inadequate and does not reflect the reality of traffic conditions in the project area. The DEIR authors contend that despite the fact that the proposed project will impact the freeways and parallel arterial streets, all of which will be at LOS F, that no

traffic will divert to alternate routes through neighborhoods, because “no parallel routes via residential streets are available to bypass ...” most of the congested streets. This is absurd and ignores the intrusion onto residential streets that is already happening today on roadways that wind through the hills. It demonstrates that the DEIR authors either don’t understand traffic patterns in the study area, or they deliberately chose to ignore the impacts on residential streets.

Response to Comment No. 39-210

Section IV.B.1.3.d.(5) and Section IV.B.1.5.j of the Draft EIR provide a detailed analysis of the Project’s potential impacts on nearby residential neighborhoods. The methodology used in this analysis is consistent with LADOT guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to Los Angeles Department of Transportation criteria for neighborhood streets. Until the Project actually generates traffic, it is impossible to tell with certainty which local streets might feel the effects of Project traffic (either direct impacts from Project traffic or indirect impacts resulting from Project traffic causing other traffic to “short-cut” through neighborhoods).

LADOT methodology identifies those locations where the Project generates enough traffic to result in a significant impact if all (or enough) of the Project traffic left the arterial/collector street system and used the local streets within a neighborhood. Three conditions must be present for the impact to be potentially significant:

- a. There must be sufficient congestion on the arterial corridors to make motorists want to seek an alternate route,
- b. There must be sufficient Project traffic on the route to result in a significant impact if it were to divert to a local street, and
- c. There must be a street (or a combination of streets that provide a route) through the neighborhood that provides an alternate route.

As part of the neighborhood impact analysis for the Project, a detailed review was conducted of the streets within the Study Area. Also refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for additional detail.

Comment No. 75-31

The Neighborhood Intrusion Impact Analysis fails to acknowledge that the Mulholland-Outpost route between Hollywood and the San Fernando Valley is already a cut through route on which the City of Los Angeles has taken some steps to reduce cut through traffic.

The DEIR graphics fail to even indicate that Outpost Drive connects to Franklin Avenue making it appear as an infeasible cut through route. The addition of project traffic to Cahuenga East and West, Highland Avenue and the 101 Freeway will significantly increase the amount of cut through traffic on Outpost Drive and the Outpost neighborhood must be eligible for Mitigation Measure B-42 funding for neighborhood traffic management. The fund in this mitigation measure should be significantly increased to \$5 million.

Response to Comment No. 75-31

The comment incorporates Comment No. 39-211 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-211, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-211

The Neighborhood Intrusion Impact Analysis fails to acknowledge that the Mulholland-Outpost route between Hollywood and the San Fernando Valley is already a cut through route on which the City of Los Angeles has taken some steps to reduce cut through traffic. The DEIR graphics fail to even indicate that Outpost Drive connects to Franklin Avenue making it appear as an infeasible cut through route. The addition of project traffic to Cahuenga East and West, Highland Avenue and the 101 Freeway will significantly increase the amount of cut through traffic on Outpost Drive and the Outpost neighborhood must be eligible for Mitigation Measure B-42 funding for neighborhood traffic management. The fund in this mitigation measure should be significantly increased to \$5 million.

Response to Comment No. 39-211

The maps presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and the Transportation Study (see Appendix E-1 of the Draft EIR) are for illustrative purposes only. As noted in Section IV.B.1.2.c.(2) of the Draft EIR and Chapter III of the Transportation Study, the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model, the Universal City Transportation Model, that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base. The City's model network was modified to offer more detailed and reliable future traffic forecasts in the Study Area as described in Response to Comment No. 39-11.

The Universal City Transportation Model was developed and calibrated/validated to the satisfaction of LADOT. Similar to analysis

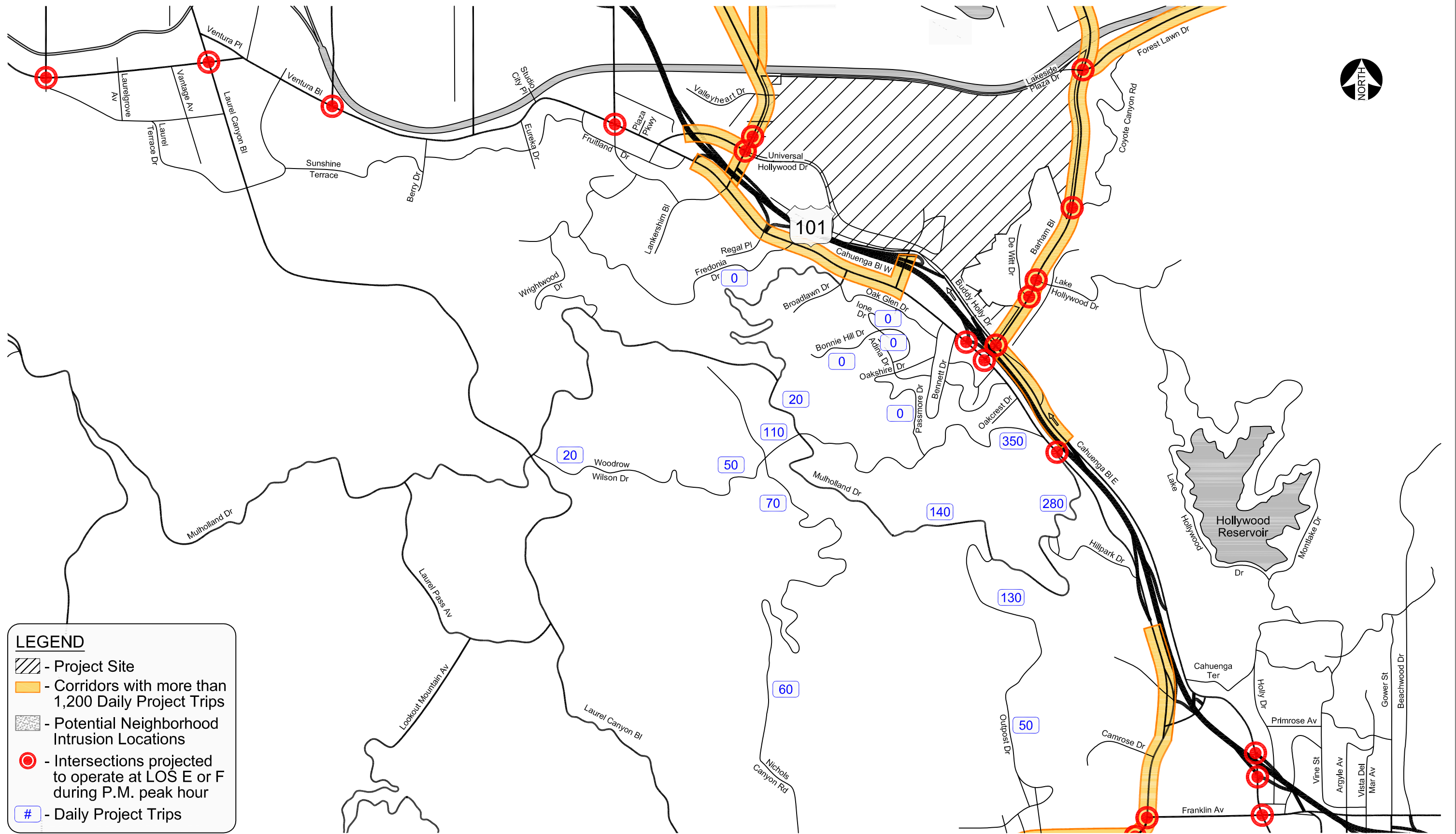
conducted with the Southern California Association of Governments' regional model, the analysis accounts for the unique nature of the street system within and around the Study Area, and the traffic conditions on both the freeway and street networks. The traffic volumes were assigned to the intersections and streets after a thorough investigation of traffic patterns and in collaboration with the Los Angeles Department of Transportation and Caltrans. The commenter is referred to Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR) that provides a detailed description of the Universal City Transportation Model's development and validation process.

The Universal City Transportation Model includes Outpost Drive and accounts for the street's connection to Franklin Avenue. Figure 10 on page 2419 includes the connection referred to in the comment.

As noted in Section IV.B.1.3.d.(5) of the Draft EIR, per the Los Angeles Department of Transportation's significance threshold, for any neighborhood in which traffic could be increased by 120 trips per day or more on any local residential streets, a potentially significant impact by the Project is identified. As noted in the Draft EIR and the Transportation Study, based on standard Los Angeles Department of Transportation policy, it was assumed that a significant Project impact would occur on a neighborhood street if sufficient Project traffic is projected to be added to the arterial corridors such that the volume that may shift 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 to which the Project may add 1,200 or more daily trips were examined, assuming that at most only 10 percent of these trips may shift to alternative routes on average across a 24-hour period (the proportion that may shift could be higher than 10 percent during congested peak periods of the day but much less than 10 percent or almost none during uncongested non-peak periods of the day). Using the Universal City Transportation Model, the number of trips that may be added to any particular arterial corridor was projected, and the extent of the projected addition of 1,200 or more daily trips was determined. Since the model provides peak hour but not daily assignments, daily Project trips were estimated by multiplying the afternoon peak-hour Project trips by a factor of 10.

Figure 10 on page 2419 shows the Project trips under the Future with Project with Funded Improvements scenario on the streets (Mulholland Drive and Outpost Drive) noted in the comment.

Mulholland Drive—As shown in the attached Figure 10, the Project is expected to add approximately 280 daily trips to Mulholland Drive adjacent to its intersection with Cahuenga Boulevard (West). However, approximately 140 of these trips dissipate adjacent to the street's intersection with Outpost Drive while another 50 trips dissipate adjacent to its intersection with



LEGEND

- Project Site
- Corridors with more than 1,200 Daily Project Trips
- Potential Neighborhood Intrusion Locations
- Intersections projected to operate at LOS E or F during P.M. peak hour
- Daily Project Trips

Source: Gibson Transportation Consulting, Inc. and Raju Associates, Inc. 2011.



Woodrow Wilson Drive. Therefore, these trips represent local trips from the neighborhood instead of cut-through traffic. Hence the Project is not expected to have a significant impact on this street.

Outpost Drive—As shown in the attached Figure 10, the Project is expected to add approximately 130 daily trips to Outpost Drive adjacent. However, approximately 80 of these trips dissipate north of Hollywood Drive. Therefore, these trips represent local trips from the neighborhood instead of cut-through traffic. The remaining 50 trips are lower than LADOT's significance threshold of 120 daily trips for neighborhood impacts. Hence the Project is not expected to have a significant impact on this street.

Also refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 75-32

Astonishingly, one of the few neighborhoods that the DEIR authors think is in need of protection is the Orange Avenue "neighborhood" adjacent to the Hollywood Roosevelt Hotel. This is as a result of traffic diverting off of Highland to avoid congestion between Franklin and Sunset and instead traveling west on Franklin to turn south on Orange, traveling through the congested offset intersection at Hollywood Boulevard, past the Hotel, and Hollywood High School and the In N' Out Burger, across the offset intersection at Sunset to reach DeLongpre Avenue, where it will turn left and head back to Highland. If the DEIR authors had ever driven this route, they would know that no one in their right mind would take that parallel alternate route to avoid two blocks of travel on Highland.

Response to Comment No. 75-32

The comment incorporates Comment No. 39-212 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-212, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-212

Astonishingly, one of the few neighborhoods that the DEIR authors think is in need of protection is the Orange Avenue "neighborhood" adjacent to the Hollywood Roosevelt Hotel. This is as a result of traffic diverting off of Highland to avoid congestion between Franklin and Sunset and instead traveling west on Franklin to turn south on Orange, traveling through the congested offset intersection at Hollywood Boulevard, past the Hotel, and Hollywood High School and the In N' Out Burger, across the offset intersection at Sunset to reach DeLongpre Avenue, where it will turn left and

head back to Highland. If the DEIR authors had ever driven this route, they would know that no one in their right mind would take that parallel alternate route to avoid two blocks of travel on Highland.

Response to Comment No. 39-212

The identified neighborhood does include apartment homes along Orange Drive which may be impacted by neighborhood intrusion and have therefore been included in the Draft EIR and Transportation Study (see Appendix E-1 of the Draft EIR) as a potentially impacted neighborhood. The identified neighborhood also meets the three criteria for neighborhood intrusion impacts noted in Section IV.B.1.3.d.(5) of the Draft EIR and Chapter VIII of the Transportation Study. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (see Section 7, Topical Responses, of this Final EIR), for further detail. See also Response to Comment No. 39-211.

Comment No. 75-33

Most of the mitigation measures have been written to allow the project applicant to avoid responsibility for the measures' implementation. Many include the phrase "construct or contribute to the construction of..." or "implement or contribute toward the implementation of..." or "monitor" the need for a signal" or conduct periodic reviews of conditions..." or "make a fair-share contribution toward any improvements..." and "implemented to the extent feasible." The inclusion of such weasel words in virtually all of the mitigation measures makes it impossible to rely on the assumption that they will actually be implemented.

Response to Comment No. 75-33

The comment incorporates Comment No. 39-213 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-213, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-213

Most of the mitigation measures have been written to allow the project applicant to avoid responsibility for the measures' implementation. Many include the phrase "construct or contribute to the construction of ..." or "implement or contribute toward the implementation of ..." or "monitor" the need for a signal" or conduct periodic reviews of conditions ..." or "make a fair-share contribution toward any improvements ..." and "implemented to the extent feasible." The inclusion of such weasel words in virtually all of the

mitigation measures makes it impossible to rely on the assumption that they will actually be implemented.

Response to Comment No. 39-213

The comment restates concerns previously raised regarding implementation of mitigation measures related to traffic. Please refer to Response to Comment No. 39191, above. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 75-34

The project proposes to relocate the southbound 101 freeway onramp between Campo De Cahuenga Drive and Lankershim Boulevard and to provide a new southbound off-ramp terminating at the Ventura Boulevard/Fruitland Drive intersection. Having the freeway on and off ramps located on Ventura Boulevard at Fruitland Drive will result in Fruitland Drive, a residential street, being turned into a freeway access route. This could also attract additional freeway-oriented traffic to the Wrightwood route between Mulholland and Ventura Boulevard.

Response to Comment No. 75-34

The comment incorporates Comment No. 39-214 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-214, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-214

The project proposes to relocate the southbound 101 freeway on-ramp between Campo De Cahuenga Drive and Lankershim Boulevard and to provide a new southbound off-ramp terminating at the Ventura Boulevard/Fruitland Drive intersection. Having the freeway on and off ramps located on Ventura Boulevard at Fruitland Drive will result in Fruitland Drive, a residential street, being turned into a freeway access route. This could also attract additional freeway-oriented traffic to the Wrightwood route between Mulholland and Ventura Boulevard.

Response to Comment No. 39-214

Based on the Universal City Transportation Model, it is not anticipated that the proposed Hollywood Freeway Interchange Improvements at Universal Terrace Parkway (Mitigation Measure B-4) would increase neighborhood intrusion impacts along Fruitland Drive or Wrightwood Drive as

suggested in the comment. The proposed design of the improvement reflected in Figure 77 on page 909 of the Draft EIR and signalization of the intersection, including proposed left turn signals, would improve traffic flow through the intersection and are intended to direct traffic onto Ventura Boulevard.

Comment No. 75-35

Mitigation Measure B-5 requires the widening and restriping of Barham Boulevard from Forest Lawn Drive/Lakeside Drive to Buddy Holly Drive to provide three southbound lanes and two northbound lanes. There are currently three northbound lanes on the approach to the Forest Lawn Drive/Lakeside Drive intersection. The third lane is a right-turn-only lane several hundred feet in length. During peak periods however, the queue of right-turning cars extends beyond the striped lane along the curb up Barham Boulevard. This mitigation measure should be modified to requiring sufficient widening along the entire NBC/Universal frontage on Barham Boulevard to accommodate three lanes in each direction, plus a median left turn lane. Only in the portion of Barham Boulevard south of the NBC/Universal frontage should the City settle for the reduced cross section with three southbound and two northbound lanes.

The secondary impacts associated with Mitigation Measure B-5 have not been disclosed, nor mitigated. Will parking be removed along the entire length of Barham Boulevard to implement this mitigation measure? How will that affect businesses and residents along Barham? How will the six-lane cross section be carried through the intersection at Lake Hollywood Drive? How will this affect the sidewalk widths and pedestrian environment, as well as access to businesses near that intersection?

Response to Comment No. 75-35

The comment incorporates Comment No. 39-215 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-215, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-215

Mitigation Measure B-5 requires the widening and restriping of Barham Boulevard from Forest Lawn Drive/Lakeside Drive to Buddy Holly Drive to provide three southbound lanes and two northbound lanes. There are currently three northbound lanes on the approach to the Forest Lawn Drive/Lakeside Drive intersection. The third lane is a right-turn-only lane several hundred feet in length. During peak periods however, the queue of right-turning cars extends beyond the striped lane along the curb up Barham

Boulevard. This mitigation measure should be modified to requiring sufficient widening along the entire NBC/Universal frontage on Barham Boulevard to accommodate three lanes in each direction, plus a median left turn lane. Only in the portion of Barham Boulevard south of the NBC/Universal frontage should the City settle for the reduced cross section with three southbound and two northbound lanes.

The secondary impacts associated with Mitigation Measure B-5 have not been disclosed, nor mitigated. Will parking be removed along the entire length of Barham Boulevard to implement this mitigation measure? How will that affect businesses and residents along Barham? How will the six-lane cross section be carried through the intersection at Lake Hollywood Drive? How will this affect the sidewalk widths and pedestrian environment, as well as access to businesses near that intersection?

Response to Comment No. 39-215

The proposed Project mitigation for Barham Boulevard as described in Mitigation Measure B-5 in Section IV.B.1 of the Draft EIR (third southbound through lane at this location) has been reviewed and approved by LADOT and mitigates the Project's impacts while alleviating traffic congestion along the corridor. The separate right-turn lane approaching the intersection at Forest Lawn Drive referenced in the comment would be maintained and extended south to Child Care Road, which would improve the existing condition. In addition, the Project's proposed improvements include the re-striping of Forest Lawn Drive to allow the right turn from Barham Boulevard to be a free-flow right-turn lane (i.e., vehicles turning right onto Forest Lawn Drive from Barham Boulevard would have their own dedicated receiving lane to turn into on Forest Lawn Drive without having to stop). This improvement should alleviate the queuing described in the comment without further widening.

Impacts associated with implementation of Mitigation Measure B-5 are analyzed beginning on page 715 of the Draft EIR under Level 3 Off-Site Roadway Improvements. These Barham Boulevard improvements would be constructed within the existing public right-of-way with additional dedication of Project Site property where available adjacent to the Project Site and also by reducing existing lane widths, eliminating parking spaces, and reducing sidewalk widths to varying degrees along the Barham Boulevard corridor. As discussed on page 717, Section IV.B.1.6.i.(3)(c) of the Draft EIR, along the Barham Boulevard corridor, proposed roadway improvements would require reducing the existing sidewalks adjacent to the west side of Barham Boulevard in three distinct segments (i.e., reduced from 11 feet to 10 feet between Blair Drive and the Barham Boulevard Bridge, reduced in varying amounts to between 6 feet and 10 feet between Blair Drive and Craig Drive, and reduced from 8 feet to 6 feet north of Lakeside Plaza Drive). While sidewalk widths may be reduced to 6 feet in some areas, sidewalks are not

being eliminated along Barham Boulevard and the Project would add sidewalks in certain areas. In addition, the proposed landscaping improvements on Barham Boulevard included in Mitigation Measure B-4 in Section IV.B.1 of the Draft EIR would generally enhance the pedestrian experience along the corridor.

With regard to the secondary parking impacts associated with the Barham Boulevard roadway improvement measure, as noted in Section IV.B.1.6.i.(3)(c), of the Draft EIR, a parking utilization survey was conducted on a typical weekday from 7:00 A.M. to 7:00 P.M. for the approximately 25 spaces along Barham Boulevard available on the east side of the roadway from Coyote Canyon Road to north of Lake Hollywood Drive. The parking utilization survey results can be found in Appendix R of the Transportation Study (see Appendix E-1 of the Draft EIR). The survey showed that the peak parking demand occurred at 12:00 P.M. when 11 cars were parked in the vicinity of the existing apartment buildings. During the late afternoon and evening hours, the parking demand in this section of Barham Boulevard decreased to one or two occupied spaces. The removal of these on-street spaces could result in a secondary parking impact since there are no alternate on-street parking spaces available in the vicinity. Thus, as noted on page 719 of the Draft EIR, impacts to on-street parking resulting from implementation of this improvement would be significant.

The street cross-section at the intersection of Barham Boulevard and Lake Hollywood Drive is shown in Figure 78 in Section IV.B.1 of the Draft EIR and Figure 51 in Chapter V of the Transportation Study (see Appendix E-1 of the Draft EIR). These diagrams illustrate the proposed lane configuration and widths at the intersection of Barham Boulevard & Lake Hollywood Drive (Intersection 52). As proposed, the mitigation measure would not widen the east side of Barham Boulevard. Therefore, public and vehicular access on the east side would be unchanged with the proposed mitigation measure. The west side of Barham Boulevard would be widened 5 feet. The existing landscape strip and 5-foot wide sidewalk would be replaced with a 6-foot sidewalk, and pedestrian and vehicular access would be maintained.

Comment No. 75-36

The project applicant has stated publicly that the mitigation measures required for each phase of the development are clearly articulated in the DEIR. That is, if one can find them in Attachment K of Appendix E-2. The attachment is a table that lists phases of the project and associated mitigation measures, but it does not provide any information as to when the mitigation measures are required (before occupancy of any of the development constructed in that phase? Or before any construction begins on the subsequent phase?). The description of the phasing plan in Appendix E-2 also states, "This phasing plan may be modified in the future to adjust the mitigation sequencing." The fact that an important element of the mitigation program is buried in an Attachment to an Appendix and not even

summarized in the body of the DEIR, illustrates how difficult it is for the public to understand the environmental analysis.

The format for the Draft EIR, with sections of text, followed by figures and then tables at the end of each section, makes it difficult for reviewers to easily read each section without having to flip back and forth.

Response to Comment No. 75-36

The comment incorporates Comment No. 39-216 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-216, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-216

The project applicant has stated publicly that the mitigation measures required for each phase of the development are clearly articulated in the DEIR. That is, if one can find them in Attachment K of Appendix E-2. The attachment is a table that lists phases of the project and associated mitigation measures, but it does not provide any information as to when the mitigation measures are required (before occupancy of any of the development constructed in that phase? Or before any construction begins on the subsequent phase?). The description of the phasing plan in Appendix E-2 also states, "This phasing plan may be modified in the future to adjust the mitigation sequencing." The fact that an important element of the mitigation program is buried in an Attachment to an Appendix and not even summarized in the body of the DEIR, illustrates how difficult it is for the public to understand the environmental analysis.

The format for the Draft EIR, with sections of text, followed by figures and then tables at the end of each section, makes it difficult for reviewers to easily read each section without having to flip back and forth.

Response to Comment No. 39-216

As stated in Section II, Project Description, of the Draft EIR, the timing of actual Project development would be in response to market conditions. The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project's Mitigation Monitoring and Reporting Program.

The Draft EIR discusses traffic mitigation phasing starting on page 687 of Section IV.B.1, Traffic, Traffic/Circulation of the Draft EIR. Traffic mitigation phasing is also addressed in Draft EIR Appendices E-1 (Appendix

S to the Transportation Study) and E-2 (Los Angeles Department of Transportation Traffic Assessment). The commenter is referred to Tables 27 and 28 of the Transportation Study and City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR) sets forth the relevant requirements which are discussed in detail in Response to Comment No. 39-130.

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR provides a comprehensive analysis that is supported by numerous tables and figures to assist the reader in understanding the potential traffic impacts of the proposed Project. For the Traffic/Circulation Section, placing the tables and the graphics at the end of the Section promotes readability because if the tables and figures were placed within the text as was done in other Sections of the Draft EIR, the traffic analysis text would have been interrupted by the tables and figures and, thus, become potentially disjointed and difficult to follow.

Comment No. 75-37

In Section VI of the Draft EIR, Summary of Significant and Unavoidable Impacts, it is noted that Project and cumulative impacts related to Project access would remain significant at the following two access locations:

1. Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive - both peak hours; and
2. Barham Boulevard and Lakeside Plaza Drive/Forest Lawn Drive - both peak hours.

This illustrates the fact that the proposed project is too large and too dense for the project site, since the proposed project's traffic generation is too great to handle at the two main project access points. The project should be reduced in scale so that its traffic generation can be accommodated with a reasonable level of service (Le., LOS D) at its main access points. Failure to do so will result in significant project impacts to the surrounding community.

Response to Comment No. 75-37

The comment incorporates Comment No. 39-217 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-217, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-217

In Section VI of the Draft EIR, Summary of Significant and Unavoidable Impacts, it is noted that Project and cumulative impacts related to Project access would remain significant at the following two access locations:

1. Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive – both peak hours; and
2. Barham Boulevard and Lakeside Plaza Drive/Forest Lawn Drive - both peak hours.

This illustrates the fact that the proposed project is too large and too dense for the project site, since the proposed project's traffic generation is too great to handle at the two main project access points. The project should be reduced in scale so that its traffic generation can be accommodated with a reasonable level of service (i.e., LOS D) at its main access points. Failure to do so will result in significant project impacts to the surrounding community.

Response to Comment No. 39-217

As shown in Table 28 in Section IV.B.1 of the Draft EIR, both intersections noted in the comment are projected to operate at Level of Service F even under Future without Project conditions, without the addition of Project traffic. The mitigation measures identified in the Draft EIR include all feasible mitigation measures to improve the operating conditions of these intersections. As shown in Table 39 in Section IV.B.1 of the Draft EIR, the volume-to-capacity ratio at the intersection of Barham Boulevard & Lakeside Plaza Drive/Forest Lawn Drive under the Future with Project with Funded Improvements scenario is lower (better) than that projected under the Future without Project scenario. Further, Section V.E, Alternatives to the Proposed Project, of the Draft EIR presents an analysis of an alternative with a reduced level of development as compared to that of the proposed Project (Alternative 4), which indicates that there would be no change in impacts at the Barham Boulevard and Lakeside Plaza Drive/Forest Lawn Drive intersection (i.e., significant impacts during both peak hours) with the reduced levels of development and impacts at the Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive would remain significant during the A.M. peak hour.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 75-38

The Transportation Setting Section is inadequate in its description of existing traffic conditions in the vicinity of the proposed project and as a result fails to disclose project

impacts on residential streets. In Section IV.B.1.b Existing Conditions (2) Existing Traffic Volumes and Operating Conditions, beginning on page 596, the Draft EIR fails to address existing neighborhood cut through routes in the vicinity of the project, routes that the City of Los Angeles is well aware of and on which the City has already taken some actions to reduce cut through trips. CUSG would like to point out that numerous websites exist to educate even newly arrived drivers about the shortcuts in Los Angeles driving. To list just a few:

Traffic Shortcuts: The Barham Bypass [[http://studiocity . patch. co.](http://studiocity.patch.co)]

12 Driving Shortcuts in Los Angeles, by Shana Ting Lipton [<http://About.com> Guide]

Santa Monica/LA Shortcuts [www.A1courier.com/lashortcuts.htm]

LA Driving Shortcuts [<http://keypad.net>]

L.A. Shortcuts: Cut Through Traffic [[www.lashortcuts.co.](http://www.lashortcuts.co)]

My Traffic Shortcuts. com

Los Angeles Driving Shortcuts: Best Sites [www.associatedcontent.com]

Those routes - well-known to all - include but are not limited to the following:

Mulholland Drive and Outpost Drive, between Cahuenga Blvd West and Franklin Avenue

Outpost Drive, La Presa Drive and Camrose Avenue, between Highland Avenue and Franklin Avenue

Camrose Avenue and Hillcrest, between Highland Avenue and Franklin Avenue

Hollycrest Drive, Primera Avenue and Lake Hollywood Drive between Cahuenga Blvd East and Barham Blvd

Wonder View Drive and Lake Hollywood Drive between Cahuenga Blvd East and Barham Blvd

Wrightwood Drive between Mulholland Drive and Vineland Avenue

Valley Spring Lane, between Cahuenga Boulevard and Forman Avenue

Lake Hollywood Drive and Beachwood Canyon Blvd to bypass Barham Blvd

Cahuenga Blvd East to Hollycrest Drive to Primera to Lake Hollywood Drive to Barham Blvd

Cahuenga Blvd East to Benda to Primera to Lake Hollywood to Barham Blvd

Cahuenga Blvd East to Lakeridge Place to Wonder View Drive to Tareco to Wonder View Drive to Lake Hollywood Drive to La Suvida to Lake Hollywood Drive to Barham Blvd

Franklin Avenue to Beachwood Drive to Ledgewood Drive to Muholland [sic] to Tahoe to Lake Hollywood Drive to La Suvida to Lake Hollywood Drive to Barham Blvd.

Cahuenga Blvd East to Hollycrest Drive to Benda to North Knoll Drive to Londo to La Falda to Lake Hollywood Drive to Barham Blvd

Oakshire Drive off Cahuenga Blvd West to Passmore Drive to Woodrow Wilson Drive to Cahuenga Blvd West

Oakshire Drive off Cahuenga Blvd West to Passmore Drive to Woodrow Wilson Drive to Pacific View Drive to Mulholland to Outpost Drive to Franklin Avenue

Mulholland off Cahuenga Blvd West to Outpost Drive to Franklin Avenue

Broadlawn Drive off Cahuenga Blvd West to Oak Glen Drive to Oakshire Drive to Cahuenga Blvd West

Lankershim Blvd to Kentucky Drive to Fredonia Drive to Cahuenga Blvd West

Fruitland Drive to avoid the Vineland/Ventura intersection

Highland Avenue south to Camrose to Sycamore Drive, left turn to Franklin Avenue

Highland Avenue south to Camrose to Sycamore Drive, right turn to follow Sycamore around past the Yamashiro restaurant to Franklin Avenue

Despite these well-known routes, and despite the fact that most of the problematic intersections are identified as being at a LOS E or F, the DEIR [*DEIR, Volume 2_E, Traffic Report, Book 2, pages 349-368*] over and over minimizes and dismisses the possibility of neighborhood traffic intrusions by cheerily stating again and again that because in most cases there are no parallel streets, neighborhood intrusions cannot occur.

[Emphasis added in the following section:]

“No parallel alternative routes via local residential streets are available as a bypass to Lankershim Boulevard between the Muddy Waters Drive and Ventura Boulevard/Cahuenga Boulevard intersections, and around the Vineland Avenue/Camarillo Street intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“No parallel alternative routes via local residential streets are available as a bypass to Cahuenga Boulevard around the Valley Spring Lane intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“No parallel alternative routes via local residential streets are available as a bypass to Riverside Drive around the Camarillo Street/Tujunga Avenue intersection. Due to the physical barriers created by the SR 134 freeway to the [sic] north and the presence of other LOS E or F intersections along Moorpark Street to the south, no parallel alternative routes via local residential streets are available as a bypass to Riverside Drive around the SR 134 eastbound on-ramp, Lankershim Boulevard, and Cahuenga Boulevard intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Tujunga Avenue between Camarillo Street/Riverside Drive to the SR 170 northbound on-ramp - The sole intersection along the Tujunga Avenue corridor from Camarillo Street/Riverside Drive to the SR 170 northbound onramp projected to operate at LOS E or F is the intersection of Tujunga Avenue at Camarillo Street/Riverside Drive. **No parallel alternative routes via local residential streets are available** as a bypass to Tujunga Avenue around the Camarillo Street/Riverside Drive intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Barham Boulevard, Olive Avenue to Cahuenga Boulevard - The six intersections along the Barham Boulevard corridor from Olive Avenue to Cahuenga Boulevard projected to operate at LOS E or F include:

- Barham Boulevard at Cahuenga Boulevard
- Barham Boulevard at Buddy Holly Drive/Cahuenga Boulevard
- Barham Boulevard at De Witt Drive
- Barham Boulevard at Lake Hollywood Drive
- Barham Boulevard at Coyote Canyon Road
- Barham Boulevard at Lakeside Plaza Drive/Forest Lawn Drive

No parallel alternative routes via local residential streets are available as a bypass to Barham Boulevard around the above intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Forest Lawn Drive, Barham Boulevard/Lakeside Plaza Drive to the SR 134 eastbound ramps - The two intersections along the Forest Lawn Drive corridor from Barham Boulevard/Lakeside Plaza Drive to the SR 134 eastbound ramps projected to operate at LOS E or F are the intersections of Forest Lawn Drive at Barham Boulevard/Lakeside Plaza Drive and at the SR 134 eastbound ramps. **No parallel alternative routes via local residential streets are available** as a bypass to Forest Lawn Drive around these intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Olive Avenue, Barham Boulevard to Hollywood Way - The three intersections along the Olive Avenue corridor from Barham Boulevard to Hollywood Way projected to operate at LOS E or F include:

- Olive Avenue at Warner Brothers Studios Gate 2/Gate 3
- Olive Avenue at Pass Avenue
- Olive Avenue at Hollywood Way

No parallel alternative routes via local residential streets are available as a bypass to Olive Avenue around the Pass Avenue and Warner Brothers Studios Gate 2/Gate 3 intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...** “Due to the physical barriers created by the SR 134 freeway to the north, **no parallel alternative routes via local residential streets are available** as a bypass to Pass Avenue around the Alameda Avenue intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Cahuenga Boulevard (East), Barham Boulevard/Buddy Holly Drive to Mulholland Drive - The sole intersection along the Cahuenga Boulevard (East) corridor from Barham Boulevard/Buddy Holly Drive to Mulholland Drive projected to operate at LOS E or F is the intersection of Cahuenga Boulevard (East) at Barham Boulevard/Buddy Holly Drive. **No parallel alternative routes via local residential streets are available** as a bypass to Cahuenga Boulevard (East) around the Barham Boulevard/Buddy Holly Drive intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Cahuenga Boulevard (West), Lankershim Boulevard/Ventura Boulevard to Highland Avenue/Pat Moore Way - The six intersections along the Cahuenga Boulevard (West)

corridor from Lankershim Boulevard/Ventura Boulevard to Highland Avenue/Pat Moore Way projected to operate at LOS E or F include:

- Cahuenga Boulevard at Lankershim Boulevard/Ventura Boulevard
- Cahuenga Boulevard at US 101 southbound ramps/Regal Place
- Cahuenga Boulevard at Universal Studios Boulevard
- Cahuenga Boulevard at US 101 southbound ramps
- Cahuenga Boulevard at Barham Boulevard
- Cahuenga Boulevard at Mulholland Drive

No parallel alternative routes via local residential streets are available as a bypass to Cahuenga Boulevard (West) around the Lankershim Boulevard/-Ventura Boulevard, US 101 southbound ramps/Regal Place, and Mulholland Drive intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Highland Avenue, Cahuenga Boulevard (West)/Pat Moore Way to Sunset Boulevard - The four intersections along the Highland Avenue corridor from Cahuenga Boulevard (West)/Pat Moore Way to Sunset Boulevard projected to operate at LOS E or F include:

- Highland Avenue at Franklin Avenue
- Highland Avenue at Franklin Avenue/Franklin Place
- Highland Avenue at Hollywood Boulevard
- Highland Avenue at Sunset Boulevard

No parallel alternative routes via local residential streets are available as a bypass to Highland Avenue around the Franklin Avenue and Franklin Avenue Franklin Place intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Ventura Boulevard, Lankershim Boulevard/Cahuenga Boulevard to the US 101 southbound on-ramp - The sole intersection along the Ventura Boulevard corridor from Lankershim Boulevard/Cahuenga Boulevard to the US 101 southbound on-ramp projected to operate at LOS E or F is the intersection of Ventura Boulevard at Lankershim Boulevard/Cahuenga Boulevard. **No parallel alternative routes via local residential streets are available** as a bypass to Ventura Boulevard around the Lankershim Boulevard/Cahuenga Boulevard intersection that would provide access to the US 101 southbound on-ramp.

No parallel alternative routes via local residential streets are available as a bypass to Ventura Boulevard around the Whitsett Avenue/Laurel Terrace Drive and Coldwater Canyon Avenue intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Campo de Cahuenga Way, Lankershim Boulevard/Universal Hollywood Drive to Riverton Avenue/Ventura Boulevard - The sole intersection along the Campo de Cahuenga Way corridor from Lankershim Boulevard/Universal Hollywood Drive to Riverton Avenue/Ventura Boulevard projected to operate at LOS E or F is the intersection of Campo de Cahuenga Way at Lankershim Boulevard/Universal Hollywood Drive. **No parallel alternative routes via local residential streets are available** as a bypass to Campo de Cahuenga Way around the Lankershim Boulevard/Universal Hollywood Drive intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Universal Studios Boulevard between Universal Center Drive/Buddy Holly Drive and Cahuenga Boulevard - The two intersections along the Universal Studios Boulevard corridor from Universal Center Drive/Buddy Holly Drive to Cahuenga Boulevard projected to operate at LOS E or F are the intersections of Universal Center Drive/Universal Studios Boulevard & Buddy Holly Drive and Universal Studios Boulevard & Cahuenga Boulevard. **No parallel alternative routes via local residential streets are available** as a bypass to Universal Studios Boulevard around these intersections.

By not acknowledging the existing pattern of neighborhood traffic intrusion, the Draft EIR is deficient in its characterization of Existing Operating Conditions. This mischaracterization is carried forward into the analysis of project impacts where the Draft EIR authors contend that the project’s traffic will not use neighborhood streets, claiming that “no parallel alternate routes exist.” The failure to adequately assess existing conditions leads the Draft EIR authors to miss the fact that the alternate routes above exist and are used today by cut-through traffic. They will also be used in the future by project-generated traffic and the Draft EIR fails to acknowledge this impact and fails to offer mitigation to reduce the neighborhood traffic impact.

Response to Comment No. 75-38

The comment incorporates Comment No. 39-218 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-218, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-218

The Transportation Setting Section is inadequate in its description of existing traffic conditions in the vicinity of the proposed project and as a result fails to disclose project impacts on residential streets. In Section IV.B.I.b Existing Conditions (2) Existing Traffic Volumes and Operating Conditions, beginning on page 596, the Draft EIR fails to address existing neighborhood cut through routes in the vicinity of the project, routes that the City of Los Angeles is well aware of and on which the City has already taken some actions to reduce cut through trips.

CUSG would like to point out that numerous websites exist to educate even newly arrived drivers about the shortcuts in Los Angeles driving. To list just a few:

Traffic Shortcuts: The Barham Bypass [<http://studiocity.patch.co.>]

12 Driving Shortcuts in Los Angeles, by Shana Ting Lipton [<http://About.com Guide>]

Santa Monica/LA Shortcuts [www.A-1courier.com/lashortcuts.htm]

LA Driving Shortcuts [<http://keypad.net>]

L.A. Shortcuts: Cut Through Traffic [www.lashortcuts.co.]

My Traffic Shortcuts.com

Los Angeles Driving Shortcuts: Best Sites [www.associatedcontent.com]

Those routes - well-known to all- include but are not limited to the following:

- Mulholland Drive and Outpost Drive, between Cahuenga Blvd West and Franklin Avenue
- Outpost Drive, La Presa Drive and Camrose Avenue, between Highland Avenue and Franklin Avenue
- Camrose Avenue and Hillcrest, between Highland Avenue and Franklin Avenue
- Hollycrest Drive, Primera Avenue and Lake Hollywood Drive between Cahuenga Blvd East and Barham Blvd
- Wonder View Drive and Lake Hollywood Drive between Cahuenga Blvd East and Barham Blvd
- Wrightwood Drive between Mulholland Drive and Vineland Avenue

- Valley Spring Lane, between Cahuenga Boulevard and Forman Avenue
- Lake Hollywood Drive and Beachwood Canyon Blvd to bypass Barham Blvd
- Cahuenga Blvd East to Hollycrest Drive to Primera to Lake Hollywood Drive to Barham Blvd
- Cahuenga Blvd East to Benda to Primera to Lake Hollywood to Barham Blvd.
- Cahuenga Blvd East to Lakeridge Place to Wonder View Drive to Tareco to Wonder View Drive to Lake Hollywood Drive to La Suvida to Lake Hollywood Drive to Barham Blvd
- Franklin Avenue to Beachwood Drive to Ledgewood Drive to Mulholland [sic] to Tahoe to Lake Hollywood Drive to La Suvida to Lake Hollywood Drive to Barham Blvd.
- Cahuenga Blvd East to Hollycrest Drive to Benda to North Knoll Drive to Londo to La Falda to Lake Hollywood Drive to Barham Blvd
- Oakshire Drive off Cahuenga Blvd West to Passmore Drive to Woodrow Wilson Drive to Cahuenga Blvd West
- Oakshire Drive off Cahuenga Blvd West to Passmore Drive to Woodrow Wilson Drive to Pacific View Drive to Mulholland to Outpost Drive to Franklin Avenue
- Mulholland off Cahuenga Blvd West to Outpost Drive to Franklin Avenue
- Broadlawn Drive off Cahuenga Blvd West to Oak Glen Drive to Oakshire Drive to Cahuenga Blvd West
- Lankershim Blvd to Kentucky Drive to Fredonia Drive to Cahuenga Blvd West
- Fruitland Drive to avoid the Vineland/Ventura intersection
- Highland Avenue south to Camrose to Sycamore Drive, left turn to Franklin Avenue

- Highland Avenue south to Camrose to Sycamore Drive, right turn to follow Sycamore around past the Yamashiro restaurant to Franklin Avenue

Despite these well-known routes, and despite the fact that most of the problematic intersections are identified as being at a LOS E or F, the DEIR [DEIR, Volume 2_ E, Traffic Report, Book 2, pages 349-368] over and over minimizes and dismisses the possibility of neighborhood traffic intrusions by cheerily stating again and again that because in most cases there are no parallel streets, neighborhood intrusions cannot occur:

[Emphasis added in the following section:]

“No parallel alternative routes via local residential streets are available as a bypass to Lankershim Boulevard between the Muddy Waters Drive and Ventura Boulevard/Cahuenga Boulevard intersections, and around the Vineland Avenue/Camarillo Street intersection. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“No parallel alternative routes via local residential streets are available as a bypass to Cahuenga Boulevard around the Valley Spring Lane intersection. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“No parallel alternative routes via local residential streets are available as a bypass to Riverside Drive around the Camarillo Street/Tujunga Avenue intersection. Due to the physical barriers created by the SR 134 freeway to the north and the presence of other LOS E or F intersections along Moorpark Street to the south, no parallel alternative routes via local residential streets are available as a bypass to Riverside Drive around the SR 134 eastbound on-ramp, Lankershim Boulevard, and Cahuenga Boulevard intersections. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Tujunga Avenue between Camarillo Street/Riverside Drive to the SR 170 northbound on-ramp - The sole intersection along the Tujunga Avenue corridor from Camarillo Street/Riverside Drive to the SR 170 northbound on-ramp projected to operate at LOS E or F is the intersection of Tujunga Avenue at Camarillo Street/Riverside Drive. No parallel alternative routes via local residential streets are available as a bypass to Tujunga Avenue around the Camarillo Street/Riverside Drive intersection. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Barham Boulevard, Olive Avenue to Cahuenga Boulevard - The six intersections along the Barham Boulevard corridor from Olive Avenue to Cahuenga Boulevard projected to operate at LOS E or F include:

- Barham Boulevard at Cahuenga Boulevard
- Barham Boulevard at Buddy Holly Drive/Cahuenga Boulevard
- Barham Boulevard at De Witt Drive
- Barham Boulevard at Lake Hollywood Drive
- Barham Boulevard at Coyote Canyon Road
- Barham Boulevard at Lakeside Plaza Drive/Forest Lawn Drive

No parallel alternative routes via local residential streets are available as a bypass to Barham Boulevard around the above intersections. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Forest Lawn Drive, Barham Boulevard/Lakeside Plaza Drive to the SR 134 eastbound ramps - The two intersections along the Forest Lawn Drive corridor from Barham Boulevard/Lakeside Plaza Drive to the SR 134 eastbound ramps projected to operate at LOS E or F are the intersections of Forest Lawn Drive at Barham Boulevard/Lakeside Plaza Drive and at the SR 134 eastbound ramps. ***No parallel alternative routes via local residential streets are available*** as a bypass to Forest Lawn Drive around these intersections. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Olive Avenue, Barham Boulevard to Hollywood Way - The three intersections along the Olive Avenue corridor from Barham Boulevard to Hollywood Way projected to operate at LOS E or F include:

- Olive Avenue at Warner Brothers Studios Gate 2/Gate 3
- Olive Avenue at Pass Avenue
- Olive Avenue at Hollywood Way

No parallel alternative routes via local residential streets are available as a bypass to Olive Avenue around the Pass Avenue and Warner Brothers Studios Gate 2/Gate 3 intersections. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Due to the physical barriers created by the SR 134 freeway to the north, ***no parallel alternative routes via local residential streets are available*** as a bypass to Pass Avenue around the Alameda Avenue intersection. ***No significant neighborhood intrusion impacts would therefore be anticipated in this area...***

“Cahuenga Boulevard (East), Barham Boulevard/Buddy Holly Drive to Mulholland Drive - The sole intersection along the Cahuenga Boulevard (East) corridor from Barham Boulevard/Buddy Holly Drive to Mulholland Drive projected to operate at LOS E or F is the intersection of Cahuenga Boulevard (East) at Barham Boulevard/Buddy Holly Drive. **No parallel alternative routes via local residential streets are available** as a bypass to Cahuenga Boulevard (East) around the Barham Boulevard/Buddy Holly Drive intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Cahuenga Boulevard (West), Lankershim Boulevard/Ventura Boulevard to Highland Avenue/Pat Moore Way - The six intersections along the Cahuenga Boulevard (West) corridor from Lankershim Boulevard/Ventura Boulevard to Highland Avenue/Pat Moore Way projected to operate at LOS E or F include:

- Cahuenga Boulevard at Lankershim Boulevard/Ventura Boulevard
- Cahuenga Boulevard at US 101 southbound ramps/Regal Place
- Cahuenga Boulevard at Universal Studios Boulevard
- Cahuenga Boulevard at US 101 southbound ramps
- Cahuenga Boulevard at Barham Boulevard
- Cahuenga Boulevard at Mulholland Drive

No parallel alternative routes via local residential streets are available as a bypass to Cahuenga Boulevard (West) around the Lankershim Boulevard/Ventura Boulevard, US 101 southbound ramps/Regal Place, and Mulholland Drive intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Highland Avenue, Cahuenga Boulevard (West)/Pat Moore Way to Sunset Boulevard - The four intersections along the Highland Avenue corridor from Cahuenga Boulevard (West)/Pat Moore Way to Sunset Boulevard projected to operate at LOS E or F include:

- Highland Avenue at Franklin Avenue
- Highland Avenue at Franklin Avenue/Franklin Place
- Highland Avenue at Hollywood Boulevard
- Highland Avenue at Sunset Boulevard

No parallel alternative routes via local residential streets are available as a bypass to Highland Avenue around the Franklin Avenue and Franklin

Avenue Franklin Place intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Ventura Boulevard, Lankershim Boulevard/Cahuenga Boulevard to the US 101 southbound on-ramp - The sole intersection along the Ventura Boulevard corridor from Lankershim Boulevard/Cahuenga Boulevard to the US 101 southbound on-ramp projected to operate at LOS E or F is the intersection of Ventura Boulevard at Lankershim Boulevard/Cahuenga Boulevard. **No parallel alternative routes via local residential streets are available** as a bypass to Ventura Boulevard around the Lankershim Boulevard/Cahuenga Boulevard intersection that would provide access to the US 101 southbound on-ramp. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“No parallel alternative routes via local residential streets are available as a bypass to Ventura Boulevard around the Whitsett Avenue/Laurel Terrace Drive and Coldwater Canyon Avenue intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Campo de Cahuenga Way, Lankershim Boulevard/Universal Hollywood Drive to Riverton Avenue Ventura Boulevard - The sole intersection along the Campo de Cahuenga Way corridor from Lankershim Boulevard/Universal Hollywood Drive to Riverton Avenue Ventura Boulevard projected to operate at LOS E or F is the intersection of Campo de Cahuenga Way at Lankershim Boulevard/Universal Hollywood Drive. **No parallel alternative routes via local residential streets are available** as a bypass to Campo de Cahuenga Way around the Lankershim Boulevard/Universal Hollywood Drive intersection. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

“Universal Studios Boulevard between Universal Center Drive/Buddy Holly Drive and Cahuenga Boulevard - The two intersections along the Universal Studios Boulevard corridor from Universal Center Drive/Buddy Holly Drive to Cahuenga Boulevard projected to operate at LOS E or F are the intersections of Universal Center Drive/Universal Studios Boulevard & Buddy Holly Drive and Universal Studios Boulevard & Cahuenga Boulevard. **No parallel alternative routes via local residential streets are available** as a bypass to Universal Studios Boulevard around these intersections. **No significant neighborhood intrusion impacts would therefore be anticipated in this area...**

By not acknowledging the existing pattern of neighborhood traffic intrusion, the Draft EIR is deficient in its characterization of Existing Operating Conditions. This mischaracterization is carried forward into the analysis of project impacts where the Draft EIR authors contend that the project’s traffic will not use neighborhood streets, claiming that “no parallel alternate routes

exist.” The failure to adequately assess existing conditions leads the Draft EIR authors to miss the fact that the alternate routes above exist and are used today by cut-through traffic. They will also be used in the future by project-generated traffic and the Draft EIR fails to acknowledge this impact and fails to offer mitigation to reduce the neighborhood traffic impact.

Response to Comment No. 39-218

As discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter VIII of the Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report (Gibson Transportation Consulting, Inc. and Raju Associates, Inc., March 2010) (the “Transportation Study”) a detailed analysis of the Project’s potential impacts on nearby residential neighborhoods was conducted. The methodology used in this analysis is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to LADOT criteria for neighborhood streets.

As noted in Section IV.B.1.2.c(2) of the Draft EIR, the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model, the Universal City Transportation Model, that was developed for the Study Area as described in Response to Comment Nos. 39-11 and 39-207.

As described in Section IV.B.1.3.d.(5) of the Draft EIR, per the City of Los Angeles CEQA Thresholds Guide, a project would have a significant neighborhood intrusion impact if the project traffic increases the average daily traffic volume on a local residential street in an amount equal to or greater than the following:

- **Average Daily** Traffic increase > **16 percent** if final **Average Daily Traffic*** < 1,000;
- **Average Daily** Traffic increase > 12 percent if final **Average Daily Traffic*** > 1,000 and < 2,000;
- **Average Daily** Traffic increase > 10 percent if final **Average Daily Traffic*** > 2,000 and < 3,000; or
- **Average Daily** Traffic increase > 8 percent if final **Average Daily Traffic*** > 3,000.

*Final **Average Daily Traffic** is defined as total projected future daily volume including project, ambient, and related project growth.

Based on consultation with LADOT, a more stringent threshold of an average daily trip increase of 120 Project trips was used for the Draft EIR analysis. Based on Los Angeles Department of Transportation policy, it was assumed that a significant Project impact would occur on a neighborhood street if sufficient Project traffic is projected to be added to the arterial corridors such that the volume that may shift to an alternative route could exceed the 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 portion of motorists inclined to seek alternative routes. Therefore, corridors to which the Project may add 1,200 or more daily trips were examined, assuming that at most only 10 percent of these trips may shift to alternative routes on average across a 24-hour period (the proportion that may shift could be higher than 10 percent during congested peak periods of the day but much less than 10 percent or almost none during uncongested non-peak periods of the day). Using the Universal City Transportation Model, the number of trips that may be added to any particular arterial corridor was projected, and the extent of the projected addition of 1,200 or more daily trips was determined. Since the model provides peak-hour but not daily assignments, daily Project trips were estimated by multiplying the afternoon peak-hour Project trips by a factor of 10.

As part of the neighborhood intrusion impact analysis for the Project, a detailed review was conducted of the streets noted in the comment. Figure 10 on page 2419 shows the Project trips under the Future with Project with Funded Improvements scenario on some of the streets noted in the comment. Also refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for further detail.

Mulholland Drive—As shown in Figure 10, the Project is expected to add approximately 280 daily trips to Mulholland Drive adjacent to its intersection with Cahuenga Boulevard (West). However, approximately 140 of these trips dissipate adjacent to the street's intersection with Outpost Drive while another 50 trips dissipate adjacent to its intersection with Woodrow Wilson Drive. Therefore, these trips represent local trips from the neighborhood instead of cut-through traffic. Hence the Project is not expected to have a significant impact on this street.

Outpost Drive—As shown in Figure 10, the Project is expected to add approximately 130 daily trips to Outpost Drive. However, approximately 80 of these trips dissipate north of Hollywood Drive. Therefore, these trips represent local trips from the neighborhood instead of cut-through traffic. The remaining 50 trips are lower than the LADOT's significance threshold of 120 daily trips for neighborhood impacts. Hence the Project is not expected to have a significant impact on this street.

Wrightwood Drive and Lane—As shown in Figure 10 on page 2419, the Project is expected to add approximately 180 daily trips to Wrightwood Drive and Lane. However, approximately 110 of these trips dissipate into the neighborhood adjacent to the intersection of Wrightwood Drive and Dona Lisa Drive/Dona Rosa Drive while 60 of the trips dissipate just south of the intersection of Wrightwood Drive & Mulholland Drive. Therefore, these trips represent local trips from the neighborhood instead of cut-through traffic. Hence the Project is not expected to have a significant impact on this street.

Woodrow Wilson Drive—As shown in Figure 10, the Project is expected to add approximately 350 daily trips to Woodrow Wilson Drive adjacent to its intersection with Cahuenga Boulevard (West). However, approximately 240 of these trips dissipate prior to the street's intersection with Mulholland Drive while only 70 trips continue along Nichols Canyon Road to Hollywood (as through traffic). The 70 through trips are below the LADOT's 120-trip significance threshold. Therefore, the majority of these trips represent local trips from the neighborhood instead of cut-through traffic. Hence the Project is not expected to have a significant impact on this street.

Oakshire Drive—As shown in Figure 73A in Section IV.B.1 of the Draft EIR and Figure 66 of the Transportation Study (see Appendix E-1 of the Draft EIR), Oakshire Drive has been identified as a potentially significantly impacted street under the Future with Project scenario, before TDM trip reduction and mitigations. However, as shown in Figures 67 and 68 of the Transportation Study, the Project's impact on this street is mitigated to a level below significance under the Future with Project with TDM Program and Future with Project with Funded Improvements scenarios. Hence the Project is not expected to have a significant impact on Oakshire Drive with the implementation of the proposed mitigation program.

Broadlawn Drive—As shown in Figure 73A in Section IV.B.1 of the Draft EIR and Figure 66 of the Transportation Study (see Appendix E-1 of the Draft EIR), Broadlawn Drive has been identified as a potentially significantly impacted street under the Future with Project scenario, before TDM trip reduction and mitigations. However, as shown in Figures 67 and 68 of the Transportation Study, the Project's impact on this street is mitigated to a level below significance under the Future with Project with TDM Program and Future with Project with Funded Improvements scenarios. Hence the Project is not expected to have a significant impact on Broadlawn Drive with the implementation of the proposed mitigation program.

Oak Glen Drive—As shown in Figure 73A in Section IV.B.1 of the Draft EIR and Figure 66 of the Transportation Study (see Appendix E-1 of the Draft EIR), Oak Glen Drive has been identified as a potentially significantly impacted street under the Future with Project scenario, before TDM trip reduction and mitigations. However, as shown in Figures 67 and 68 of the Transportation Study, the Project's impact on this street is mitigated to a level

below significance under the Future with Project with TDM Program and Future with Project with Funded Improvements scenarios. Hence the Project is not expected to have a significant impact on Oak Glen Drive with the implementation of the proposed mitigation program.

Fruitland Drive—As shown in Figure 73A in Section IV.B.1 of the Draft EIR and Figures 66 and 67 of the Transportation Study, Fruitland Drive has been identified as a potentially significantly impacted street under the Future with Project scenario, before TDM trip reduction and mitigations and the Future with Project with TDM Program scenario, before mitigations. However, as shown in Figure 73B in Section IV.B.1 of the Draft EIR and Figure 68 of the Transportation Study, the Project's impact on this street is mitigated to a level below significance under the Future with Project with Funded Improvements scenario. Hence the Project is not expected to have a significant impact on Fruitland Drive with the implementation of the proposed mitigation program.

Valley Spring Lane—As shown in Figure 73B in Section IV.B.1 of the Draft EIR and Figure 68 of the Transportation Study (see Appendix E-1 of the Draft EIR), Valley Spring Lane has been identified as a potentially significantly impacted street under the Future with Project with Funded Improvements scenario and is therefore eligible for the neighborhood mitigation fund described in Section IV.B.1, Traffic/Access – Traffic/Circulation, Mitigation Measure B-42.

Passmore Drive—As shown in Figure 10 on page 2419, the Project is not expected to add any trips to Passmore Drive. Hence the Project is not expected to have a significant impact on this street.

Fredonia Drive—As shown in Figure 10, the Project is not expected to add any trips to Fredonia Drive. Hence the Project is not expected to have a significant impact on this street.

Based on the Universal City Transportation Model, the Project is not anticipated to add any cut-through traffic to the other streets noted in the comment. As shown above, the Project is not expected to result in a significant neighborhood intrusion impact, after mitigations, at any of the streets noted in the comment.

Comment No. 75-39

The DEIR Summary on pages 75-76 states the following:

“The following mitigation measure is recommended to provide for the development of neighborhood traffic management plan(s) in the potentially impacted neighborhoods:

Mitigation Measure B-42: ... the Applicant or its successor shall provide funding... in an amount up to \$500,000 for implementation of the Los Angeles Department of

Transportation's Neighborhood Traffic Management Plan process for the Project set forth in Appendix E-1 of this Draft EIR."

We believe that this amount of money is grossly inadequate to rectify all the significant and ongoing neighborhood intrusion impacts. And this amount is set aside for only five identified streets when it is clear from the list above that there are currently many more affected streets and neighborhoods than the DEIR identifies, and it is probable that there exist now other cut-through routes that have not been cited. In fact, the full extent of these impacts may not be known until years after the full 20-year build-out.

The DEIR then goes on to state:

"Implementation of the improvements may reduce the neighborhood intrusion impacts to less than significant. However, as discussed above at this time it is not known whether a particular community will elect to implement a particular set of mitigation measures or if the agreed upon measures will reduce the impacts to less than significance. Therefore, it is conservatively concluded that mitigation of the potential neighborhood intrusion impact will not be feasible and a significant traffic intrusion impact in the identified neighborhoods would remain."

It should be pointed out that many neighborhoods express concern about the suggested mitigations for fear that those mitigations - e.g., widening local streets into thoroughfares - will not lessen traffic but, in fact, increase it as they serve, not the community, but the Project. And this fear seems to be realistic, given the statement by the DEIR above that mitigations may prove to be infeasible and therefore the significant intrusion impact must be suffered by all the neighborhoods.

Suggested Mitigation:

In order to ensure that some of the residential trips remain internal to the project site, CUSG proposes that the project applicant shall restrict the occupancy of 20% of the residential dwelling units on site to employees of NBC Universal with jobs on site.

How would restricting 20% of residential units to NBC Universal employees affect the residential trips? What would be the reduction in residential trips?

Response to Comment No. 75-39

The comment incorporates Comment No. 39-219 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-219, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-219

The DEIR Summary on pages 75–76 states the following:

“The following mitigation measure is recommended to provide for the development of neighborhood traffic management plans in the potentially impacted neighborhoods:

Mitigation Measure B-42: ... the Applicant or its successor shall provide funding ... in an amount up to \$500,000 for implementation of the Los Angeles Department of Transportation’s Neighborhood Traffic Management Plan process for the Project set forth in Appendix E-I of this Draft EIR.”

We believe that this amount of money is grossly inadequate to rectify all the significant and ongoing neighborhood intrusion impacts. And this amount is set aside for only five identified streets when it is clear from the list above that there are currently many more affected streets and neighborhoods than the DEIR identifies, and it is probable that there exist now other cut through routes that have not been cited. In fact, the full extent of these impacts may not be known until years after the full 20-year build-out.

The DEIR then goes on to state:

“Implementation of the improvements may reduce the neighborhood intrusion impacts to less than significant. However, as discussed above at this time it is not known whether a particular community will elect to implement a particular set of mitigation measures or if the agreed upon measures will reduce the impacts to less than significance. Therefore, it is conservatively concluded that mitigation of the potential neighborhood intrusion impact will not be feasible and a significant traffic intrusion impact in the identified neighborhoods would remain.”

It should be pointed out that many neighborhoods express concern about the suggested mitigations for fear that those mitigations - e.g., widening local streets into thoroughfares will not lessen traffic but, in fact, increase it as they serve, not the community, but the Project. And this fear seems to be realistic, given the statement by the DEIR above that mitigations may prove to be infeasible and therefore the significant intrusion impact must be suffered by all the neighborhoods.

Suggested Mitigation:

In order to ensure that some of the residential trips remain internal to the project site, CUSG proposes that the project applicant shall restrict the occupancy of 20% of the residential dwelling units on site to employees of NBC Universal with jobs on site.

How would restricting 20% of residential units to NBC Universal employees affect the residential trips? What would be the reduction in residential trips?

Response to Comment No. 39-219

Pursuant to Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR), the Applicant or its successor shall provide funding of up to \$500,000 for implementation of the LADOT's Neighborhood Traffic Management Process set forth in Appendix T to the Transportation Study (Appendix E-1 of the Draft EIR). As explained in the Neighborhood Traffic Management Process, the LADOT determined that a budget of up to \$500,000 is appropriate for the development of Neighborhood Transportation Management Plans for the eligible neighborhoods based on its experience implementing Transportation Management Plans. With regard to the statement that there are additional impacted neighborhoods than those noted in the Draft EIR, please see Response to Comment No. 39-218. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for further detail.

The commenter incorrectly states that the Project has proposed neighborhood intrusion mitigation measures such as widening of local neighborhood streets into thoroughfares. As noted in Section IV.B.1.3.d of the Draft EIR and in the Neighborhood Traffic Management Process, the traffic calming measures that may be included in a Neighborhood Traffic Management Plan for the Project include non-restrictive traffic control measures such as traffic circles, speed humps, roadway narrowing (e.g., raised medians and traffic chokers), landscaping features, roadway striping changes (e.g., bike lanes or parking striping to reduce the perceived width of the roadway), stop signs, new sidewalks, and new pedestrian amenities and more restrictive physical/operational improvements such as turn restrictions, cul-de-sacs, traffic diverters, street blockers, and signal metering.

In addition, as noted in Section IV.B.1.3.d.(5) of the Draft EIR and Chapter VIII of the Transportation Study (see Appendix E-1 of the Draft EIR) and discussed in Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), the neighborhood intrusion impacts may remain significant only in the event that the community is unable to reach a consensus on which measures should be implemented.

With regard to a mitigation measure requiring that 20% of the residential dwelling units in the Mixed-Use Residential Area be set aside for on-site employees, Alternative 4: Reduced Intensity, discussed in Section V, Alternatives to the Proposed Project, of the Draft EIR evaluated a 25 percent reduction in the quantity of net new development at the Project Site and concluded that neighborhood intrusion impacts would be similar to the

proposed Project in that a significant impact would occur. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 75-40

An additional mitigation measure must be added to the Mitigation Phasing discussion (pages 687 - 689 of IV.B.1) to insure that the phasing plan is enforceable and part of the mitigation monitoring program. The measure should be MM B-45: The proposed project shall be implemented in four phases, each of which has an assigned maximum number of net new pm peak hour vehicle trips above existing conditions. Those maximum allowable pm peak hour vehicle trips per phase must be established. The mitigation measures specified in Appendix [sic]

E-2, Attachment J of the DEIR for each of the first three phases shall be implemented prior to the initiation of construction on any portion of the subsequent phase of the project. Phase 1 includes 7 transportation improvements, Phase 2 includes 10 transportation improvements, Phase 3 includes 4 transportation improvements and Phase 4 includes 2 transportation improvements. The Phase 4 improvements shall be in place prior to issuance of a certificate of occupancy for the Phase 4 development. Any changes to the mitigation phasing plan in Appendix E-2, Attachment J of the DEIR, shall be subject to review and approval of the Los Angeles City Council and Los Angeles County Board of Supervisors in open public meetings.

Response to Comment No. 75-40

The comment incorporates Comment No. 39-220 from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011. Please see Response to Comment No. 39-220, which is reprinted below for the convenience of the reader. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 39-220

An additional mitigation measure must be added to the Mitigation Phasing discussion (pages 687 - 689 of IV.B.I) to insure that the phasing plan is enforceable and part of the mitigation monitoring program. The measure should be MM B-45: The proposed project shall be implemented in four phases, each of which has an assigned maximum number of net new pm peak hour vehicle trips above existing conditions. Those maximum allowable pm peak hour vehicle trips per phase must be established. The mitigation measures specified in Appendix E-2, Attachment J of the DEIR for each of the first three phases shall be implemented prior to the initiation of construction on any portion of the subsequent phase of the project. Phase 1

includes 7 transportation improvements, Phase 2 includes 10 transportation improvements, Phase 3 includes 4 transportation improvements and Phase 4 includes 2 transportation improvements. The Phase 4 improvements shall be in place prior to issuance of a certificate of occupancy for the Phase 4 development. Any changes to the mitigation phasing plan in Appendix E-2, Attachment J of the DEIR, shall be subject to review and approval of the Los Angeles City Council and Los Angeles County Board of Supervisors in open public meetings.

Response to Comment No. 39-220

Please refer to Response to Comment No. 39-130 for a discussion of the mitigation requirements as noted in City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR).

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 75-41

11) As a result of correspondence recently received from the County, the DEIR fails to incorporate a Notice of Violation and findings issued by the County Department of Public Health as described in a letter from Mr. Cyrus Rangan, Director of Bureau of Toxicology & Environmental Assessment to NBC Universal Studios (see Attachment 9), dated January 28, 2011. As evidenced therein, further support and credibility is given to the fact that the DEIR misinforms the public. Pursuant to CEQA and based on this new information alone, the DEIR must be re-circulated. There is now substantial evidence in the administrative record that Project impacts to the Toluca Lake community are not accurately described under existing conditions and that there will be a substantial increase in the severity of noise impacts unless mitigation measures are adopted to reduce future impacts to a level of insignificance.

Response to Comment No. 75-41

The County Department of Health performed two noise monitoring evaluations at the Project Site and the surrounding areas in September and October 2010. One evaluation focused on community noise related to the "Halloween Horror Nights." The referenced Notice of Violation was for exceedance of the exterior noise standards at one location in the Hollywood Manor area during one night of the Halloween Horror Nights event that occurred on October 23–24, 2010. As noted in the comment, the Notice of Violation and related report were issued by the County Department of Public Health after the release of the Draft EIR. Therefore, they could not have been incorporated into the Draft EIR.

The other study focused on community noise associated with the WaterWorld attraction, and specifically noise experienced on residential properties in Toluca Lake and in the Lakeside Golf Club. The study concluded that the WaterWorld attraction was in compliance with the Los Angeles County Code's noise regulations as analyzed at the Lakeside Golf Club and Toluca Lake locations. The study concluded that the WaterWorld attraction was in compliance with the Los Angeles County Code's noise regulations as analyzed at the Lakeside Golf Club and Toluca Lake locations. (See Correction and Addition No. IV.C.A, Section II of this Final EIR.)

As explained on pages 971–974, and shown on Figures 92 and 93 on pages 972–973, in Section IV.C, Noise, of the Draft EIR, and explained in Appendix F-1, noise monitoring was conducted in 2007 at 47 locations within 12 receptor areas that represent the diversity of conditions found around the Project Site. The receptor areas include areas from which community members have raised concerns regarding noise from the Project Site, such as Toluca Estates, Toluca Lake, Lakeside Golf Club, Cahuenga Pass, and Hollywood Manor. The purpose of the monitoring was to measure ambient noise levels existing around the Project Site in order to compare the future Project sound levels to the ambient conditions. The increase in sound levels as compared to the existing ambient conditions and code limits was then evaluated. The ambient noise data from the County noise impact study falls within a similar range of noise levels as data from the noise monitoring conducted for the DEIR.

With respect to recirculation, refer to Topical Response No. 2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of the Final EIR), which provides a discussion of the applicable CEQA Guidelines and concludes that there is no basis under CEQA that requires the recirculation of the Draft EIR. As discussed in Topical Response No. 2, CEQA only requires recirculation when “significant new information” is added to the Draft EIR, such as a new significant impact, after public notice of the availability of the Draft EIR has occurred and before the EIR is certified. The Notice of Violation does not constitute “significant new information” as it does not result in a new significant environmental impact from the Project. Rather, as noted above, the referenced Notice of Violation was for exceedance of the exterior noise standards at one community location during one night of a special event in 2010. As discussed in the CEQA Guidelines, an “EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.... This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” The Notice of Preparation for the Project was prepared on August 1, 2007, and thus the existing ambient noise measurements included in the noise analysis properly set the baseline for environmental conditions. The noise modeling detailed in Section IV.C, Noise, of the Draft EIR and Appendix F-1 of the Draft EIR, which included the potential for special events, shows that

with compliance with the proposed Specific Plans' operational sound attenuation requirements the Project's noise impacts would be less than significant as compared to existing conditions.

Comment No. 75-42

In summary, the TLHOA respectfully submits these comments and looks forward to responses to the issues we have raised herein. The TLHOA concludes, based on the above, that the DEIR is insufficient, seriously defective, does not adequately disclose, describe and analyze the impacts of the implementation of the Project or provide sufficient mitigation to lessen the impacts upon the Toluca Lake residential community. The DEIR must be revised, updated and recirculated for public review pursuant to CEQA to allow meaningful public participation. As presently constituted, the DEIR does not provide a good faith effort of full disclosure and the TLHOA has determined that in its current form, that certification of the DEIR would constitute a prejudicial abuse of discretion thereby "thwarting the statutory goals of the EIR process." See Laurel Heights, supra, 74 Cal. 3d at 403-405.

Thank you for your consideration.

Response to Comment No. 75-42

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to above. With respect to recirculation, as discussed in the above responses, there is no basis under CEQA to require recirculation of the Draft EIR. Please also refer to Topical Response No. 2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of the Final EIR), which provides a discussion of the applicable CEQA Guidelines and concludes that there is no basis under CEQA that requires the recirculation of the Draft EIR.

Comment No. 75-43

See next page

ATTACHMENT 1



August 25, 2010

Mr. Ron Meyer
President and Chief Operating Officer
Universal Studios
100 Universal City Plaza
Universal City, CA 91608

Via Fax

Via email TO: Councilman Tom LaBonge, Supervisor Zev Yaroslavsky, Steve Nissen, Brian Roberts

With CC: Renee Weitzer, Ben Saltsman, Alice Roth, Darnell Tyler, Cindy Gardner, Tom Smith, Frank Lazzaro, Rory Fitzpatrick, TL Noise Council, and Phil Newmark

Mr. Meyer:

Last night, at a meeting of the Board of Directors of the Toluca Lake Homeowner's Association, the following Motion was made and passed unanimously.

"On behalf of homeowners in Toluca Lake who have complained about excessive noise emanating from Universal Studios, the Board of Directors of TLHOA requests that the President of TLHOA submit a letter to Universal Studios, Inc., LA County 3rd District Supervisor Zev Yaroslavsky, and LA City Council District 4 Councilman Tom LaBonge seeking immediate efforts to mitigate the excessive noise."

Since the mid-1990s, the residents of Toluca Lake have complained of excessive noise originating from Universal Studios, Inc. This issue has destroyed good will between Universal which is a valued business in our community and the residents in the surrounding area. It is the position of the TLHOA that Universal must acknowledge the negative impact their business activities have on the surrounding residential areas and as redress, Universal must mitigate the excessive noise that is denying residents the enjoyment of their properties.

In 1997, an area organization, the Toluca Lake Residents Association, was formed specifically to address the Universal noise issue. TLRA retained Counsel Jack H. Rubens from Sheppard, Mullin, Richter & Hampton LP to represent residents. At that time, Universal was seeking to develop its property and the county planning process mandated a Draft Environmental Impact Report. Lakeside Golf Club joined with TLRA in seeking redress from excessive noise and retained an acoustical firm, Ultrasystems Environmental Inc. who presented a report dated November 17, 1997. Attached is the letter of that date from TLRA Counsel, addressed to the County Planning Commission and City of LA Planning Department. The 13 responses and recommendations cited in the letter on page 3 are applicable today.

J. Patrick Garner, a member of the TLHOA Board of Directors, was president of TLRA. "In spite of the protestations from Universal during the Master Plan process in 1997 that the noise created by park operations did not exceed City and County noise ordinances, Universal did in fact lessen the noise problems greatly at the urging of the community at that time," Garner recently stated.

In June 2008, Universal Studios back lot was destroyed by fire which sent oily smoke and airborne debris throughout the community. Since the re-opening of the back lot in May 2010, Toluca Lake residents along Valley Spring Lane, Woodbridge and adjoining streets have noticed a marked increase in sound emanating from the park – specifically, "Water World", the live band near "Coke Soak", and the overall levels of the Public Address system. Long time Valley Spring Lane residents like Pat Garner feel the noise from the park now exceeds the levels experienced prior to mitigation efforts by Universal.

Residents report that sound levels are such that inside their well insulated homes, with doors and windows shut, they can hear the jolting effects of a variety of amplified and impulsive sounds, including voices, crowd noise, live music, song lyrics, sirens, helicopters, explosions, cannon blasts, fireworks and other pyrotechnic displays which are generated by entertainment attractions, tram tours, City Walk events, special events and outdoor film production. Attached are four illustrative logs of excessive noise created by residents.

For many years, Universal has interacted with the community through a "noise manager." Distressed residents were urged to report excessive noise to the "noise manager" but that has not lead to sustained improvement – rather that has increased the anger of community because it has demonstrated daily Universal's lack of action to mitigate current levels of excessive noise.

Anger from the community has steadily risen – and demands that actions be taken to force Universal to modify its operations. Concerned residents on Valley Spring Lane created the Toluca Lake Noise Council as a rally point for neighbors similarly impacted. A noise hotline was created: 818-934-0723 and an email account: tolucalakenoiscouncil@gmail.com. The sole purpose of this group is to seek sound mitigation from Universal. To date, residents of fifty-two area homes have called the noise hotline to express their outrage. Attached is a map of the area which documents the location of these homeowners and the list of complainants.

The Noise Council approached the Toluca Lake Homeowner's Association for assistance. It is the intention of the TLHOA to pursue all avenues necessary to support our homeowners and to protect their right to enjoy their properties without excessive noise from Universal.

We call upon LA County Supervisor Zev Yaroslavsky and LA County elected and departmental officials to consider if the excessive noise from Universal is compliant with the noise control ordinance of the county of Los Angeles (Ord. 11778 § 2 (Art. 1 § 101), 1978; Ord. 11773 § 2 (Art. 1 § 101), 1978).

We ask Councilman Tom LaBonge and LA City elected and departmental officials to similarly advise if excessive noise from Universal is compliant with LA City Chapter XI, Noise Regulation.

We ask Universal – through the use of recurring sound measurements at its source – to document its compliance with applicable County and City noise regulation. In addition, we ask Universal to amend the scope of the existing Homeowner Associations Leadership Group in which Universal participates to include review of noise complaints received by Universal and mitigation efforts undertaken.

Universal's recent property development proposal, originally known as the "Vision Plan" which has been supplanted by the "Evolution Plan," continues to move forward. The TLHOA believes that adequate noise analysis of existing Universal operations and the impact of the proposed development are essential. Universal has spent millions of dollars on marketing to secure community acceptance of its development projects. We call upon Universal to be a good neighbor – and spend sound mitigation dollars as a means to demonstrate its good will to the community.

Sincerely,



Peter F. Hartz

President, Toluca Lake Homeowner's Association

Peter.Hartz@tlhoa.org

818-308-5549



Approximate Location of area Homeowners reporting Excessive Noise to the Toluca Lake/Universal City Noise Council telephone hot-line between May-August 2010

ATTACHMENT 2

Universal City Noise Council Petitioners 2010

Name	Address	Phone Number	Email Address/Notes
Debbie and Steve Mulliner	10314 Woodridge Toluca Lake, CA 91602		
Phillip & Janey Newmark	4277 Navajo Street Toluca Lake, CA 91602	(818) 321-8673	
Judith Angel	10311 Valley Spring Lane Toluca Lake, CA 91602	(818) 769-3480	
Harry & Beatrice Archinal	4201 Toluca Rd. Toluca Lake, CA 91602	(818) 985-2426	
Mary & Marty Wagner	10415 Valley Spring Lane Toluca Lake, CA 91602	(818) 766-0620	
Beverly Ventriss & Harry Schafer	10515 Valley Spring Lane Toluca Lake, CA 91602	(818) 508-7326	
Laura McCorkindale	10428 Valley Spring Lane Toluca Lake, CA 91602	(818) 980-2370	
Elizabeth & Robert Rose	10428 Valley Spring Lane Toluca Lake, CA 91602	(818)761-6545	
Gloria Gallo	10409 Bloomfield Street Toluca Lake CA 91602	818-766-1970	
Rick Cole & Janice Eaton	10432 Valley Spring Lane Toluca Lake, CA 91602	818-985-3444	
Susan Morad	10042 Valley Spring Lane Toluca Lake, CA 91602	818-509-8770	
Lewis & Caroline Goldstein	4315 Arcola Ave. Toluca Lake, CA 91602	818-766-0484	
Frank, Kelly, Catherine O'Kane & Shary Davoud	10509 Valley Spring Lane Toluca Lake, 91602	818-980-1974	***
Steve Hampar	10247 Valley Spring Lane Toluca Lake, CA 91602	818-687-4915	
Bill Kerr	10403 Whipple Street, Toluca Lake 91602	818-761-6161	
Karen & Terry Young	10433 Woodbridge Street Toluca Lake, CA 91602	818-760-0066	
Don Miller & David Bright	10453 Woodbridge Street Toluca Lake, CA 91602	818-761-0337	
Ronald A. & Georgia Burgess	10414 Woodbridge Street, Toluca Lake 91602	818-766-8842	***
Heidi Dublin	10332 Riverside Drive, Toluca Lake, CA 91602	818-769-4317	***
Dusty Chapman	4340 Ledge Avenue, Toluca Lake CA 91602	818-762-7897	
Tom Wilhelm	10241 Valley Spring Lane Toluca Lake, CA 91602	818-762-1630	
Elaine Rosen	4204 Toluca Road Toluca Lake, CA 91602	818-755-9390	

Universal City Noise Council Petitioners 2010

Jeff Bowen	4439 Arcola Ave Toluca Lake, CA 91602	818-505-6952	
Cecile & Mark Gareton	4256 Strohm Ave Toluca Lake, CA 91602	818-358-8776	
Julie Yanow & Ron Kutak	4288 Navajo Ave Toluca Lake, CA 91602	818-762-8668	***
Geanie & Rick Galinson	10 Toluca Estates Dr Toluca Lake, CA 91602	818-509-9494	
Sharon Rombeau	10537 Whipple Street Toluca Lake, CA 91602	818-760-0860	
Trudy Goldberg	4405 Forman Ave Toluca Lake, CA 91602	818-623-8199	
Ken & Claudia Wolt	4117 W. McFarlane Ave, Burbank, CA 91505	818-433-7266	
Hope DiMichele	10149 Toluca Lake Ave Toluca Lake, CA 91602	818-766-6551	***
Mary Vossler	XXX Toluca Lake Ave Toluca Lake, CA 91602	818-980-2133	
Aimie Billon	10428 Valley Spring Lane Toluca Lake, CA 91602	818-980-2370	
Mr and Mrs Jeffrey Peter	4421 Sancola Ave Toluca Lake CA 91602	818-240-1101	
Maxine Paul	10409 Valley Spring Lane Toluca Lake, CA 91602	310-739-2038	
Joyce Salamy	10403 Valley Spring Lane Toluca Lake, CA 91602	818-508-9592	
Pat & JoEllen Garner	10211 Valley Spring Lane Toluca Lake, CA 91602	818-753-8331	***
Patty Harwood	4284 Navajo Street Toluca Lake, CA	818-763-1842	
Reginald and Sandy McDowell	11 Toluca Estates Dr. Toluca Lake, CA 91602	No #	***
Bob Barron	10333 Woodbridge St. Toluca Lake, CA 91602	818-434-8789	
Mary Lee Berglund	10331 Valley Spring Lane Toluca Lake, CA 91602	818-422-1602	
David and Leona Zollman	Valley Spring Lane Toluca Lake, CA 91602	818-761-3931	
Michael Jackson	10424 Woodbridge St Toluca Lake, CA 91602	No #	
Jackie & Hank Sanicola	10265 Woodbridge St Toluca Lake, CA 91602	818-842-5691	
Sylvia Frommer Malecki (?)	10452 Woodbridge St. Toluca Lake, CA 91602	818-760-0327	(bad recording)
Keri Leiber	7 Toluca Estates Dr. Toluca Lake, CA 91602	323-371-2787	

Universal City Noise Council Petitioners 2010

Lisa Curry	4230 Navajo Toluca Lake, CA 91602	818-980-6333	
Patricia Blore	10439 Valley Spring Lane Toluca Lake, CA 91602	818-761-9844	
Julie & Rick Dees		818-295-2100	
Edith & Frank Bartlett	10418 Whipple St Toluca Lake, CA 91602	818-766-8582	
Lynn & Bob Rembert	10400 Woodbridge Toluca Lake, CA 91602	818-766-0821	
Andrew Weyman and Terry Davis	4326 Forman Avenue Toluca Lake, CA 91602		
Renee Henry & Peter Santoro	10445 Valley Spring Toluca Lake, CA 91602		

ATTACHMENT 3

Universal City Noise, July – August 16, 2010

Submitted by:

L. Rembert

10400 Woodbridge St.

Toluca Lake, 91602

<u>Date</u>	<u>Time</u>	<u>Problem</u>
7/26/10	7:35pm	loud voices, music
7/27/10	2:24pm	noise from City Walk
	7:11pm	voices, popping sounds, cheering, booms
7/28/10	3:12pm	loud voices, noise
	7:05pm	loud voices, noise
7/29/10	5:06pm	loud voices, noise
	7:32pm	loud voices
7/31/10	5:59pm	loud voices, music
8/1/10	3:20pm	loud voices, music
8/3/10	4:40pm	loud voices, music
	6:50pm	loud voices, music, booms
8/4/10	5:39pm	loud voices, music
8/5/10	5:45pm	loud voices, noise
8/8/10	7:05pm	loud voices, noise
	8:01pm	loud voices
8/9/10	12:45pm	loud voices
	1:30pm	yelling, noise
8/10/10	3:10pm	loud voices, yelling
	6:59pm	loud voices, music, noise
8/11/10	6:45pm	loud voices, music, noise
	7:00pm	loud voices
8/13/10	6:14pm	loud voices, cheering, loudspeaker
8/14/10	4:42pm	music
8/15/10	4:45pm	loud voices, music
	7:07pm	loud voices, music, noise

Janice Eaton

Valley Spring Lane

<u>Date</u>	<u>Time</u>	<u>Event</u>
7-13-10	3:25	Superstition reported to Mary Ella
	7:15	Cowbell
7-21-10	2:00-5:00	Waterworld w/ Jerome outside
7-25-10	1:30	Screams
	6:30	Waterworld on Woodbridge
7-30-10	5:00	Cowbells
	5:30	Lady Gaga Backyard
8-2-10	5:00	Don't Stop Believing in house w/windows and doors closed
8-4-10	6:55	Waterworld on Woodbridge and Ledge
8-5-10	7:50	Waterworld and crowd
8-6-10	6:15	Beverly called and talked to Angelica (reported Don't Stop Believing)
	8:15	Waterworld explosions and PA
	9:30	Explosions inside house with TV on
8-7-10	12:15	Waterworld explosions
	6:00	Explosions on Woodbridge
8-8-10	4:40	Waterworld
	6:00	Waterworld
8-15-10	7:00	Waterworld

Laura McCorkindale
Valley Spring Lane

8/6/10

An Average Noise Day

With all windows and doors closed, here is what was identified

- we were in and out of the house, so this is just a partial list of the songs
and noise that occurred

ALSO PLEASE NOTE WE HAD WATERWORLD SOUNDS (ie explosions, gunshots, screaming
8 times this day, in addition to the below)

12:20pm Loud man's voice over PA mixed with screaming, explosions

1:12 pm Lady gaga,

2:04pm Lady Gaga

2:11pm These boots were made for walking

On & off all day: Gnarlles Barkley "might be crazy"

3:08 Lady Gaga

3:11 Britney Spears/ I'm Toxic

3:34 Explosions and people yelling

4:55 Journey Don't Stop Believing

5:30 music instrumental

5:39 Lady Gaga

Universal Noise Log

David Zollman

.10433 Valley Spring Lane

Toluca Lake, CA 91602

- 6-14-2008 1:35 PM Spoke to Security. Darnell never responded.
- 7-20-2008 Left a message on the Hotline. No response.
- 7-27-2008 Left a message with Security. No one called back.
-
- 6-30-2010 PM – Crowd exclamations, loud noise. Called Noise Hotline. Darnell wants “specifics”?! I suggested that he come to our street.
- 7-1-2010 Disturbing crowd screams, announcer messages. Spoke to Mariella, Security Office. Will send a message to Darnell.
- 7-20-2010 “Water World”. Screams, singing and hollering. Left messages.
- 7-27-2010 5:30 PM (approximately) – Complained with Security.
- 8-11-2010 PM – Screaming, singing, hollering, announcements. “Water World”. Left Message with Mariella, Security. At a later day Darnell called back – wants more “specifics”!
- 8-16-2010 Late in the PM – Explosions, screams, crowd singing.
- 8-17-2010 Late in the PM – Again, explosions, screams, crowd singing.

ATTACHMENT 4

Writer's Direct Line

January 21, 1997

Our File Number:

HAND DELIVERED

County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012
Attention: Mr. Geoffrey Taylor

Re: Preliminary Universal City Specific Plan Ordinance
and Draft Environmental Impact Report

Ladies and Gentlemen:

This firm represents the Toluca Lake Residents Association ("TLRA"). TLRA has requested our assistance in connection with the proposed Preliminary Universal City Specific Plan Ordinance (the "PSP") and related approvals sought by MCA Inc. ("MCA") from the County of Los Angeles (the "County") and the City of Los Angeles (the "City") in connection with its proposed expansion of Universal City (the "Project"). The County, as the lead agency, has caused a Draft Environmental Impact Report (the "DEIR") to be prepared for the Project. As we understand it, the Universal City site includes 415 acres, approximately 296 acres of which are located in an unincorporated area of the County (the "County Property") and approximately 119 acres of which are located within the City (the "City Property").

TLRA's primary concern with respect to the Project is its noise impacts. For the past decade or so, MCA has been inundated with complaints from residents in Toluca Lake and several other communities regarding excessive noise from construction, outdoor entertainment attractions, CityWalk, special events, outdoor production activities

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and tram tours.¹ TLRA was hopeful that, not only would the PSP provide appropriate standards and restrictions to minimize future noise impacts, it would alleviate the existing noise from Universal City which continues to invade the Toluca Lake neighborhood on a daily basis.

To its chagrin, the PSP, if adopted in its current form, would achieve the opposite result. The PSP does not include any meaningful or effective standards or mitigation with respect to the amplified sound and other noise from outdoor sources in Universal City which have plagued the surrounding communities for years. Instead, the PSP would exempt the entire Project from the operational noise restrictions established by the City in Sections 112.01 through 115.02 (the "City Noise Ordinance") of the Los Angeles Municipal Code (the "LAMC"), including the restrictions on amplified sounds set forth in Sections 112.01, 115.01 and 115.02. The PSP pounds the final nail into the coffin by exempting all outdoor production activities from the minimal noise standards in

¹ A representative sampling of prior correspondence, memoranda and newspaper articles from 1989 to the present which documents the pervasive and longstanding noise problems is attached as Exhibit 3. One Toluca Lake resident, Sally Stevens, also kept a daily log between February 17 and October 5, 1996 of the various noises from Universal City that she can hear from her house on Valley Spring Lane. That log, a copy of which is attached as Exhibit 4, amply demonstrates how severely noise from Universal City has impacted local homeowners. In addition, attached as Exhibit 5 are the results of a survey conducted by the Toluca Lake Homeowners Association in July, 1996, in which 51 Toluca Lake households stated that noise from Universal City was either their first or second most important neighborhood concern. Councilman Ferraro also recognized the current noise impacts associated with Universal City in an April 7, 1995 letter to MCA (attached as Exhibit 6), and requested that MCA take action to alleviate the noise. The community's existing noise concerns are also set forth in many of the responses to the Notice of Preparation. See, e.g., DEIR, Volume 3, Appendix D-1, Comments W-23, p. 2, W-29, W-34, p. 2, W-35, p. 1, W-40, W-41, p. 1, W-45, W-48, p. 2, W-49, p. 1, W-51, p. 1, W-52, p. 2, W-54, p. 1, W-56, W-62, W-63, W-65 and W-68. Finally, many residents have submitted letters in response to the PSP and DEIR which further document the noise problem.

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the PSP, notwithstanding the well-documented, disruptive impact of outdoor filming on the surrounding area.²

TLRA is also extremely concerned that the PSP has been structured to exempt up to 11,288,000 square feet of development from all discretionary review. That in turn would exempt each specific project proposed by MCA from any environmental review under the California Environmental Quality Act ("CEQA"). In addition, the DEIR indicates that MCA will enter into Development Agreements (the "Development Agreements") with the City and County, which presumably are intended to exempt Universal City from all future land use and zoning regulations adopted by the City and County during the term of the Specific Plan.

TLRA and five other organizations have already co-signed a letter to Supervisor Yaroslavsky and Councilman Ferraro expressing their vigorous objections to the proposed framework in the PSP (a copy of which is attached as Exhibit 1).³ Among other things, that letter demonstrates that the rights sought by MCA in the PSP dramatically exceed the development rights granted for the respective expansions of Fox Studio, Sony Picture Studio and Warner Bros. Studio in recent years. Exhibit 1, pp. 5-7.

In short, the PSP is the ultimate "win-lose" scenario. It would grant MCA the right to develop an almost unlimited variety of studio, entertainment, retail, office, hotel and commercial uses anywhere in Universal City for the next 24 years, with no further opportunity for public participation or for the City or County to regulate MCA's development activities. On the other hand, the CEQA analysis and proposed mitigation

² Attached as Exhibit 7 are 89 notices sent by MCA to surrounding residents since May, 1991 in connection with 169 separate outdoor filming events. TLRA estimates that this represents approximately 60-70% of the notices sent to residents during this period. As reflected in the notices, beleaguered residents have been routinely subjected to sirens, helicopters, explosions, gunshots, cannon blasts, crashing glass, car chases, fireworks, wind and wave machines and flares at all hours of the day and night.

³ Those objections will not be restated in detail here, but are incorporated herein by this reference.

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for the Project is hopelessly inadequate to address the environmental impacts related to Universal City development for the next quarter-century. TLRA is particularly concerned because the structure of the PSP would preclude any project-specific analysis and mitigation of noise impacts associated with any particular development in Universal City. TLRA believes that MCA's proposal is overreaching and unprecedented, and TLRA fundamentally opposes it.

Given that the PSP, if adopted, would exempt Universal City from all further environmental review for 24 years, one would expect that the DEIR would thoroughly evaluate all of the noise impacts which have significantly impaired the quality of life in their neighborhood for so many years, and propose meaningful mitigation measures.

Once again, however, the result is just the opposite. The DEIR denies the very existence of those noise impacts and fails to recommend any mitigation measures which would effectively mitigate them. In addition, the DEIR expressly refuses to evaluate noise impacts associated with outdoor production activities simply because some outdoor filming is currently exempt under Chapter 12.08 (the "County Noise Ordinance") of the Los Angeles County Code (the "LACC").

TLRA believes that MCA needs to make fundamental revisions to the PSP and develop a program which takes account of existing noise impacts, requires discretionary and environmental review of specific projects with potentially significant noise impacts, and provides the City and County with the ongoing authority to address Universal City's impact on the surrounding area over the next 24 years.

I.SUMMARY

Against that background, TLRA has the following concerns with respect to the PSP and the DEIR, each of which is discussed in detail below:⁴

⁴ The notice which accompanied the DEIR stated that the public comment period ended on December 20, 1996. However, the undersigned has had several telephone conversations with Geoffrey Taylor, in which he stated that the public comment period would remain open at least until the conclusion of the County Planning Commission hearings, the third of which is currently scheduled for February 4, 1997. Mr. Taylor stated further that the County would respond in

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1. The PSP should be modified as set forth in Exhibit 2. In particular, the amplified sound restrictions in Sections 112.01, 115.01 and 115.02 should apply to the entire Project.

2. The PSP does not comply with State law requirements for specific plans because it does not specify in detail the distribution or location of any uses of land.

3. The DEIR is inadequate for a substantial number of reasons.

a. The DEIR ignores the environmental impacts associated with exempting the Project from all discretionary review, CEQA review and future City and County laws, as well as prohibiting any public participation.

b. The DEIR fails to adequately analyze the individual and cumulative noise impacts associated with the Project.

i. The discussion of regulatory setting omits the amplified sound restrictions in the City Noise Ordinance.

ii. The Noise Model excludes numerous noise sources which have and will significantly impact the surrounding area, including outdoor filming and many other outdoor activities and special events which utilize amplified sound.

iii. The DEIR's analysis of existing noise levels is inadequate and extremely misleading.

iv. The significance thresholds for noise are inadequate.

v. The DEIR's noise analysis is inconsistent with the first significance threshold.

writing to all comments received during that time. We note that the primary reason this letter was not submitted earlier was because, notwithstanding that the DEIR was released in mid-October, the PSP was not available until mid-December, only a few days prior to the original expiration date for the public comment period.

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- vi. The Project will have very significant noise impacts.
 - vii. The DEIR's analysis of construction noise impacts is inadequate.
 - viii. The DEIR fails to analyze noise impacts between 2010-2020.
 - ix. The DEIR fails to recommend feasible mitigation measures which substantially lessen or avoid the Project's significant noise impacts.
 - x. The cumulative noise analysis in the DEIR is inadequate.
- c. The alternatives analysis in the DEIR is inadequate and provides no basis for concluding that the alternatives are infeasible.

II. THE PSP REQUIRES SUBSTANTIAL MODIFICATION

Attached as Exhibit 2 is an outline which sets forth TLRA's goals with respect to the PSP, requests revisions to the PSP and sets forth requested mitigation measures with respect to noise (the "PSP Revisions"). TLRA is aware of the economic benefits that may derive from the responsible expansion of Universal City and does not conceptually oppose it. However, those economic benefits must be balanced against the quality of life in the surrounding communities. TLRA believes that the proposed text revisions and mitigation measures set forth in the PSP Revisions will help correct the current imbalance.⁵

We emphasize that the single most important modification to the PSP requested by TLRA is that the amplified sound standards in Sections 112.01, 115.01 and 115.02 of the City Noise Ordinance apply to the entire Project. In particular, Section 112.01(b) prohibits any noise level caused by sound amplifying equipment which is audible (a) at a distance in excess of 150 feet from the property line of the noise source or (b) within any residential zone or 500 feet thereof. Section 115.02(f) states further that sound emanating from sound amplifying equipment shall not be audible at a distance in excess of 200 feet from the sound equipment. It is particularly appropriate that these and

⁵ It should be noted that some of the PSP Revisions in Exhibit 2 are by necessity conceptual in nature and will require further discussion.

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other standards in the City Noise Ordinance apply to the Project because, although a substantial portion of Universal City is located in the County, virtually all of the residents affected by noise from Universal City live in the City.

These existing amplified sound restrictions have been in place for many years. Most of the provisions (Sections 115.01 and 115.02) were adopted by the City Council in 1973, and the balance of the provisions (Section 112.01) were adopted in 1982. The DEIR states that MCA's intent is to comply with the most restrictive provisions in the City and County Noise Ordinances (collectively, the "Noise Ordinances"). DEIR, p. 336 (§ 3.1). TLRA agrees, and requests that Section 19 of the PSP be amended to require compliance with the amplified sound restrictions in the City Noise Ordinance (see Section B1 of Exhibit 2).

Finally, please note that, although the PSP Revisions do not request any specific reduction in the height and density limitations set forth in the PSP, TLRA is still evaluating those issues and may comment further regarding them.

TLRA would be pleased to meet with MCA representatives, as well as City and County officials, to discuss the PSP Revisions in more detail.

III. THE PSP DOES NOT COMPLY WITH STATE LAW

REQUIREMENTS FOR SPECIFIC PLANS

Section 65451(a)(1) of the California Government Code provides as follows:

"(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail: (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan."

The PSP does not meet this requirement because it does not specify in detail the distribution or location of any uses of land. Although the PSP divides Universal City into five Districts, MCA proposes a single zone ("UC-SP") for the entire site. As a result, any or all of the almost unlimited permitted and accessory uses described in the PSP could be constructed anywhere in Universal City in any of the proposed Districts. Rather than using the PSP as a tool to provide certainty regarding the location and distribution of future development in Universal City, the PSP would create

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complete uncertainty regarding the development of the site and unlawfully delegate the authority to determine the location and distribution of land uses to MCA.

IV. THE DEIR IS INADEQUATE

A. The DEIR Ignores The Environmental Impacts Associated With Exempting The Entire Project From All Discretionary Review, CEQA Review And Future City And County Laws, As Well As Prohibiting Any Public Participation.

The central purposes of the PSP and the Development Agreements are to

- (1) permit several uses that are currently prohibited under City and County zoning,
- (2) exempt the Project from virtually all of the numerous discretionary approval processes that would otherwise be applicable to many of the "permitted uses" in the PSP,
- (3) exempt the Project from a significant number of other existing zoning restrictions, including all of the City Noise Ordinance and most of the County Noise Ordinance, and
- (4) apparently exempt the Project from all future zoning regulations adopted by the City and County over the next 24 years.

Currently, hotel uses are prohibited anywhere in the Resort Overlay and on all of the County Property.⁶ The PSP would convert the prohibited hotel use into a permitted use which does not require any discretionary or CEQA review.

The PSP expressly states that it exempts the entire Project from (1) City site plan review (which, among other things, requires discretionary site plan approval for any development project which results in an increase of 40,000 gross square feet or more of nonresidential floor area), (2) the City landscape ordinance, (3) the Mulholland Scenic Parkway Specific Plan, (4) the discretionary City process for removal of oak trees, (5) the CUP requirement for live entertainment/public dancing and (6) the County's discretionary review process for removal of oak trees. PSP, Section 3C.

⁶ The DEIR acknowledges that hotels are prohibited on the County Property, but ignores that the northeastern portion of the Resort Overlay is located on City Property. The zoning designations of "(Q)C1-1L" and "RE20-1-H" for that City Property also prohibit hotel uses. DEIR, pp. 214 (§ 2.1.1.1), 219 (§ 2.2.2.2), 223; LAMC § 12.07.01.

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In addition, a substantial number of proposed permitted uses in the PSP currently require the issuance of a conditional use permit ("CUP") by the City and/or County. Under the current County zoning designations for the site, the County Zoning Code requires CUPs for the sale or service of alcoholic beverages for on-site consumption, live entertainment and public dancing, the construction of amphitheaters, grading projects involving the off-site export of more than 100,000 cubic yards of earth, theaters and other auditoriums having a seating capacity exceeding 3,000 seats, and helistops. DEIR, p. 214 (§ 2.1.1.2), 173-174. Under the current City zoning designations for the site, the City Zoning Code requires CUPs for the sale or service of alcoholic beverages for on-site consumption, arenas, live entertainment and dancing, penny arcades containing five or more game machines, conducting live entertainment in conjunction with the sale of alcohol for on-site consumption, auditoriums and baseball or football stadiums having a seating capacity of more than 3,000 people, telecommunication facilities and helistops. *Id.*, p. 217 (§ 2.2.1.2). Although not discussed in the DEIR, the PSP would also exempt "major" development projects from the City CUP process. LAMC § 12.24B.27.⁷

⁷ The PSP includes two conditionally permitted uses, but they are little more than window dressing. First, amusement games or arcades not located within an Entertainment Venue, Entertainment Retail Venue or the Hotel require a CUP. PSP, p. 51:20-27. However, since the permitted floor area for those three categories of uses exceeds 6,200,000 square feet and can be located anywhere in Universal City, it is difficult to imagine that MCA will ever need to seek a CUP for that use. Second, a CUP is required for the sale and service of alcoholic beverages in establishments which exceed number of the establishments permitted in Section 8C of the PSP. *Id.*, p. 57:15-18. However, Section 8C permits an almost unlimited number of restaurants, bars, hotels and Entertainment Venues which can serve alcoholic beverages, so the CUP requirement appears meaningless. *Id.*, p. 65, Table 3.

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In lieu of any discretionary review for projects in Universal City, the PSP provides for a ministerial procedure called "Project Plan Compliance" for most future projects in Universal City.⁸

The PSP would also exempt all development in Universal City from a significant number of development standards. In particular, although never expressly noted in either the PSP or the DEIR, it appears that the PSP would effectively exempt the Project from almost all of the restrictions set forth in the Noise Ordinances. The only noise standard in the PSP is that noise sources within Universal City cannot exceed L50: 50 dBA and Lmax: 70 dBA at a handful of noise receptor locations. PSP, Section 19A and Exhibit 11. Since Section 19 includes noise standards which are more permissive than the standards in the Noise Ordinances, the minimal noise standards in the PSP would apparently prevail and supersede the Noise Ordinances. PSP, Section 3B. The most noteworthy consequence would be the exemption of the entire Project from the amplified sound standards in the City Noise Ordinance.⁹

The PSP also excludes two of the most significant noise sources from the minimal noise standard in the PSP. Neither production activities (which includes all

⁸ Actually, many of the proposed permitted uses do not even require a Project Plan Compliance. PSP, Section 6. For example, the PSP permits MCA to change the use of a building or increase the floor area of a building by up to 50,000 square feet with no governmental review whatsoever. PSP, p. 33:13-21.

⁹ The DEIR is exceptionally misleading on this point. The DEIR briefly describes the City Noise Ordinance, but fails to discuss any of the restrictions in the City Noise Ordinance regarding sound amplifying equipment. DEIR, p. 324 (§ 2.2.3). The DEIR also states that the County Noise Ordinance was selected as the basis for establishing the significant threshold for noise since its provisions "are more restrictive than the comparable provisions of the City Noise Ordinance." *Id.*, p. 336 (§ 3.1). Obviously, that is untrue. The City Noise Ordinance has far more restrictive provisions with respect to sound amplifying equipment than the County Noise Ordinance.

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outdoor filming) nor helicopter activities are subject to the PSP's sound attenuation requirements.

As briefly noted (but not analyzed) in the DEIR, MCA also intends to enter into Development Agreements with the City and the County, which presumably are intended to exempt the Project from all future City and County regulations through the year 2020.

The DEIR states that the Project will have a significant impact with respect to physical land uses/zoning if it (1) create inconsistencies with applicable development regulations or (2) will have a substantial adverse effect upon surrounding properties. DEIR, p. 222 (§ 3.1). Notwithstanding the DEIR's conclusion to the contrary, it is obvious that the elimination of virtually all discretionary and environmental review for up to 11,288,000 square feet of development during the next 24 years, together with the exemption of the Project from many existing development standards and all future City and County zoning regulations for up to 24 years, will have an overwhelming adverse impact on the surrounding residential and recreational areas, as follows:

1. No Discretionary Review.

Many of the proposed permitted uses are currently prohibited or subject to discretionary review precisely because those uses are generally incompatible with surrounding uses and require review on a case-by-case basis. The PSP, if adopted, would strip the City and County of their current right to closely review these projects and determine whether they should be permitted at all and, if so, to fashion project-specific mitigation measures.

2. No CEQA Review.

If the PSP exempts all future development from discretionary review, all proposed projects will also be exempt from any environmental review under CEQA, notwithstanding the absence of any concrete project in the PSP (other than the two helistops). As a result, the City and County will have no ability to formulate or impose any project-specific mitigation measures in Universal City for the next quarter-century. Obviously, the DEIR did not, and could not, evaluate any project-specific environmental impacts because the PSP does not propose any specific projects. Indeed, the unprecedented "flexibility" in the PSP makes it impossible for the DEIR to even generally analyze the environmental impacts associated with the Project. Although the PSP divides Universal City into five commercial Districts, the PSP proposes a single UC-

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SP zone for the entire site. This means that, notwithstanding the proposed Districts, any or all of the numerous permitted uses in the PSP can occur in almost any location in Universal City.¹⁰ Under the circumstances, the DEIR cannot begin to evaluate project-specific issues.¹¹

¹⁰ Although somewhat ambiguously stated in the PSP, it appears that MCA's development of each District must be consistent with the "Primary Uses" established for that District. PSP, Sections 7A and B. Even assuming that is true, the Primary Uses for any District will not necessarily reflect all or even a majority of the uses in that District. Rather, the only requirement is that the combined floor area of the Primary Uses exceed the floor area devoted to any other single use. PSP, p. 22:1-5. As a result, the "Primary Use" designations do little to restrict the location of the various permitted uses.

¹¹ It should be noted that additional environmental review under CEQA is conceptually possible. The PSP states that:

"[i]f the Project exceeds one or more of the Environmental Thresholds specified in Appendix B, an environmental assessment in compliance with [CEQA] shall be prepared to determine whether additional environmental review is required. If additional environmental review is required, the Project Plan Compliance application, as filed, shall be denied." PSP, p. 36:17-23.

This opportunity for additional CEQA review is more theoretical than real. First, the Environmental Thresholds are set so high that it is highly unlikely that any additional CEQA analysis will ever take place. Second, the Environmental Thresholds fail to address many of the individual or cumulative impacts associated with the Project, including noise impacts. Third, the requirement of an "environmental assessment" to determine whether "additional environmental review is required" is incomprehensible. Fourth, the provision is meaningless because, even if some form of additional CEQA review occurred, the City and County have no authority to impose any project-specific conditions because the Project is exempt from all discretionary approvals. Fifth, it is unclear whether the

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CEQA is replete with requirements which underscore the necessity of analyzing project-specific impacts at some point during the CEQA process to identify feasible mitigation measures and alternatives. In particular, CEQA includes a number of analytical devices and procedures to avoid redundancy and duplication in the CEQA process. For example, typically a program, master or other first-tier EIR is prepared in connection with the adoption of a planning document (e.g., a general or specific plan) which generally analyzes anticipated environmental impacts. As specific projects within the plan boundaries are subsequently proposed, specific environmental impacts which were not assessed as part of the first-tier EIR are analyzed in new environmental documents, so that mitigation measures and alternatives can be tailored to specific development projects. However, MCA proposes to turn that process on its head by utilizing the ministerial "Project Plan Compliance" procedure to preclude any environmental review for specific projects proposed within Universal City's boundaries. In the absence of further CEQA review, the environmental impacts of future projects cannot possibly be analyzed in a meaningful way or properly mitigated.¹²

reference to "the Project" means an individual Project or the overall development in Universal City.

¹² The City has recognized this fact for many years. For example, in a February 27, 1990 letter from Franklin Eberhard, a Deputy Director in the City Department of Planning, to Larry Spungin (at that time the President of MCA Development Company), Mr. Eberhard stated in no uncertain terms that MCA would not be permitted to exempt Universal City development from project-specific review:

"At this point it is the Planning Department's position that an EIR encompassing the entire development proposal for all MCA property is needed. This EIR, however, can be a programmed or tiered EIR; that is an EIR which covers the entire site in general terms and deals in very specific terms with only the first phase of the project [which included a proposed hotel and office building at specified locations on the site]. The EIR would contain mitigation measures pertaining to the first phase or phases Subsequent phases will be covered by supplemental EIRs updating the first and setting forth specifics with respect to the new phase or phases being contemplated." (see Exhibit 8)

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That is particularly true with respect to noise impacts. As discussed elsewhere in this letter, the DEIR simply ignores the existing noise impacts associated with Universal City, including noise from construction, tram tours, entertainment attractions, CityWalk, outdoor filming and other outdoor events which use sound amplification and/or involve large crowds. The PSP, in turn, imposes a minimal noise standard with respect to future projects and otherwise exempts Universal City from the Noise Ordinances. PSP, Section 19 (98:17-99:2). Without meaningful noise mitigation, MCA will have the unfettered ability to intensify current uses which have so effectively destroyed the tranquility of the surrounding neighborhoods for the past decade or so.

In addition, the PSP includes new permitted uses which may not exceed the PSP's noise standard, but will clearly exceed the sound amplification restrictions in the City Noise Ordinance and obviously have significant noise impacts on the surrounding area. Those proposed new uses include hotels and related recreational uses, the helistops, outdoor arenas, outdoor entertainment attractions (including amusement rides, animal shows, displays, museums, aquariums, tours, exhibitions, assembly areas, pavilions and interactive and active play areas), outdoor entertainment shows which utilize sound amplification equipment, outdoor parades and street performer shows, outdoor temporary and seasonal uses, including circus and holiday festivals, and outdoor special events. PSP, pp. 53-55.

The breadth and vagueness of many of the permitted uses make it even more difficult to analyze or effectively mitigate future noise impacts. As one example, the PSP permits "uses which evolve as a result of development of technology or media" PSP, p. 56:8. How can anyone meaningfully evaluate in 1996 the noise impacts that may accompany an entertainment attraction designed with technology from the year 2020?

It is ironic that the PSP, if adopted, would provide MCA with the open-ended right to add new permitted uses which evolve through development of technology, but would preclude the City and County from taking advantage of new technologies that evolve over the next 24 years which could more effectively mitigate the Project's environmental impacts. As one example, a number of companies have developed anti-

The City's position made sense in 1990, and it makes sense today.

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noise technology which neutralizes sound waves. It is anticipated that the effectiveness of this technology will increase significantly over the next several years. However, the City and County have no right to require the use of this technology under the PSP, and MCA has no obligation to utilize it in connection with any of the noise impacts that currently plague the surrounding area.

It is also highly likely that the accepted methodology for analyzing noise impacts will change significantly over the next quarter-century. Consider how dramatically the analytical procedures for evaluating noise, traffic and other project impacts have evolved in the 26 years since CEQA was enacted in 1970. However, the PSP (as well as the Development Agreements) precludes the implementation of any new and better way of evaluating noise impacts.

3. No Public Participation.

By structuring the PSP to eliminate all discretionary and CEQA review, MCA would also preclude all public participation in the development of Universal City through the year 2020. Notwithstanding that public participation is an essential part of the CEQA process, the public would have no opportunity to evaluate the project-specific impacts from up to 11,288,000 square feet of new and replacement development. CEQA Guidelines § 15201. The exclusion of public participation is so complete that the administrative clarification procedures with respect to Project Plan Compliance and Plan Approval procedures, as well as the right to seek interpretations of the PSP, are available only to MCA, and not the public. PSP, pp. 37:9-27, 63:1-25, 101:17-102:13.

An EIR should be prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences." CEQA Guidelines § 15151; Stanislaus Natural Heritage Project v. County of Stanislaus, 48 Cal. App. 4th 182, 193 (1996). The DEIR's analysis of the Project's impacts on existing zoning regulations not only fails this test, it is seriously misleading and inaccurate.

The DEIR concludes that, with the exception of the Hollywood Manor residential area, the Project will have no significant impacts relating to physical land uses/zoning. DEIR, pp. 234-35 (§ 3.3.2.5). The primary justification for this conclusion is that development under the PSP "is more restrictive than current County regulations" and, with respect to City regulations, "will be more restrictive in some areas and less restrictive in others." Id.; p. 223 (§ 3.3.1.1), p. 224 (§ 3.3.1.2)

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That comparison violates CEQA. An EIR must examine the potential impact of a project on the existing physical environment. It is unlawful to compare newly authorized land uses with the conditions hypothetically permitted under existing land use and zoning regulations. See, e.g., Environmental Planning and Information Council v. County of Eldorado, 131 Cal. App. 3d 350, 354-58 (1982). When properly analyzed, the exemption of the entire project from all discretionary and CEQA review, numerous development standards and future regulations will enormously impact the existing environment.

The DEIR further attempts to justify its conclusion by noting that "[t]he Specific Plan uniform UC-SP zoning across the site offers a comprehensive approach to development regulation." DEIR, p. 234. If anything, the opposite is true. By creating a single zone with an almost unlimited number of permitted uses which can be located almost anywhere on the site, none of which are subject to project-specific review, Universal City would effectively have no zoning at all. While the DEIR notes the benefit of certain development standards in the PSP, many of those standards are less restrictive than current requirements and, in any event, the DEIR ignores numerous City and County development standards that would no longer be applicable to Universal City. Id.

The DEIR also contains a number of other misleading or untrue statements which are designed to obscure the Project's impacts relating to land use and zoning. For example, the DEIR states that there will be no significant impacts associated with changes to the land uses allowed within the County Property because (1) most of the proposed uses are currently permitted by the County Zoning Code and (2) although hotel uses are currently prohibited, "hotels represent a related use which is typically incorporated" in visitor-related, office and studio uses, which are permitted by current zoning. DEIR, p. 223 (§ 3.3.1.1).

This analysis is misleading and improper for two reasons. First, it ignores that many of the proposed uses are not permitted as a matter of right (as implied), but are only conditionally permitted or subject to other discretionary review due to the likelihood that, without proper mitigation, those uses will be incompatible with the surrounding area. Second, hotels are not "typically incorporated" into motion picture studios and, even if they were, the County and City have previously determined that hotel uses are incompatible with the surrounding residential areas. The conversion of that currently prohibited use into a use permitted as a matter of right is an extremely significant change in the zoning for the site.

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The DEIR also states that, "[w]hile the Project would provide a procedural change for processing case applications, it incorporates the substantive requirements of the current code. Therefore, no significant impacts would occur from this procedural change." *Id.*, p. 224 (§ 3.3.1.1). That statement is manifestly false. As discussed above, the PSP exempts the Project from a broad range of City and County zoning regulations, including the Noise Ordinances. In addition, while the DEIR seeks to downplay the exemption of the entire Project from all discretionary review, CEQA review and future regulations as a "procedural change for processing case applications", those "procedural changes" will have a significant and deleterious impact on surrounding residents for well over two decades.

The DEIR also briefly notes that Universal City is currently subject to a number of County and City zoning approvals, including County CUP 90074, City Variance No. ZA90-0196 and ZA20089 and a (Q) Condition, and that the PSP would supersede those approvals. The DEIR concludes, with no analysis, that the elimination of those approvals will not be significant. DEIR, pp. 224 (§ 3.3.1.1), 225 (§ 3.3.1.2). There is no evidence to support this conclusion because the DEIR fails to describe the specific conditions in the current zoning approvals and the extent to which they are more restrictive or permissive than the standards and restrictions in the PSP.

Finally, the DEIR includes that the Project will have no significant land impacts on the Toluca Lake area because the Lakeside Golf Course creates a "considerable separation" and the "[o]n-site physical characteristics of the Project would be controlled by the proposed development regulations of the Specific Plan which are more stringent than County regulations." *Id.*, p. 227-28. For the reasons set above, these statements are also untrue and seriously misleading. As MCA is well aware, noise from Universal City has become intolerable for Toluca Lake residents. Not only are the sound attenuation requirements in the PSP less stringent than the County Noise Ordinance, the PSP would exempt Project from the City Noise Ordinance altogether, which is a very significant land use impact.

Finally, the DEIR utterly fails to describe the terms of the Development Agreements that MCA apparently will enter into with the City and County. There is also no analysis whatsoever in the DEIR with respect to the land use impacts associated with the Development Agreements, including the effects of exempting Universal City from all future City and County zoning regulations for up to 24 years. These omissions are

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exacerbated by the fact that drafts of the Development Agreement are still not available for public review.¹³

B. The DEIR Fails To Adequately Analyze The Individual And Cumulative Noise Impacts Associated With The Project.

The DEIR's noise analysis is wholly inadequate for many reasons. Most of the flaws in the analysis flow from the DEIR's refusal to acknowledge that noise generated inside Universal City from construction, outdoor filming, entertainment attractions, CityWalk, tours and special events have severely impacted surrounding neighborhoods, and that MCA's proposed intensification of these uses, as well as the introduction of many new outdoor uses, will result in a further and significant deterioration of the quality of life in those neighborhoods unless those noise impacts are properly analyzed and fully mitigated and, in some cases, prohibited.

1. The Discussion of Regulatory Setting Omits the Sound Amplification Restrictions in the City Noise Ordinance.

The DEIR summarizes the provisions of the Noise Ordinances. DEIR, pp. 321-24 (§§ 2.2.2, 2.2.3), 336-37 (§ 3.1.1). However, the DEIR omits any discussion of the restrictions on amplified sound set forth in Section 112.01 and Article 5 of the City Noise Ordinance. In particular, Section 112.01(b) of the City Noise Ordinance prohibits any noise level caused by sound amplifying equipment which is audible (a) at a distance in excess of 150 feet from the property line of the noise source or (b) within any residential zone or 500 feet thereof. Section 115.02(f) of the City Noise Ordinance states that sound emanating from sound amplifying equipment shall not be audible at a distance

¹³ The DEIR failed to explain the nature of the Development Agreements, despite the fact that Robert Sutton, a Deputy Director of Community Planning for the City, specifically requested that the DEIR "describe in detail all planning approvals to be covered by [the DEIR] for each of the jurisdictions." DEIR, Volume 3, Appendix D-1, Comment W-2.

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in excess of 200 feet from the sound equipment.¹⁴ It is quite clear that the DEIR ignored those restrictions because MCA does not want to comply with them.

It should also be noted that the DEIR failed to discuss applicable policies, standards and restrictions in the City and County Noise Elements that may be applicable to the Project. Indeed, for unexplained reasons, the DEIR fails to even reference the County and City Noise Elements in either the noise analysis or the DEIR's discussion of the County and City General Plans. DEIR, pp. 192-94 (§ 2.1.1), 196-201 (§§ 2.2.1-2.2.2), 321-24 (§ 2.2).

2. The Noise Model Excludes Numerous Noise Sources Which Have and Will Significantly Impact the Surrounding Area.

The noise analysis in the DEIR is based on a "UC Noise Model" (the "Noise Model") developed by Paul S. Veneklasen & Associates ("Veneklasen"). Although not stated in the DEIR itself, Veneklasen concedes in the Assessment of Environmental Noise attached as Appendix F-1 to the DEIR (the "Noise Study") that the Noise Model does not include any existing or future outdoor filming activities because the County Zoning Code currently exempts motion picture production and related activities from the noise restrictions. DEIR, Appendix F-1, p. 1. Veneklasen also acknowledges in the Noise Study (although again not stated in the DEIR itself) that the Noise Model excludes most of the existing and future noise sources that surrounding residents have complained about for years, including "CityWalk events, parties, bands (Salsa Band, Steel Band, etc.), and other special events." Id., p. 15.¹⁵

¹⁴ The DEIR ignored the City's amplified sound restrictions, notwithstanding that the City specifically requested that the DEIR include a full discussion of the City noise standards. DEIR, Volume 3, Appendix D-1, Comment W-2.

¹⁵ The Noise Study's analysis on this point is extremely confusing. First, after stating that the objectionable noise sources were not modeled, the Noise Study refers to additional analysis in "Section E.3. of this report", but no such section exists. Id. Also, the Noise Study did not model noise from the Salsa Band and other bands, but apparently the Noise Study subsequently uses the noise from the Salsa Band venue as the source for modeling two of the new sources under the Conceptual Plan (S4 and S6). Id., p. 28. This indicates that the Noise Study could have

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The exclusion of outdoor filming activities from the Noise Model is decidedly improper. For purposes of environmental review, it is irrelevant that the County Noise Ordinance exempts motion picture production from its noise restrictions. Noise associated with outdoor filming is quite real and significantly impacts the surrounding area. Conformity with (or exemption from) zoning regulations does not insulate a project from CEQA review. Oro Fino Gold Mining Corp. v. County of El Dorado, 225 Cal. App. 3d 872, 881 (1990). In any event, outdoor filming is not exempt from the City Noise Ordinance, and it is City residents who are impacted by Universal City noise.

The Noise Model is based on the "Conceptual Plan" briefly described in the DEIR (p. 142 (§ 2.3)). The Conceptual Plan is intended as a "reasonable scenario" of how buildout of Universal City might occur, "since the location and orientation of actual future buildings has not yet been determined." Id., p. 142. The Noise Model is based on 41 new "sources" identified in the Conceptual Plan. Id., pp. 363-64 (§ 5.1).

The incorporation of the Conceptual Plan into the Noise Model was inadequate and improper for several reasons. First, of the 41 new noise sources, 11 of them (S1-S11) are entertainment attractions which apparently utilize amplified sound and are similar to the entertainment attractions that currently disrupt the surrounding neighborhoods. DEIR, Appendix F-1, p. 28. Inexplicably, all 11 of these new sources have been grouped together in the southeastern corner of the site, notwithstanding that new entertainment attractions could be constructed anywhere in Universal City. For example, the PSP would permit MCA to construct unenclosed entertainment attractions all along the Los Angeles River at the northerly boundary of the site. The same applies with respect to the six identified sources for resort hotels (S12-S17), which are all clustered in the middle of the proposed Resort Overlay. DEIR, p. 364, Appendix F-1, p. 29.

Second, the 41 new sources exclude many proposed permitted uses in the PSP which could have significant noise impacts, including unenclosed arenas, amphitheatres and other assembly areas, unenclosed amusement games or arcades,

modeled the noise from the various venues that utilize amplified sound, but arbitrarily declined to do so.

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aquariums, outdoor recreational facilities, parades and street performer shows, outdoor seasonal uses, etc.

Third, the DEIR includes no information regarding the height, density or orientation of any of the 41 sources identified in the Conceptual Plan. Without that information, how can the Noise Study meaningfully evaluate potential noise impacts?

Fourth, the Noise Study states that the Noise Model "will be used as a design tool during the development of the site over the next 15-20 years." *Id.*, Appendix F-1, p. 17. Therefore, even if the model was adequate (which it is not), Veneklasen has conceded that the Noise Model could be obsolete as early as the year 2011, notwithstanding that the Specific Plan will remain effective until the year 2020.

It is astonishing that these noise sources, the negative impacts of which are already so well-documented, were ignored in the Noise Study and DEIR. The Noise Model should be revised to address these noise impacts and to determine whether they exceed the restrictions on sound amplification set forth in the City Noise Ordinance.

3. The DEIR's Analysis of Existing Noise Levels is Inadequate and Extremely Misleading.

The DEIR's analysis of existing noise levels is based on a monitoring study which consisted of collecting 24-hour noise samples at 23 locations. DEIR, p. 326-27. However, with one exception, neither the DEIR nor the Noise Study indicates the precise date on which each of the 23 sites was monitored, including sites "R" and "S" in the Toluca Lake neighborhood. *Id.*, p. 326, Appendix F-1, p. 11. Was the monitoring for sites "R" and "S" done on a weekend or holiday? Was the monitoring done on a day where there was no outdoor filming or special or seasonal event at MCA? Without this information, the reliability of the monitoring cannot be evaluated.

More important, the DEIR's analysis of existing noise levels is facially inadequate because it simply ignores existing, significant noise impacts associated with Universal City operations. As one example, the DEIR's entire discussion regarding existing noise levels in Toluca Lake is as follows:

"Within [Toluca Lake], on-site noise sources generate model calculated L50 noise levels of 30-38 dBA and Lmax levels of 42-56 dBA. These noise levels are below the established L50 and Lmax thresholds of 50 and 70 dBA, respectively. The Lmax of 56 dBA at Location S is higher than the night time minimum L50 noise

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level at this location and on-site sources may be audible. The principal on-site noise source contributing to the on-site noises audible within the Toluca Lake area is the Waterworld Show. The actual duration of audibility is dependent upon the ambient noise level during each of the evening hours." *Id.*, p. 335 (§ 2.4.2.6).

That analysis simply denies reality. Most important, the DEIR ignores the innumerable complaints made by residents and other property owners over the past several years regarding Universal City noise from various sources described above. (see Exhibits 3, 4 and 5 and footnote 1, above). The Waterworld Show is not the "principal on-site noise source". The amplified sounds and other noise from outdoor filming, entertainment attractions, helicopters, CityWalk, and special events and other outdoor venues all contribute significantly to the current intolerable conditions. Whether or not the existing ambient noise levels exceed two of the standards in the County Noise Ordinance (as discussed below, they do) is only a small part of the noise picture. The crucial point is that many existing noise sources in Universal City currently exceed the sound amplification restrictions set forth in the City Noise Ordinance.¹⁶

MCA has previously advised community residents that it keeps a log of all noise complaints, and that the log is available for public inspection. TLRA asks that MCA make the noise log available for review by the public, the City and the County, and that the information in the noise log be included as part of the noise analysis in the DEIR.

4. The Significance Thresholds for Noise are Inadequate.

The DEIR states that the Project would have a significant impact on noise "if the analysis of estimated Project impacts indicates that noise levels from the Project would either: (1) cause an exceedence of noise levels allowed under the County or City Noise Ordinance L50 or Lmax standards or (2) result in a substantial increase in ambient noise levels (i.e., CNEL levels)." DEIR, p. 336 (§ 3.1). It seems apparent that the thresholds were stated in this way so that the DEIR could avoid all discussion of the

¹⁶ It is also important to note that the DEIR repeatedly misstates the L50 standard in the County Noise Ordinance. The standard is 50 dBA only between 7:00 a.m. and 10:00 p.m.; between 10:00 p.m. and 7:00 a.m., the L50 standard drops to 45 dBA. LACC § 12.08.390.

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Project's untenable noise impacts and conclude that the Project will not have a significant effect on noise.¹⁷

To justify the thresholds, the DEIR states that "[t]he County Noise Ordinance was selected as the basis for establishing the significance threshold since, in the context of the Project site and surrounding communities, the provisions contained therein are more restrictive than the comparable provisions of the City Noise Ordinance." Id. As described above, that is untrue. The restrictions in the City Noise Ordinance with respect to amplified sound and outdoor filming are far more restrictive than anything in the County Noise Ordinance.

A "significant effect on the environment" means any substantial, or potentially substantial, adverse change in any of the physical conditions within the project area, including noise. CEQA Guidelines § 15382; Cal. Pub. Res. Code § 21068. Obviously, given the unique noise sources contemplated with respect to the Project, the DEIR should have included a third significance threshold relating to violations of the amplified sound restrictions in the City Noise Ordinance.¹⁸ Even before the preparation of the DEIR, Toluca Lake and other residents repeatedly advised MCA, the City and

¹⁷ The City's Noise Element, which was not even referenced in the DEIR, acknowledges that noise impacts which are not physically harmful can nonetheless adversely impact communities. One of the Noise/Land Use policies in the Noise Element is that "[i]n areas subject to unusual, loud, or continuous noise, population densities and building intensities be regulated so as to protect occupants from noise." The Noise Element also states that the determination of noise sensitivity can be based on "subjective judgments of noise acceptability and relative noisiness", "need for freedom from noise intrusion" and "noise complaint history".

¹⁸ Planning Consultants Research ("PCR"), which prepared the DEIR, also prepared the Draft Environmental Impact Report for the Fox Studio Historic Preservation and Expansion Project in December, 1991. In that document, PCR expressly stated that a violation of the City Noise Ordinance constitutes a significant noise impact (see Exhibit 9). We agree.

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County that noise from Universal City was substantially diminishing the quality of life in their neighborhoods (see Exhibits 3 and 4). The comments on the Notice of Preparation include many such comments (see footnote 1, above).

The current structure of the PSP would ensure that these noise impacts will be substantially exacerbated. The PSP includes no standards or mitigation with respect to amplified sound, exempts the Project from the City Noise Ordinance and exempts all outdoor filming and helicopter activity from the minimal restrictions in the PSP. If local residents are already experiencing severe noise problems with 1,333,000 square feet of entertainment uses, what will happen when they are exposed to an additional 1,496,000 square feet of entertainment uses (including many permitted outdoor uses which do not currently exist on the site) plus 2,737,000 square feet of new resort hotels and related uses? It should also be noted that, under the PSP, MCA could redevelop all or a portion of the existing entertainment uses with new permitted entertainment uses which have greater noise impacts than the existing uses.

5. The DEIR's Noise Analysis is Inconsistent with the First Significance Threshold.

Under the first significant threshold for noise, the Project will have a significant environmental impact if the Project would cause noise levels to exceed the L50 or Lmax standard set forth in the County Noise Ordinance. DEIR, p. 336-339. However, after stating this significance threshold, the DEIR proceeds to ignore it. The DEIR should have analyzed the Project's individual and cumulative noise impacts on existing ambient noise levels. For example, Table 26 in the DEIR sets forth the existing L50 noise level at each of the 23 receptor locations. Id., pp. 328-30. Then, Table 27 sets forth the L50 noise level at each of the receptor locations, based solely on the existing noise sources in Universal City (i.e., Table 27 excludes all non-Universal City sources in calculating the L50 noise levels). Id., p. 333. Finally, in Table 29, the DEIR purports to analyze the Project's impact on existing ambient noise levels. However, the existing ambient noise levels stated in Table 29 are not the existing ambient noise levels shown on Table 26, but instead are limited to the existing noise levels set forth in Table 27, which are based solely on Universal City noise sources.

As a result, the DEIR does not analyze noise impacts on the existing environment; it only analyzes the Project's noise impacts on Universal City noise sources, in contravention of CEQA.

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If the DEIR had properly analyzed the Project's impact on the existing noise environment (instead of a portion of it), the calculated L50 at each receptor location would have been substantially higher and some would violate the County Noise Ordinance. For example, Table 26 indicates that the L50 noise level for Receptor R is 45.0 dBA between 8:00 p.m. and 12:00 a.m. The County Noise Ordinance states that the L50 for residential properties shall not exceed 45 dBA between 10:00 p.m. and 7:00 a.m.¹⁹ Since the Project would obviously cause that L50 to exceed 45.0 dBA, that would violate the County Noise Ordinance. The same may well apply for all of the other daytime/evening and nighttime L50 calculations for Receptors S and T, which are already very close to the maximums levels permitted under the County Noise Ordinance. *Id.*, p. 329.

6. The Project Will Have Very Significant Noise Impacts.

The DEIR concludes that, in the absence of mitigation, the Project will have no significant noise impacts, except with respect to Receptor Locations B, C and D in Hollywood Manor and the two proposed helistops. *Id.*, pp. 342 (§ 3.3.1.1.1), 343 (Table 29), 349 (§ 3.3.1.2.2).

For all of the reasons stated above, that is obviously untrue. The amplified sound and other noise associated with the almost unlimited number of outdoor uses proposed in the PSP would have a devastating impact on the surrounding residential and recreational areas. Most, if not all, of the amplified sound would exceed the restrictions

¹⁹ As noted above, the DEIR is also defective because both the DEIR and the Noise Study itself ignore that the County L50 standard for residential properties is 45 dBA between 10:00 p.m. and 7:00 a.m. Even if the DEIR had acknowledged this limitation, one cannot determine whether the Project will comply with that standard based on the data in the DEIR. Table 26 calculates noise levels for two different time periods (7:00 a.m. - 8:00 p.m. and 8:00 p.m. - 12:00 a.m.), but they are different than the residential time periods in both the County Noise Ordinance and the City Noise Ordinance (7:00 a.m. - 10:00 p.m. and 10:00 p.m. - 7:00 a.m.). The DEIR does not include an isolated analysis of the Project's noise impacts between 10:00 p.m. and 7:00 a.m.

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in the City Noise Ordinance, which is precisely why MCA is attempting to exclude itself from those restrictions and failed to even reference them in the DEIR.

The DEIR is a bit more candid in its assessment of noise impacts associated with the proposed helistop operations. Although noise from the proposed helistop operations apparently does not exceed the significance threshold established for that use in the DEIR, the DEIR nevertheless concludes that "because of the variability that may occur in noise levels generated by helicopters, impacts are considered significant." *Id.*, p. 349 (§ 3.3.1.2.2).

Why is that reasoning any less applicable to the broad range of noise sources which utilize amplified sound or the gunshots, explosions and other unsettling noises associated with outdoor filming? Each of those activities produces sounds that vary widely in pitch, intensity and duration, and have a jarring effect when heard in otherwise quiet residential neighborhoods.

The DEIR's noise analysis is deficient in several other respects which prevent the City and County from making a decision on the PSP and the other project approvals which intelligently take account environmental consequences. Although very ambiguously stated in the DEIR, it appears that the DEIR did not analyze any noise impacts relating to outdoor filming within the boundaries of Universal City. *Id.*, pp. 339-40 (§ 3.2).²⁰

As discussed above, it is irrelevant that the County Noise Ordinance exempts outdoor film production from its noise restrictions.²¹ The DEIR also indicates

²⁰ The DEIR is less than candid on this point. It states that production activities are exempt from the County Noise Ordinance and are not subject to noise regulations in the PSP, but never states in straightforward fashion that the DEIR did not analyze those noise impacts. As discussed above, however, the Noise Study admits that noise impacts from outdoor filming were not included in the Noise Model.

²¹ The failure to analyze noise impacts associated with outdoor filming is particularly suspect given the DEIR's admission only two pages later that "it is recognized that the analysis of noise impacts must consider all Project-related sources, including all activities occurring within Universal City property." *Id.*, p. 341 (§ 3.3.1.1).

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that evaluation of those noise impacts is not required because "it is anticipated that outdoor production-related noise levels will not change with buildout of the Specific Plan because outdoor production areas will remain the same or be decreased . . ." *Id.* That reasoning is extremely unpersuasive, for two reasons. First, the DEIR once again ignores that its purpose is to analyze the environmental impacts of the Project on the existing environment. The City and County are considering the adoption of the PSP, which would permit outdoor film production for the next 24 years without any restrictions whatsoever. The DEIR must analyze those impacts, which currently violate numerous standards in both of the Noise Ordinances, and explain why it is infeasible to impose any mitigation measures to alleviate those impacts.

Second, that conclusory statement is demonstrably untrue, and contradicts numerous statements in the PSP and the DEIR. The PSP would permit studio uses to increase by at least 450,000 square feet, and MCA would have the right to substantially increase that amount by using the "Equivalency Matrix". PSP, pp. 28:24-29:8, 30-31. It is reasonable to assume that outdoor filming will increase proportionately with the increase in overall production activities. In addition, MCA intends to design future entertainment attractions and resort hotels for dual use as outdoor film settings. See, e.g., DEIR, p. 151 ("the resort hotels may be designed to be used as sets for movie production") and Preliminary Specific Plan (October, 1996), p. 2-14 (attractions on the tram tours are also used as movie sets) and p. 2-16 ("[t]he themed resort hotels will provide set-like amenities which may be used for television and movie production").

The DEIR also states that "[t]he stationary noise sources that will be in operation at Universal City in the future will be similar to those in operation today." *Id.*, p. 340 (§ 3.3.1). For the reasons discussed above, that statement is extremely misleading and inaccurate.

7. The DEIR's Analysis of Construction Noise Impacts is Inadequate.

The DEIR acknowledges that construction activity has the potential to generate noise levels which exceed the standards in the County Noise Ordinance and therefore constitute a significant impact. DEIR, p. 354. Nonetheless, the DEIR concludes that construction noise impacts will not be significant because MCA "intends to implement all feasible mitigation in accordance with County of Los Angeles

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requirements to ensure that noise levels associated with on-site construction would not exceed those allowed by the County Noise Ordinance." Id.

That analysis is wholly inadequate for several reasons. First, there is no quantified analysis which explains which adjacent areas will experience construction noise which exceeds County noise standards and what decibel levels can be expected.²² Second, the DEIR fails to describe any of the "feasible mitigation" that would reduce construction noise to a level of insignificance. Third, the DEIR does not explain how the unspecified conditions would mitigate construction noise impacts. As a result, neither the public nor decisionmakers can intelligently evaluate the environmental consequences of substantial and continuous construction activity over a period of 24 years.

The DEIR subsequently recommends Mitigation Measure C-7, which requires MCA to comply with the "Construction Management and Mitigation Plan" attached as Appendix S to the DEIR. Id., p. 362 (§ 4.4). Section 3 of that Plan addresses construction noise and includes two paragraphs. Id., Volume 9, Appendix S. The first paragraph states that construction contractors will be required to comply with City and County ordinances regarding construction noise.²³ The second paragraph states the MCA "intends to ensure that all construction contractors implement all feasible mitigation in accordance with County of Los Angeles requirements to ensure that noise levels associated with on-site construction would not exceed those allowed by the County Noise Ordinance."

These conditions do not provide any meaningful expectation that MCA can or will comply with County requirements. None of the three potential mitigation

²² Indeed, the DEIR failed to comply with the City's directive that it should include a "separate discussion of increases in construction related noise above existing ambient levels . . ." Id., Volume 3, Appendix D-1, Comment W-2.

²³ It will be almost impossible for anyone other than a lawyer to find those ordinances. Instead of citing specific sections of the LAMC and LACC relating to construction noise, Section 3 only references the original ordinances adopted by the City and County. In addition, it does not appear that City of Los Angeles Ordinance No. 11,743 relates to construction noise.

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measures is mandatory; MCA "may include" one or more of them to the extent "feasible". In addition, the DEIR includes no analysis of the likely effectiveness of any potential construction noise mitigation.

Equally important, regardless of technical compliance with the County Noise Ordinance, the environmental impacts associated with 24 years of more or less continuous construction activity will obviously be quite significant. The noise from construction vehicles and equipment is extremely unpleasant and quite distinctive from other noise which contributes to ambient noise levels. Although the Toluca Lake community is not adjacent to Universal City, construction noise has been, and will continue to be, audible and disruptive, particularly since substantial construction activity will extend over more than two decades.

8. The DEIR Fails to Analyze Noise Impacts Between 2010-2020.

The DEIR states that full buildout "is expected" to occur by the year 2010, and that development activity between the years 2010 and 2020 is "expected" to be limited to remodeling, replacement and redevelopment of existing structures, together with programs for increasing visitor attendance during off-peak periods. DEIR, p. 335 (§ 3.3.2). Despite those "expectations", the DEIR concedes that new construction could continue during the final 10 years of the development program. *Id.* Based on that analysis, the DEIR concludes that its failure to evaluate noise impacts between 2010-2020 is acceptable because "no additional increases in on-site related noise are likely to occur on the Project site between 2010 and 2020" and "there would be few, if any, noise sources added on-site during this period. *Id.*

That analysis violates CEQA. The EIR must inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Stanislaus Natural Heritage Project v. County of Stanislaus, 48 Cal. App. 4th 182, 195 (1996). The PSP would cover a 24-year period ending in 2020. However, the DEIR includes no noise analysis for the years 2010-2020. The DEIR's conclusion that noise impacts would be no greater in the year 2020 than in the year 2010 is not only unsupported by any technical analysis, the DEIR concedes that raw land development could continue during that period. In any event, the DEIR's conclusory analysis simply ignores the noise impacts associated with the replacement and redevelopment of existing structures. The construction noise from those projects is just as real as the construction

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from raw land development. In addition, it is entirely possible that sites will be redeveloped with uses that have greater impacts than the preexisting uses.²⁴

9. The DEIR Fails to Recommend Feasible Mitigation Measures Which Substantially Lessen or Avoid the Project's Significant Noise Impacts.

In order to approve the Project, the City and County must adopt all feasible mitigation measures which substantially lessen or avoid otherwise significant adverse environmental impacts. Cal. Pub. Res. Code §§ 21002, 21081(a). To implement this requirement, EIRs must set forth mitigation measures that decisionmakers can adopt at the findings stage of the process. Cal. Pub. Res. Code § 21100(b)(3).

The DEIR fails to recommend feasible mitigation measures with respect to operational noise because the DEIR improperly concludes that, with the exception of the proposed helistops, the Project will not have any significant noise impacts.²⁵ Since that is untrue, the DEIR must analyze all feasible noise mitigation.

As discussed above, TLRA has recommended a number of mitigation measures which will provide at least some relief to the surrounding communities (see Exhibit 2, Section D (pp. 7-9), and believes that all of the proposed conditions are eminently feasible. In particular, the restrictions with respect to amplified sound are not only feasible, they are in fact the standards adopted by the City 24 years ago which apply to every other project located within the boundaries of Los Angeles.

²⁴ As discussed below, the DEIR's failure to analyze noise impacts during the final 10 years of the development program is exacerbated when considering cumulative noise impacts.

²⁵ The DEIR goes even further, falsely stating that "the UC Noise Model and implementation of the noise limitations would enable the noise generated on-site to remain within levels allowed by the City and County." DEIR, p. 356. There is no evidence in the DEIR that Universal City noise sources will comply with the amplified sound restrictions in the City Noise Ordinance (see Section IV.B.2, above).

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The DEIR also states that no noise mitigation will be required for outdoor filming because it is currently exempt from the County Noise Ordinance and because noise levels associated with outdoor production are not expected to change. DEIR, p. 356. Not only is that reasoning defective for the reasons described above, it is irrelevant in determining whether the mitigation is "feasible".

Almost two years ago, in response to repeated complaints by residents, Councilman Ferraro became involved in an effort to mitigate Universal City noise. As a result, in May, 1995, MCA agreed to develop and install a "Noise Management System" that was initially proposed by community residents at a meeting sponsored by Councilman Ferraro (see Exhibit 3, May 26, 1995 and February 14, 1996 letters). For unexplained reasons, MCA has never implemented this system and, inexplicably, the DEIR does not even mention its existence, perhaps because to discuss the noise monitoring system is to admit that a significant noise problem currently exists.

10. The Cumulative Noise Analysis in the DEIR is Inadequate.

The DEIR concludes that cumulative impacts related to stationary noise sources will be less than significant because other developments "will be subject to environmental review as part of each Project's review process and will be subject to the requirements of the applicable noise ordinance." Id., p. 367 (§ 6.1).

That analysis is also misleading and wholly inadequate. The DEIR cannot justify a determination of nonsignificance based solely on the fact that future projects in the area will be subject to project-specific CEQA review. One of the primary reasons that CEQA requires cumulative analysis in an EIR is to determine whether any particular environmental impact is cumulatively significant, notwithstanding that the environmental impacts associated with one or more individual projects may not be significant.²⁶ A proper cumulative noise analysis would first calculate ambient noise conditions in the

²⁶ It is more than a little ironic that the DEIR's sole justification for its determination that the Project's cumulative noise impacts will not be significant is that other projects will be subject to project-specific environmental review and the requirements of the Noise Ordinances, when no individual project in Universal City will be subject to any CEQA review and will be exempt from almost all of the restrictions in the Noise Ordinances.

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year 2020, and then determine the impact of full Project buildout on those ambient conditions.

The cumulative noise analysis is even more suspect because the DEIR's analysis only extends through the year 2010. By freezing the acoustical analysis in the year 2010, while buildout will occur through the year 2020, the DEIR ignores both changes to ambient noise levels between the years 2010-2020 and the Project's incremental contribution to those conditions. As ambient noise levels in the surrounding areas increase (which undoubtedly will occur), the incremental additional noise from stationary sources in Universal City becomes more significant.

C. The Alternatives Analysis In The DEIR Is Inadequate And Provides No Basis For Concluding That The Alternatives Are Infeasible.

An EIR for any project to CEQA review must consider a reasonable range of alternatives to the project which (1) offer substantial environmental advantages over the project proposal and (2) may be feasibly accomplished in a successful manner. Citizens of Goleta Valley v. Board of Supervisors, 52 Cal. 3d 553, 566 (1990).

The DEIR abjectly fails that test. The DEIR evaluates five alternatives. DEIR, p. 941. Two are nothing more than "no project" alternatives (Alternatives 1 and 2). Of the other three alternatives, two of them (Alternatives 4 and 5) propose a different mix of uses than the Project, but the square footage of those alternatives is identical to the Project and their environmental impacts are quite similar to the Project. The only alternative which includes decreased density and offers meaningful environmental advantages over the Project is Alternative 3, which assumes a 21% reduction in development intensity. That does not constitute a "reasonable range" of alternatives.

The DEIR also lays the groundwork for claiming that none of the alternatives is feasible, and can therefore be rejected by the City and County. The DEIR accomplishes this by alleging that none of the alternatives achieves the "project objectives". For example, with respect to Alternative 3, the DEIR states that a density reduction of 21% would "severely limit Studio expansion opportunities and hinder [MCA's] ability to maintain its current position in the motion picture/television production industry", "put at substantial risk the viability of continued development and enhancement of the existing Entertainment Venue and Entertainment Retail Venue, the development of new venues and the opportunity for development of resort hotels offering overnight accommodations." The DEIR also states that, with Alternative 3, "the viability

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of Resort Hotels would be put at risk" and would "frustrate the goals of business growth and competitiveness in the market." DEIR, pp. 1014-15.

Basically, the DEIR argues that Alternative 3 is infeasible because it would be less profitable. In other words, the DEIR claims that Alternative 3 is economically infeasible. However, to rely on economic feasibility as a justification for rejecting an alternative, the finding of economic infeasibility must be supported by substantial evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project. Citizen of Goleta Valley v. Board of Supervisors, 197 Cal. App. 3d 1167, 1181 (1988). The DEIR does not analyze Alternative 3 or any other alternative in terms of comparative costs, comparative profits or losses, or to the extent appropriate, comparative economic benefits to the City and County or the public at large. In any event, Alternative 3 cannot be rejected simply because it is different from the proposed Project and might produce less profits for MCA.

V.CONCLUSION

Over seven years ago, in an August 11, 1989 letter sent to local residents, an MCA official stated that, to deal with the noise problems associated with Universal City venues, "we need very specific information so that we can find the source of the disturbance and, if possible, implement a solution" (see Exhibit 3, first letter). The Toluca Lake residents find themselves in the same position today. They scoured the DEIR for an acknowledgment of the noise impacts described in Exhibits 3 and 4 (and the NOP responses described in footnote 1, above), and that the Project will intensify those noise impacts, but found none. The DEIR cannot identify appropriate noise mitigation until MCA admits that a significant noise problem exists and will get much worse if the PSP is adopted as proposed.

The foregoing comments on the DEIR are not minor quibbles. The DEIR's analysis of land use and noise impacts is fundamentally flawed and, we believe, would not survive judicial scrutiny. TLRA respectfully requests that the County revise the DEIR to comply with CEQA and recirculate the document. More important, TLRA calls upon MCA to revise the PSP to fully address and mitigate the existing and future noise impacts of Universal City on its neighbors.

Very truly yours,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

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Jack H. Rubens

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Enclosures

cc: Honorable Zev Yaroslavsky,
Supervisor, 3rd District (w/encls.)
Honorable John Ferraro,
Councilman, 4th District (w/encls.)
Honorable Michael Antonovich,
Supervisor, 5th District (w/encls.)

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SPECIFIC PLAN MODIFICATION/NOISE MITIGATION

(January 21, 1997)

A. GOALS.

1. Reduce existing noise impacts on adjacent residential and recreational areas.
2. Create and implement meaningful standards for measuring noise impacts on surrounding residential and recreational areas which minimize existing and future noise impacts.
3. Devise appropriate noise mitigation which allows the reasonable use and expansion of Universal City, while minimizing noise impacts on the surrounding residential and recreational areas.
4. Implement a noise monitoring system which permits an immediate response to noise complaints and violation of noise standards.

B. CONCEPTUAL MODIFICATIONS TO PRELIMINARY SPECIFIC PLAN.

1. Universal City shall be subject to all of the standards set forth in the County Noise Ordinance and the City Noise Ordinance, including Sections 112.01, 115.01 and 115.02 of the City Noise Ordinance (copies of those provisions are attached). To the extent that the City Noise Ordinance and County Noise Ordinance include similar standards, but the standards in one Noise Ordinance are more restrictive, the standards in the more restrictive Noise Ordinance shall control. Outdoor filming and helicopter use shall not be exempt from those standards.
2. All development projects and uses proposed in Universal City which are currently subject to one or more discretionary approval processes under either the Los Angeles Municipal Code or the Los Angeles County Code shall remain subject to those processes.
3. A conditional use permit or similar discretionary approval shall be required for all projects with potentially significant noise impacts on adjacent residential and recreational areas, including the following:

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- a. All entertainment attractions which are not fully enclosed.
- b. Entertainment retail venues which are not fully enclosed.
- c. Hotels and all related uses, including golf courses.
- d. Seasonal and Temporary Uses.
- e. Other outdoor uses.

4. The "Environmental Thresholds" will not apply to any use which requires discretionary approval.

5. Prohibited Uses.

- a. Helicopter takeoffs and landings (except for emergencies).
- b. Arenas and unenclosed amphitheater space.

6. Require permitted and conditionally permitted uses to be confined to specified areas (i.e., Districts or sub-Districts), rather than permitting any use anywhere in Universal City.

a. Outdoor uses, including amusement games or arcades, aquariums, museums, displays, art shows, galleries, parades and street performer shows, recreational activities, restaurants, retail uses, special events, temporary and seasonal uses, etc., should be limited to specified areas.

7. Modify the list of proposed uses to eliminate all vague and open-ended uses.

8. A supplemental EIR shall be prepared upon the earlier of (a) the fifth (5th) anniversary of the adoption of the Specific Plan or (b) the aggregate construction (including redevelopment) of 1,000,000 square feet of improvements in Universal City. The City and County shall have the right to modify the Specific Plan and/or the Development Agreement based on such environmental review. A new supplemental EIR shall thereafter be prepared upon the earlier of (a) the fifth (5th) anniversary of the certification of the previous supplemental EIR or (b) the construction (including redevelopment) of 1,000,000 square feet of improvements. This process shall continue throughout the life of the Specific Plan.

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9. TLRA is still reviewing the proposed density and height standards proposed in the PSP and reserves the right to make further comment.

C. SPECIFIC MODIFICATIONS TO PRELIMINARY SPECIFIC PLAN.

1. Why are numerous provisions or phrases in the PSP bracketed?
2. Section 2D. Delete the words "practical and" on line 3. Under CEQA, MCA must implement all "feasible" mitigation measures. The word "practical" is vague and has no defined meaning. (5:1-3)²⁷
3. Section 3B. Taken literally, this provision would exempt Universal City from just about every City and County zoning provision and creates great potential for abuse. This provision should be modified to state that Universal City is not exempt from any City or County zoning requirement unless expressly stated in the Specific Plan. (6:12-21)
4. Section 3C. These provisions should be deleted in their entirety. (6:23-7:16)
5. Section 4.
 - a. Arenas. Delete the definition of "Arena". (9:4-7)
 - b. Environmental Thresholds. The Environmental Thresholds do not address all environmental impacts associated with a project (e.g., noise). Also, modify the definition of "Environmental Thresholds" to reflect that some uses are conditionally permitted or otherwise discretionary. (12:24-28)
 - c. Floor Area. Why are "Parking Structures" excluded from "Floor Area"? In addition, why does "Floor Area" exclude "Seasonal Use" and "Temporary Use" when those uses may occur virtually the entire year as currently defined? (13:17-18)

²⁷ All parenthetical references at the end of sections refer to pages and line numbers in the PSP.

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d. Helistop. Delete this definition. (18:6-9)

e. Production Activities. On line 19, delete "and any derivaration or evolution of the foregoing". (22:7-19)

f. Seasonal Use. On line 5, replace the phrase "a maximum of 100 consecutive days" with the phrase "30 days". Please note that, in its current form, the inclusion of the word "maximum" would mean that Seasonal Use could occur 362 days each year. (24:5-6)

g. Special Events. On line 5, replace the phrase "including but not limited to" with ", which includes". (26:4-7)

h. Temporary Use. On line 18, replace the phrase "60 consecutive days, or 6 consecutive weekends" with the phrase "30 days, or 4 consecutive weekends". Please note that the proposed definition of Temporary Use would permit a Temporary Use 360 days each year. (26:17-19)

6. Section 5A(2). Still under review. (28:13-22)

7. Section 5B. This provision (32:1-6) is equivalent to Section 3D (7:18-20). One of the provisions should be deleted.

8. Section 5C. Delete the second sentence in each paragraph. Any amendment to the Specific Plan, including amendments to the Appendices, must be approved by the City Council and the Board of Supervisors, as the respective legislative bodies of the City and County. (32:8-17)

9. Section 6. This Section will require a number of revisions to distinguish projects in Universal City that are subject to discretionary review. (32:19)

a. Section 6A(10). Amend lines 13-15 to read as follows: "(10) Interior or exterior remodeling of a Building, provided that any such remodeling does not:". On line 20, change "50,000" to "5,000". As written, this provision would permit new uses for an entire building without any review, ministerial or otherwise. In addition, exempting a 50,000 square foot addition from all review is overreaching, particularly given that the City currently requires discretionary site plan review for a 40,000 square foot addition. (33:13-21)

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- b. Section 6A(12). Why should the rehabilitation or reconstruction of a non-conforming Building or Structure following a casualty be exempt from City and County requirements? (33:26-34:8)
- c. Section 6C(3). This provision properly states that a Project Plan Compliance approval "does not in any way indicate compliance with other applicable provisions of the LACC/LAMC." (35:5-9) However, that provision contradicts Section 3B (6:12-21), which states that where the Specific Plan contains provisions "which are different from, more restrictive or more permissive than would otherwise be allowed" under the City and County Zoning Codes, "the Specific Plan shall prevail and supersede that applicable provision."
- d. Section 6C(5)(b)(ii). The numerous defects in this provision are discussed in the body of the letter on page 13, footnote 11. (36:17-23)
- e. Section 6C(6). What is the time period for the Planning Commission to review an application for Project Plan Compliance if an application is transferred to it? (37:5-8)
- f. Section 6C(7). The public should have the same right to request an administrative clarification as MCA. (37:9-27)
- g. Section 6C(8). A Project Plan Compliance should expire one year from the date of issuance, and no extension should be permitted. (38:3-14)
- 10. Section 7A(2). The permitted and conditionally permitted uses in each District should be expressly stated. (38:24-39:17)
- 11. Section 7A(2)(c). Delete the word "Arenas". (39:13)
- 12. Sections 7C and D. These provisions are still under review, and TLRA reserves the right to make additional comments. (41-44)
- 13. Section 7I. In addition to the general comments and proposed revisions set forth above and in the body of the letter, TLRA requests the following specific revisions with respect to permitted uses (51:11-57:12):
 - a. Section 7I(8). All design, construction and manufacturing activities which utilize machinery should occur in enclosed structures. (53:1-7)
 - b. Section 7I(16). All references to "helistop" should be deleted. (53:26-28)

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c. Section 7I(36). Delete second sentence of the Section. "Special Events" is already defined in Section 4 (26:4). (55:12-14)

d. Section 7I(38). On lines 20 and 21, replace the phrase "including but not limited to" with the phrase "which includes". (55:20-23)

e. Section 7I(44). This section should be deleted in its entirety. "Uses which evolve as a result of development of technology or media" is far too vague and would permit MCA to add any number of new permitted uses over the years that are currently beyond the contemplation of anyone, including MCA. (56:8-10)

14. Section 11A(1). On line 26, replace the phrase "Plan Compliance Determination" with the phrase "Project Plan Compliance". In addition, it should be noted that the Department of Transportation's discretionary right to assign traffic improvements to a specific project indicates that the Project Plan Compliance procedure is in fact discretionary and requires CEQA review. This makes sense because the Department of Transportation can only determine which traffic improvements should be required for a particular project by conducting a traffic analysis. (71:25-72:8)

a. Section 11A(3). Taken to its extreme, this Section would permit the Department of Transportation to replace all of the existing traffic improvements with "comparable traffic improvements". The Department of Transportation should not have the right to modify or substitute "comparable traffic improvements" without CEQA review and public participation. (73:6-10)

15. Section 19 (Sound Attenuation Requirements). Modify Section 19 as set forth in Section B1, above. (98:19-99:2)

16. Section 20 (Annual Report). The Annual Report should include detailed information regarding noise impacts of Universal City on the surrounding area, including a detailed summary of all noise complaints made during the previous year and how MCA responded. In addition, does the reference on line 7 to the "Planning Commission" mean both the City and County Planning Commissions? (101:1-14)

17. Section 21 (Interpretation). Any member of the public should have the right to seek an interpretation of the Specific Plan, and to appeal that interpretation to the Regional Planning Commission/City Planning Commission. (101:16-102:16)

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18. Appendix B (Environmental Thresholds). Add a new Section F for "Noise" which requires all projects subject to Project Plan Compliance to comply with Section 19 of the Specific Plan (as modified pursuant to Section B1, above).

D. CONDITIONS TO APPROVAL OF SPECIFIC PLAN.

1. Outdoor construction activity permitted only between 7:00 a.m. and 6:00 p.m., Monday through Friday, except holidays.

2. MCA's new noise monitoring system, which was created in cooperation with Councilman Ferraro's office, should be activated and its effectiveness tested as part of the EIR process. If effective, operating and staffing rules should be imposed as conditions to the approval of the Specific Plan.

3. Any entertainment or theme park attraction which utilizes any amplified sound or which is reasonably likely to violate any restrictions in the Noise Ordinances shall be enclosed.

4. The outdoor use of sound amplification equipment and sirens, explosions, gunshots, operation of wind or wave machines and similar activities within the boundaries of Universal City shall also be subject to the following restrictions:

a. No amplified sound shall violate the standards and restrictions set forth in the City Noise Ordinance.

b. The use of sound amplification equipment shall only be permitted between the hours of 9:00 a.m. and 8:00 p.m.

c. Sirens, explosions, gunshots, operation of wind or wave machines and similar activities shall only be permitted between the hours of 12 p.m. and 8 p.m.

d. All sound amplification equipment shall be owned by MCA and shall be designed not to be audible at a distance in excess of 200 feet from the equipment or 150 feet from the boundary of Universal City, whichever is closer.

e. Any outdoor music or entertainment shows or outdoor special events which utilize sound amplification equipment shall be restricted to areas within the Entertainment District which have been specifically designed to minimize noise impacts on the surrounding residential and recreational areas. At a minimum, permanent speaker systems shall be installed in those areas which orient sound away from the surrounding

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residential and recreational areas and utilize surrounding structures to buffer those areas from all noise associated with the show or event. In addition, MCA sound engineers shall be present throughout any such show or event to measure and manage all noise associated with that show or event.

5. MCA shall be required to utilize any noise cancellation technology which is effective in mitigating noise impacts associated with existing operations at Universal City. In addition, use of noise cancellation technology shall be required as a condition to (a) the approval of any proposed entertainment attraction or other project within the Entertainment District and (b) future special events and other outdoor activities, if and to the extent such technology can materially reduce the noise impacts associated with that project, event or activity.

6. No outdoor amplified music shall be permitted in the CityWalk area.

7. MCA shall fund the creation and operation of a community advisory group for the duration of the Specific Plan which meets monthly (a) to review all noise complaints and how MCA responded and (b) if and to the extent the existing noise mitigation is inadequate, to recommend new or modified mitigation measures to the City and County for their consideration. Any recommended mitigation measures may relate to the Specific Plan and/or individual discretionary permits and approval. Any such mitigation measures approved by the City and County with respect to the Specific Plan shall be applied to all applicable existing and future development in Universal City.

The noise advisory group would consist of 10 members, selected as follows:

<u>Organization</u>	<u>No. of Representatives</u>
MCA	2
Studio City Homeowners Association	1
Cahuenga Pass Homeowners Association	1
Lakeside Golf Club	1
Toluca Lake Homeowners Association	1
Toluca Estate Drive Homeowners Association	1
Toluca Lake Residents Association	1
Supervisor, 4th District	1
Councilmember, 3rd District	<u>1</u>

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8. Wind conditions are predictable to a large extent and should be factored into assessment and mitigation measures.

ATTACHMENT 5

Writer's Direct Line

August 13, 1997

Our File Number:

County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012
Attention: Ms. Pamela Holt

Re: Revised Draft Universal City Specific Plan Ordinance
and Draft Environmental Impact Report

Ladies and Gentlemen:

This firm represents the Toluca Lake Residents Association ("TLRA") in connection with the revised draft of the Universal City Specific Plan Ordinance (the "SPO") submitted by Universal Studios, Inc. ("Universal") to the County of Los Angeles (the "County") and the City of Los Angeles (the "City") for the proposed expansion of Universal City (the "Project").

TLRA greatly appreciates the efforts of Councilman Ferraro and Supervisor Yaroslavsky to rein in Universal's expansion plans and require Universal to pay some attention to the impacts of the Project on its neighbors. However, the revised SPO is virtually nonresponsive to the well-founded and voluminous concerns raised by TLRA and hundreds of others who commented on the first draft of the SPO, and simply ignores all of the proposed amendments to the SPO previously requested by TLRA. The revised SPO also fails to incorporate many of the most critical revisions suggested by Councilman Ferraro and Supervisor Yaroslavsky, including a prohibition on the expansion of the theme park, the completion of all traffic improvements prior to the commencement of the second phase of the Project, the meaningful reduction of height limits and the elimination of helicopters use.

In our January 21, 1997 letter to the County on behalf of TLRA (the "January 21 Letter"), we set forth nine pages of general and specific comments regarding the first draft of the SPO, which are attached as Exhibit 2 to that letter. The revised SPO does not incorporate any of the revisions proposed by TLRA. Universal does propose restrictions on "outdoor entertainment amplified sound", but the proposed standard is significantly weaker than the longstanding restrictions on amplified sound set forth in Sections 112.01 through 115.02 (the "City Noise").

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Ordinance") of the Los Angeles Municipal Code (the "LAMC"), in particular the restrictions set forth in Sections 112.01, 115.01 and 115.02. In addition, all amplified sound associated with production activities, as well as all other non-entertainment amplified sound, are exempt from the minimal restrictions. TLRA believes that the far weaker standard proposed by Universal will not effectively mitigate Universal's existing or future amplified sound. The revised SPO also fails to address many other non-amplified noise sources in Universal City which have plagued the surrounding community for years, in particular outdoor production activities and "special events".

TLRA is also extremely troubled by statements made by Universal representatives at the July 2 hearing that the Draft Environmental Impact Report (the "DEIR") should not be recirculated. The County has received voluminous written and oral testimony from well over 300 individuals and organizations regarding the numerous and fundamental flaws in the DEIR. In addition, TLRA and 11 other organizations have co-signed a May 28, 1997 letter to the County urging it in the strongest possible terms to revise and recirculate the DEIR (a copy of which is attached as Exhibit 2).

As set forth in 25 pages of analysis in the January 21 Letter, the DEIR's analysis of land use and noise impacts is wholly inadequate. The DEIR denied the very existence of Universal City's existing and future noise impacts and failed to recommend any standards or conditions which would effectively mitigate them. The DEIR also expressly refused to evaluate noise impacts associated with outdoor production activities, in violation of the California Environmental Quality Act ("CEQA").

Universal's attempt to curtail environmental review is particularly disturbing to TLRA because the DEIR does not include any discussion of amplified noise or any evaluation of Universal's proposed standard. Indeed, Universal conceded at the July 2 hearing that it has yet to prepare any technical analysis with respect to its proposed restrictions on amplified sound. It is apparently Universal's intent to submit that technical analysis in connection with the preparation of the Final EIR, which would preclude public input on an important and complex issue, rather than including that analysis in a recirculated DEIR, which would provide the public with a meaningful opportunity to review technical information that obviously should have been included in the DEIR in the first place. It is also difficult to understand how Universal representatives could state at the July 2 hearing that its proposed amplified sound restrictions will mitigate noise impacts when it has no technical analysis to support that conclusion.

Although the January 21 Letter included detailed comments on, and proposed revisions to, the original SPO, it appears that the County and City may have focused more on the analysis in that letter regarding the inadequacy of the DEIR. Therefore, the primary purpose of this letter is to state TLRA's specific objections and proposed modifications to the revised SPO.

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Attached as Exhibit 1 is an outline which sets forth TLRA's goals with respect to the Project, requested revisions to the revised SPO and requested noise mitigation (the "SPO Revisions").¹ The balance of this letter highlights some of the more significant changes requested by TLRA in the SPO Revisions and the rationale for them, and ends with a brief discussion of why the County is legally required to revise and recirculate the DEIR.

It is disappointing, to say the least, that Universal chose to ignore virtually all of TLRA's concerns. The revised SPO still exempts up to 8,693,000 square feet of development from all discretionary review, it still exempts each specific project proposed by Universal from any environmental review under CEQA, it still proposes a single zone for all 415 acres of Universal City (pursuant to which 153 different permitted uses in the SPO can occur in almost any location in Universal City), it still fails to set forth even one specific, proposed project, it still includes an "Equivalency Matrix" which largely undermines the density restrictions with respect to each category of use, it still permits Universal to pay money in lieu of providing effective traffic mitigation for the Project, and it still ignores most, if not all, of TRLA's noise concerns.

Finally, based on comments at the July 2 hearing, it appears that Universal still seeks to enter into "Development Agreements" with the City and County, which presumably are intended to exempt Universal City from all future land use and zoning regulations adopted by the City and County during the term of the SPO. TRLA does not believe that any legitimate justification exists for such a wholesale exemption from future laws, particularly because Universal has not offered any public benefits in exchange for the Development Agreements, and cannot offer any public benefits beyond those that the City and County can already require in consideration of their approval of the SPO. TRLA is particularly concerned that the execution of Development Agreements would preclude the City and County from applying advances in noise technology and measurement to formulate ordinances which more effectively mitigate noise impacts.

TLRA still believes that Universal needs to make fundamental revisions to the SPO which take account of all existing and future noise impacts, require discretionary and environmental review for specific projects with potentially significant noise impacts, and provide the City and County with the ongoing authority to address Universal City's impact on the surrounding area over the next 14 years.

¹ The SPO Revisions attached as Exhibit 1 to this letter are based in large part on a similar document that is attached as Exhibit 2 to the January 21 Letter (which Universal simply ignored). Please note that the SPO Revisions differ somewhat from the revisions proposed in the January 21 Letter as a result of Universal's modifications to the first draft of the SPO.

I.SUMMARY

Against that background, TLRA has the following concerns with respect to the Revised SPO and the DEIR, each of which is discussed in detail below:

1.The SPO should be modified as set forth in Exhibit 1.

- a. Universal City should be subject to the amplified sound restrictions in the City Noise Ordinance.
 - b. The entire Project should not be exempt from all discretionary review, CEQA review and future city and county laws for 14 years.
 - c. All entertainment and hotel uses should be subject to discretionary review.
 - i. There is no justification for the City's and County's execution of Development Agreements with Universal.
 - ii. The revised SPO improperly excludes significant development projects from any form of governmental review.
 - d. The revised SPO does not eliminate expansion of the theme park.
 - e. The proposed uses in the SPO should be substantially narrowed and confined to specified areas rather than permitted anywhere in Universal City.
 - f. The Height Districts and Height Exception Areas which most impact Toluca Lake and other surrounding neighborhoods remain unchanged.
 - g. The revised SPO does not eliminate helicopter uses.
 - h. Universal ignored all of the noise mitigation recommended by TLRA.
 - i. There is no limitation on the duration of the SPO.
 - j. The revised SPO still includes inappropriate construction hours.
 - k. Universal's expansion plans dramatically exceed the plans approved for other studio expansions in recent years.
2. The County is legally required to recirculate the DEIR.

II. THE REVISED SPO REQUIRES SUBSTANTIAL MODIFICATION

A. Universal City Should Be Subject To The Amplified Sound Restrictions In The City Noise Ordinance.

The most important modification to the SPO requested by TLRA is that the amplified sound restrictions in Sections 112.01, 115.01 and 115.02 of the City Noise Ordinance (which are attached at the end of Exhibit 1) apply to the entire Project. Section 112.01(b) prohibits any noise level caused by sound amplifying equipment which is audible (1) at a distance of 150 feet from the property line of the noise source or (2) within any residential zone or 500 feet thereof. Section 115.02(f) states further that sound emanating from sound amplifying equipment shall not be audible at a distance in excess of 200 feet from the sound equipment. It is particularly appropriate that these standards in the City Noise Ordinance apply to the Project because, although a substantial portion of Universal City is located in the County, virtually all of the residents and others affected by excessive noise from Universal City live in the City.²

Universal has repeatedly stated its intent to comply with the most restrictive provisions in the City and County Noise Ordinances. However, the new proposed "entertainment amplified sound requirements" set forth in Section 17 and Exhibit 13 of the SPO (the "Proposed Amplified Sound Standards") pale in comparison to the restrictions set forth in the City Noise Ordinance. Pursuant to Section 17 and Exhibit 13, outdoor entertainment-amplified sound of up to 95 dBA is permitted in the entire Entertainment District and the easterly portion of the Business Center District. In addition, outdoor entertainment-amplified sound of up to 85 dBA is permitted throughout the balance of the Business Center District and over the entire Studio District (other than a narrow strip of land at the northerly boundary of the Studio District).³ Moreover, Section 17.B(1) states that the noise levels will be measured 50 feet from the noise source, rather than at the source, which effectively permits noise levels which exceed 95 and 85 dBA, respectively.

TLRA does not believe that the Proposed Amplified Sound Standards will mitigate the significant noise impacts associated with existing and future outdoor entertainment

² These amplified sound restrictions have been in place for many years. All of the provisions were adopted by the City Council in 1979 and 1982.

³ However, even in that northerly strip, (i) amplified sound of up to 85 dBA (measured 50 feet from the noise source) is permitted with respect to tram tours and (ii) amplified sound is permitted for instructional announcements with no dBA limitation.

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attractions, CityWalk, special events and tram tours. According to the County Noise Element (at Figure N-1), noise levels in excess of 90 dBA creates physical discomfort and notes that the noise level at 95 dBA measured from 50 feet is equivalent to the noise from a freight train. The Proposed Amplified Sound Standards would permit noise levels in excess of 95 dBA in the Entertainment District, which is at a substantially higher elevation than Toluca Lake and other surrounding residential areas. It is difficult, if not impossible, to believe that amplified sound from Universal City will be inaudible to the surrounding community, particularly in Toluca Lake and at Lakeside Golf Club. At the July 2 hearing, Commissioner Feldman stated that Universal's forthcoming technical analysis of the Proposed Amplified Sound Standards should be subject to independent, third-party review. TLRA strongly agrees.

In addition, the Proposed Amplified Sound Standards include exceptions and restrictive language which substantially limits their effectiveness. First, and most important, Section 17.C(1) of the SPO exempts all production activities from the Proposed Amplified Sound Standards, notwithstanding the well-documented, disruptive impact of outdoor filming on the surrounding area.⁴ Universal continues to press for this wholesale exemption despite the fact that it has not provided City, County or the public with any information regarding the noise impacts associated with outdoor production activities. The noise analysis in the DEIR is based on a noise model which expressly excluded all existing and future outdoor filming activities. As set forth in the January 21 Letter (pp. 20-21), the complete failure of the DEIR to consider the noise impacts associated with current and future outdoor production activities clearly violates CEQA.⁵

Second the Proposed Amplified Sound Standards only apply to "entertainment" amplified sound. SPO, § 17.B(1), p. 97:26. If the intent of the word "entertainment" is to exempt production activities, that is unacceptable (it is also unnecessary because production

⁴ Attached as Exhibit 7 to the January 21 Letter are notices sent by MCA to surrounding residents between May, 1991 and December, 1996 in connection with 169 separate outdoor filming events. TLRA estimates that this represents only 60-70% of the notices sent to residents during that period. As reflected in the notices, in addition to all of the other Universal City noise, beleaguered residents have been routinely subjected to sirens, helicopters, explosions, gunshots, cannon blasts, crashing glass, car chases, fireworks, wind and wave machines and flares at all hours of the day and night.

⁵ Universal also improperly seeks to exempt all production activities from the minimal sound attenuation requirements set forth in Section 17.A of the revised SPO.

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activities have been exempted pursuant to Section 17.C(1)). If the intent is to exempt other "non-entertainment" amplified sound, TLRA would like to know what Universal has in mind.

Third, the Proposed Amplified Sound Standard only applies to "outdoor" amplified sound. TLRA sees no reason why the standard should not be applicable to any amplified sound.

TLRA again requests that Section 17 of the SPO be amended to require full compliance with all of the amplified sound restrictions in the City Noise Ordinance, and that the notice restrictions set forth in Section 17 should apply to all activities in Universal City, particularly outdoor production.

B. The Entire Project Should Not Be Exempt From All Discretionary Review, CEQA Review And Future City And County Laws For 14 Years.

The central purposes of the SPO and the Development Agreements are to (i) permit several uses that are currently prohibited under City and County zoning, (ii) exempt the Project from virtually all of the numerous discretionary approval processes that would otherwise be applicable to many of the "permitted uses" in the SPO, (iii) exempt the Project from a significant number of other existing zoning restrictions, including all of the City Noise Ordinance and most of the County Noise Ordinance and (iv) apparently exempt the Project from all future land use and zoning regulations adopted by the City and County over the next 14 years. The January 21 Letter (pp. 9-19) includes a detailed discussion regarding TLRA's objections to the structure of the SPO. Those concerns are summarized and updated below.

1. All Entertainment And Hotel Uses Should Be Subject to Discretionary Review.

Currently, hotel uses are prohibited in most of Universal City and many other uses are subject to discretionary review. The SPO, if approved, would convert the prohibited hotel use into a permitted use which does not require any discretionary review and exempt virtually the entire Project from any further discretionary review, notwithstanding the absence of any concrete project in the SPO. SPO would also exempt all development in Universal City from a substantial number of other City and County development standards.

TLRA believes that all uses proposed in Universal City which are currently subject to one or more discretionary approval processes under either the LAMC or the Los Angeles County Code (the "LACC") should remain subject to those processes. At a minimum, a conditional use permit or similar discretionary approval should be required for any project with potentially significant noise impacts on adjacent residential and recreational areas, including all entertainment attractions and entertainment retail venues which are not fully enclosed, hotels and related uses, seasonal and temporary uses and other outdoor uses. Those uses are currently prohibited or subject to discretionary review precisely because there are generally incompatible

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with surrounding uses and require review on a case-by-case basis. It was Universal's choice to pursue a specific plan which does not identify a single, specific project. Under those circumstances, the City and County should have the right to review these projects and determine whether they should be permitted at all and, if so, to fashion project-specific mitigation measures. Equally important, the public should have an opportunity to review and comment on projects that may significantly affect the quality of their lives.

2. Universal Should Not Be Exempt From Project-Specific CEQA Review For 14 Years.

If the SPO exempts all future development from discretionary review, all proposed projects will also be exempt from any environmental review under CEQA, notwithstanding the absence of any concrete project in the SPO. As a result, the City and Council will have no ability to formulate or impose any project-specific mitigation measures in Universal City for the next 14 years. Obviously, the DEIR did not, and could not, evaluate any project-specific environmental impacts because the SPO did not propose any specific project. Indeed, the unprecedented "flexibility" in the SPO makes it impossible for the DEIR to even generally analyze the environmental impacts associated with the Project. Although the SPO divides Universal City into five commercial districts, the SPO proposes a single "UC-SP" zone for the entire site. This means that, notwithstanding the proposed Districts, any or all of the numerous permitted uses in the SPO can occur in almost any location in Universal City.

In the January 21 Letter, TLRA proposed, and continues to recommend, that a supplemental EIR be prepared upon the earlier of (a) the fifth anniversary of the adoption of the SPO or (b) the aggregate construction of 1,000,000 square feet of improvements in Universal City.⁶ That process would be repeated in intervals during the life of the SPO. This "phasing" of the Project would ensure that CEQA review would take place at least every five years, which is the recognized "shelf life" of an EIR.

The phasing proposed by Universal does not require any further CEQA review. Rather, Sections 5.A(3) and (4) of the revised SPO states that Universal cannot develop more than 2,100,000 square feet of "additional" construction until all offsite traffic improvements required by the SPO "shall be constructed or suitably guaranteed". This phasing mechanism ignores all environmental impacts (including noise) associated with the Project, other than traffic. TLRA urges the County and City to include a phasing mechanism which requires

⁶ As discussed below, this square footage threshold exceeds or roughly equals all of the new development permitted for the Fox and Sony Pictures studio expansions, respectively.

additional CEQA review with respect to noise, traffic and all other potentially significant environmental impacts.

Not only does the proposed phasing ignore TLRA's concerns, it falls well short of the minimal phasing requirements suggested by Supervisor Yaroslavsky and Councilman Ferraro. They wanted all traffic mitigation completed prior to commencement of the second phase of the project and a determination that all of Universal's traffic impacts had in fact been mitigated. However, the revised SPO does not even require completion of the traffic improvements, but only that they have been "suitably guaranteed". SPO, p. 30:18-19. This provision must be read in conjunction with Section 10.A(2)(a) of the SPO, which states that Universal may "provide a suitable guarantee" for any traffic improvement which is "infeasible" at the time Universal seeks a building permit for a specific project (p. 71:9-21), and Section 10.A(2)(b) of the SPO, which permits Universal to "suitably guarantee" its fair share portion of any regional traffic improvements which Universal is required to make a contribution (p. 71:22-27).

For several reasons, these provisions undermine the effectiveness of the minimal traffic phasing. First, they permit the commencement of the second phase of construction, in fact construction of the entire Project, before completion of the required traffic mitigation.⁷ Second, they implicitly endorse the notion that some of the traffic mitigation may be "infeasible". However, pursuant to CEQA, the Project's significant traffic impacts can only be reduced to a level of insignificance by feasible traffic mitigation. Third, how can Universal "suitably guarantee" traffic improvements that are infeasible in the first place?⁸ Fourth, with respect to

⁷ County staff identified this concern in its June 26, 1997 Staff Report.

⁸ The revised SPO briefly addresses this issue, but in a wholly unsatisfactory manner. Section 10.A(3) states that, if any required improvement is determined to be infeasible by the General Manager of the City Department of Transportation, the General Manager may modify or substitute comparable traffic improvements. SPO, p. 72:6-10. However, the DEIR is supposed to identify all feasible traffic mitigation. What "comparable traffic improvements" have not been identified in the DEIR? Perhaps more important, this provision permits the substitution of traffic improvements without any CEQA or discretionary review by the City, which is unacceptable to TLRA and, we suspect, all of the other neighborhood organizations. Finally, this provision again assumes that some portion of the required traffic improvements are infeasible. The feasibility of the proposed traffic mitigation, including the bundles of traffic mitigation currently being evaluated as part of the Barham Cahuenga Corridor Improvement Study, should be

regional traffic improvements, it is possible that the applicable transportation authorities will never collect enough funds to carry out those improvement projects. Fifth, appropriate traffic mitigation cannot be determined until the EIR for the Barham Cahuenga Corridor Improvement Study has been completed.

The proposed phasing is further deficient because the 2,100,000 square foot "cap" on construction relates only to "additional" construction, and ignores the fact that Universal would also have the right to reconstruct any or all of the existing 5,436,000 square feet of improvements in Universal City. However, the construction and other impacts from those projects is just as real as the construction from "additional" development. Equally important, it is entirely possible that sites will be redeveloped with uses that have greater impacts than the preexisting uses. In particular, the noise impacts of a replacement entertainment attraction could well exceed those associated with the original attraction. The phasing program should take into account all future construction in Universal City.

TLRA again requests that the SPO include its recommended project phasing.

3. The Revised SPO Improperly Excludes Significant Development Projects From Any Form Of Governmental Review.

In lieu of any discretionary review for projects in Universal City, the SPO provides for a ministerial procedure called "Project Plan Compliance" for some future projects in Universal City. For the reasons set forth above, TLRA believes that the Project Plan Compliance procedure is highly inappropriate for a number of proposed permitted uses that are generally incompatible with residential and recreational uses, particularly given the lack of any concrete project in the SPO.

However, to add insult to injury, the revised SPO contains a list of 13 items which are exempt from the minimal Project Plan Compliance procedure and require no governmental review whatsoever. TLRA strenuously objects to several of those exceptions. First, the revised SPO includes a new and very confusing exemption which reads as follows: "Demolition. Replacement of existing demolished Floor Area shall be limited to the same use as that which was demolished." SPO, Section 6.A(3), p. 36:1-3. While this exemption is quite ambiguous, it appears to state that the reconstruction of any existing building is entirely exempt from any form of City or County review, as long as the new structure has the same general "use". That is entirely unacceptable to TLRA. Among other things, it entirely ignores construction impacts and

determined prior to the adoption of the SPO or the issuance of any other Project permit or approval.

visual impacts, including negative aesthetic impacts relating to the configuration or increased density of the new development. Equally important, the fact that the replacement structure falls within the same general "use" does not necessarily mean that its operational impacts are the same. For example, if an entertainment attraction is demolished and replaced with another entertainment attraction, the new attraction may have noise and other impacts which significantly exceed those associated with the original structure. There is no legitimate justification for this exemption.

The SPO includes other exemptions for (a) a change of use of a building and (b) an increase of floor area by up to 5% or 50,000 additional square feet, whichever is less. SPO, Section 6.A(10), p. 34:13-21. As written, this exemption would permit new uses for an entire building without any review, ministerial or otherwise. In addition, exempting a 50,000 square foot addition from all review is overreaching, particularly since the City currently requires discretionary site plan review for any non-residential structure which exceeds 40,000 square feet.

The SPO also exempts Universal from limitations in the LAMC and LACC on the rehabilitation and reconstruction of buildings which suffer casualty damage. Again, no justification exists for that exemption.⁹

C. The Revised SPO Does Not Eliminate Expansion Of The Theme Park.

Supervisor Yaroslavsky and Councilman Ferraro also recommended that Universal eliminate further expansion of its entertainment attractions (i.e., theme park). Universal did not comply with that request. The revised SPO arguably reduces, but does not eliminate, the expansion of the theme park. The first draft of the SPO included an additional 1,138,000 square feet of additional "Entertainment Venue", while the revised SPO still permits an additional 388,000 square feet (a more than 50% increase over the existing 763,000 square feet of Entertainment Venue attractions).¹⁰ In addition, the "Equivalency Matrix" included in the

⁹ In addition, Temporary and Seasonal Uses should not be exempt from ministerial review (or discretionary review, if appropriate).

¹⁰ Given that the SPO does not include any specific projects and that the decrease in Entertainment Venue square footage is, therefore, a "paper" reduction, there is considerable sentiment among TLRA (and the other organizations opposed to the current framework of the SPO) that Universal asked for an exorbitant increase in square footage in the original SPO, and that the square footage requested in the revised SPO is what Universal wanted all along.

revised SPO permits the theme park to expand by far more than 388,000 square feet. SPO, Sections 5.A(2) and (5) and Table 3, pp. 28:22-24, 30:22-32:28. In particular, the revised SPO permits Universal to convert 820,000 square feet of existing and proposed additional "Entertainment Retail Venue" into an equivalent amount of Entertainment Venue attractions.¹¹ Under a worse case scenario, if full conversion took place, Universal could expand the existing theme park by 1,208,000 square feet (388,000 + 820,000), which is more than the 1,150,000 square feet of Entertainment Venue proposed by Universal in the original SPO. TLRA does not believe that this "eliminates" the theme park, as requested by Supervisor Yaroslavsky and Councilman Ferraro.

D. The Proposed Uses In The SPO Should Be Substantially Narrowed And Confined To Specified Areas, Rather Than Permitted Anywhere In Universal City.

The revised SPO sets forth 50 permitted uses, and incorporates 103 other permitted uses set forth in the LAMC (68) and the LACC (35). SPO, Section 7.I, pp. 52:11-57:16. This results in a total of 153 permitted uses anywhere in Universal City. A significant number of the proposed new uses will obviously have significant noise impacts on the surrounding area, including hotels and related recreational uses, outdoor arenas, outdoor entertainment attractions (including amusement rides, animal shows, displays, museums, aquariums, tours, exhibitions, assembly areas, pavilions and interactive and active play areas), outdoor entertainment shows which utilize sound amplification equipment, outdoor parades and street performer shows, outdoor temporary and seasonal uses, including circus and holiday festivals, and outdoor special effects.

The breadth and vagueness of many of the permitted uses make it even more difficult to analyze or effectively mitigate future noise impacts. As one example, the revised SPO permits "uses which evolve as a result of development of technology or media . . ." SPO, p. 57:8-10. It is ironic that the SPO, if adopted, would provide Universal with the open-ended right to add new permitted uses which evolve through development of technology, but would preclude the City and County from taking advantage of new technologies that evolve over that same period which could more effectively mitigate the Project's noise and other impacts.

Exhibit 1 sets forth TLRA's general and specific recommendations on how the list of permitted uses should be modified. One of the most important general recommendations is to require various uses to be confined to specific areas, rather than permitting any use anywhere in

¹¹ Actually, the Equivalency Matrix would permit an additional 891,340 square feet of Entertainment Venue attractions, but conversion would be limited to 820,000 square feet because "Total Entertainment" square footage cannot exceed 1,971,000 square feet.

Universal City. A specific recommendation is to confine various outdoor attractions and events to specified areas which minimize potential noise impacts.

Two other proposed uses that deserve special attention are "Seasonal Uses" and "Temporary Uses". SPO, Section 4, pp. 23:27-28 and 26:17-19 and Section 7.I(42), p. 56:22-25. Temporary and Seasonal Uses are permitted uses in the SPO and include, but are not limited to, entertainment uses, skating rinks, circuses and holiday festivals, displays and activities which may be conducted indoors or outdoors. SPO, Section 7.I(42), p. 56:22-25. A Seasonal Use cannot exceed "a maximum of 100 consecutive days, within a twelve-month period." SPO, Section 4, p. 23:27-28. The inclusion of the words "maximum" and "consecutive" means that a Seasonal Use could occur up to 362 days each year. Similarly, Temporary Uses are permitted for "a maximum of 60 consecutive days, or 6 consecutive weekends, within a twelve-month period," which means that any given Temporary Use could occur up to 360 days each year. SPO, Section 4, p. 26:17-19.

TLRA has several concerns regarding these uses. First, they permit virtually any use for almost the entire year, in particular outdoor entertainment uses which potentially significant noise impacts. Second, not only is no discretionary approval required for any Temporary or Seasonal Use regardless of its potential noise impacts, they are even exempt from the ministerial Project Plan Compliance procedure. SPO, Section 6.A(3) p. 34:4. Third, Temporary and Seasonal Uses are exempt from the definition of "Floor Area" in the SPO, which in turn means that any structures built to accommodate Temporary and Seasonal Uses are exempt from the square footage limitations in the SPO. SPO, Section 4, p. 13:15-20.

E. The Height Districts And Height Exception Areas Which Most Impact Toluca Lake And Other Surrounding Neighborhoods Remain Unchanged.

Supervisor Yaroslavsky and Councilman Ferraro also requested reduced height limits. However, while the revised SPO does slightly reduce the height for certain areas in Universal City, the maximum heights for the entire Entertainment District and the elevated portion of the Hotel Overlay remain unchanged.¹² These height "limitations" in the revised SPO would permit the construction of buildings in the Entertainment District that exceed the height of any existing building in that District and exacerbate existing noise and visual impacts. In addition, the 820-foot limit for the northerly portion of the Hotel Overlay (in which no such tall structures currently exist) would permit the construction of structures with heights of up to

¹² These include 740/820 feet for the northerly portion of the Hotel Overlay (Height Exception Area 1), 820/850 feet for the southerly portion of the Hotel Overlay (Height Exception Area 2) and 840/890 feet for the Entertainment District (Height Exception Area 3).

180 feet above ground level (approximately 18 stories) in an area located near residential and recreational areas, most of which are at substantially lower ground elevations.¹³

In addition, the three Height Exception Areas include "Maximum Cumulative Floorplates" of 75,000 square feet (Height Exception Area 1), 5,000 square feet (Height Exception Area 2) and 250,000 square feet (Height Exception Area 3). SPO, Section 7.D, p. 43:1-10. One might think that those square footages represent the maximum number of square feet that can be constructed within the respective Height Exception Areas.

It is not, and the SPO makes it very difficult to figure out why. The "Maximum Cumulative Floorplate" for any Height Exception Area is defined as the maximum permitted cumulative "Floorplate" of the portions of structures located in that Height Exception Area. SPO, Section 4, p. 20:4-6. In turn, "Floorplate" is defined as the square footage of the largest single horizontal plane in the portion of a structure located in that Height Exception Area. SPO, Section 4, pp. 13:26-14:6 and 15. In other words, if five floors of a building are located in a Height Exception Area, the Floorplate is the square footage of the largest floor of the five floors. It is not the aggregate square footage of all five floors.

As a result, the additional square footage permitted in any of the three Height Exception Area is many times greater than the square footage described as the Maximum Cumulative Floorplate for that Height Exception Area. For example, the Maximum Cumulative Floorplate for Height Exception Area 3 (i.e., the Entertainment District) is 250,000 square feet. Since Height Exception Area 3 includes 50 feet of vertical space (840 feet to 890 feet), then assuming that five stories can be constructed within that 50 feet, the aggregate square footage that can actually be constructed within Height Exception Area 3 is actually 1,250,000 square feet (250,000 x 5).

TLRA believes that the height limits for the Entertainment District and Hotel Overlay should be substantially reduced to help mitigate potentially significant noise and visual impacts.

¹³ It is also important to note that, since the SPO does not include a single, specific project, neither TLRA nor anyone else has any idea how the new or replacement structures will be configured. For example, the negative aesthetic impacts of the Project could dramatically increase if Universal decides (in its sole discretion) to cluster several tall buildings at higher elevations. For this reason alone, the maximum height limits should be lowered.

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F. The Revised SPO Does Not Eliminate Helicopter Uses.

Supervisor Yaroslavsky and Councilman Ferraro also requested that Universal eliminate helicopter uses. In response, Universal eliminated Section 13 (Helicopter/Helistop Regulations) and the permitted use for "Helipad or Helistop" in the original SPO. However, in their place, Universal added two new permitted uses for "helicopter operations in conjunction with Production Activities" and "Helipads, as required by [County/City] Building Code or Fire Code for emergency purposes." SPO, Section 7.I(19 and 20), p. 55:1-4. While the use of helicopters for emergency purposes is acceptable, the use of helicopters in conjunction with "Production Activities" is not. The definition of "Production Activities" includes virtually every activity within Universal City (except perhaps entertainment attractions), including office uses and outdoor film production. SPO, Section 4, p. 22:7-22. This permitted use appears to give Universal far greater rights with respect to helicopter use than it had under Section 13 of the original SPO. TLRA strongly opposes this permitted use.

G. Universal Ignored All Of The Noise Mitigation Recommended By TLRA.

Aside from Universal's minimal noise standard for amplified sound, Universal has apparently rejected all of TLRA's other suggested noise mitigation. Among other things, TLRA requested that (1) the use of sound amplification equipment only be permitted between the hours of 9:00 a.m. and 8:00 p.m., (2) sirens, explosions, gunshots, operation of wind or wave machines and similar activities (usually associated with outdoor filming) only be permitted between the hours of 12:00 p.m. and 8:00 p.m., (3) outdoor music or entertainment shows or outdoor special events should be restricted to areas within the Entertainment District which have been specifically designed to minimize noise impacts on surrounding residential and recreational areas, and (4) outdoor amplified music should be prohibited in the CityWalk area.

In addition, TLRA continues to strongly recommend the creation of a community advisory group to review all noise complaints and, if and to the extent existing noise mitigation is inadequate, to recommend new or modified mitigation measures to the City and County for their consideration. TLRA continues to believe that the creation of this advisory group is essential to any serious effort to mitigate Universal City noise.

The formation of this advisory group is particularly important because Universal's self-policing efforts have been uniformly unsuccessful. For example, approximately five months ago, Universal unveiled the noise monitoring system that it had been promising its neighbors for over four years. However, Universal has refused to provide a detailed explanation of how the system works or to show TLRA or other neighborhood organizations the equipment which comprises the system. In any event, the noise monitoring system has been utterly ineffective and Universal City noise continues to severely impact local homeowners. A sampling of recent

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correspondence from one of TLRA's members to Universal with respect to the noise monitoring system, which expressed the sentiment of the entire organization, is attached as Exhibit 2.¹⁴

TLRA believes that all of these restrictions are quite reasonable and it is understandably concerned that Universal failed to discuss any of these proposed mitigation measures with TLRA before revising the SPO.

H. There Is No Limitation On The Duration Of The SPO.

Councilman Ferraro and Supervisor Yaroslavsky also requested that Universal reduce the expiration date of the SPO from 2020 to 2010, and Universal apparently agreed to do so at the July 2 hearing. However, it appears that the revised SPO does not include any stated expiration date. The SPO should be amended to provide a specific expiration date in the year 2010.¹⁵

I. The Revised SPO Still Includes Inappropriate Construction Hours.

The revised SPO continues to state that Universal will be allowed to carry out construction activities, including the use of power driven drills, riveting machines or any other machine of equal or greater sound levels, between 7:00 a.m. and 9:00 p.m., Monday through Fridays, and 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays. In addition, these limitations only apply "to activity within 300 feet of a residential property line." SPO, Appendix C, pp. C-2:16-C-3:7.

¹⁴ Strangely, but perhaps not surprisingly, the DEIR does not include a single reference to the noise monitoring system or the barrage of complaints by residents over the past decade which led to the need for the monitoring system in the first place.

¹⁵ In any event, this is most likely another example of a "pre-planned" concession by Universal. Virtually none of the analysis in the DEIR extends beyond the year 2010. Instead, following the analysis of each environmental impact, the DEIR includes a short paragraph which effectively states that no additional analysis is required for the ten-year period between 2010 and 2020. See, e.g., DEIR, Volume 1, pp. 284, 355, 453, 548. If Universal ever had any serious intention of pursuing a 2020 expiration date for the SPO, the DEIR would have analyzed environmental impacts for the final 10 years. The fact that it did not indicates that Universal's concession was another "paper" reduction.

These provisions are generally consistent with City and County requirements (with two notable exceptions, as described below). However, TLRA believes that more restrictive construction hours are warranted here for several reasons (see Exhibit 1, Section C21, p. 9). First, Universal City is surrounded by Toluca Lake and other residential neighborhoods, and the residents who live there are already subjected to disruptive noise from many other Universal City sources during both daytime and evening hours. Second, it is anticipated that construction activity (and therefore construction noise) in Universal City will occur on a regular, if not continuous, basis over the next 14 years. Third, construction noise will be exacerbated because much of Universal's construction work will occur at higher elevations than the surrounding communities. Under these circumstances, Toluca Lake and other residents deserve some peace and quite during the evening and on weekends.

It should also be noted that Universal is seeking preferential treatment with respect to construction hours. Both the City and County prohibit construction work on any Sunday or before 8:00 a.m. or after 6:00 p.m. on any Saturday or national holiday within 500 feet of residential property. LAMC § 41.40; LACC § 12.12. However, the revised SPO reduces the 500-foot requirement to 300 feet, again with no justification. In addition, the County generally does not permit weekday construction work after 8:00 p.m. LACC § 12.12.¹⁶

J. Universal's Expansion Plans Dramatically Exceed The Plans Approved For Other Studio Expansions In Recent Years.

Over the past few years, several other motion picture studios have sought to expand their studio facilities. For example, in 1993, the City amended the Century City South Specific Plan to permit the expansion of Fox Studios. Also in 1993, Culver City approved an expansion plan for the Sony Pictures Studio. In 1995, the City of Burbank approved the expansion of Warner Bros. Studio. The rights sought by MCA pursuant to the Preliminary Specific Plan dramatically exceed those granted for the other studio expansions, in that (1) each of the previous studio expansions involved significantly less new development, (2) the permitted uses for the other studio expansions are generally limited to studio production facilities and office space, (3) none of the other studios is elevated above the surrounding residential and recreation areas, (4) the approval documents for the other studios specify limited, specific uses for each subarea, (5) with one minor exception, none of the other studios are exempt from any existing discretionary review process, (6) helicopter use at the other studios is prohibited, except

¹⁶ In addition, the SPO provisions are ambiguously worded, with the result that there appears to be no limitation on construction activity which occurs more than 300 feet from residential property.

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for emergency operations, and (7) the other studios are not exempt from any further CEQA review.

The expansion plans for the other studios includes the following elements:

a. Fox Studio.

- i. Permits 771,000 gross square feet of net new development.
- ii. The studio is divided into nine studio development areas, each of which has a maximum gross square footage.
- iii. Permitted uses are generally limited to studio office use, studio production/post-production use and support uses.
- iv. Prohibited uses include helicopter landings (except in emergencies) and retail and commercial office uses (with specified exceptions).
- v. Phase 3 of the project (100,000 gross square feet of construction) is subject to discretionary approval and additional CEQA review.

b. Warner Bros. Studio.

- i. Permits 1,880,000 square feet of net new development.
- ii. The main lot of the studio is divided into four development areas, each of which has a maximum square footage.
- iii. Permitted uses are generally limited to office buildings serving the media/entertainment industry, office buildings directly associated with studio operations and production facilities.
- iv. Helicopter use is limited to emergency situations.
- v. Recognizes that additional CEQA review is required for future discretionary approvals.

c. Sony Pictures Studio.

- i. Permits 1,005,076 square feet of net new development.
- ii. The studio is divided into six comprehensive plan design areas, and each design area has a maximum square footage.
- iii. Permits a 15% square footage transfer between design areas.

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- iv. Permitted uses are limited to office and post-production, stage and support uses and a limited amount of retail use.
- v. Subject to all existing discretionary review processes.

The revised SPO permits net new development (3,257,000 square feet) which dramatically exceeds the net new development allowed for any other studio expansion, and requests a range of uses which far exceeds the limited uses approved for the other studios. The same is true with respect to the contemplated expansions of the Disney, NBC and CBS studios.

III. THE COUNTY IS LEGALLY REQUIRED

TO RECIRCULATE THE DEIR

The lead agency is required to recirculate a draft EIR where significant new information is added which shows that a feasible mitigation measure would clearly lessen the environmental impacts of the project, but which the project's proponents decline to adopt. Laurel Heights Improvement Assn. v. Regents of the University of Southern California, 6 Cal. 4th 1112, 1130 (1993). If the County proceeds to prepare a final EIR, that document must include disclosure of the City Noise Ordinance (which was not described or even referenced in the DEIR). It is abundantly clear that the application of the amplified sound restrictions in the City Noise Ordinance to Universal City is quite feasible. Indeed, those restrictions apply to every other property in the City of Los Angeles. If the City and County are unwilling to apply those amplified sound restrictions to the Project, then for that reason alone the DEIR must be recirculated.

The lead agency is also required to recirculate a draft EIR when it is "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. Mountain Lion Coalition v. Fish & Game Com., (1989) 214 Cal.App.3d 1043)." State CEQA Guidelines § 15008.5(a)(4). For the reasons set forth in the January 21 Letter, recirculation of the DEIR is required, at a minimum, with respect to the sections on land use and noise impacts. The DEIR concludes, based on wholly inadequate and misleading analysis, that the Project will not have any significant land use or noise impacts, notwithstanding overwhelming and uncontradicted evidence to the contrary. Among other things, the DEIR simply ignores existing, significant noise impacts associated with Universal City operations, including all amplified sound sources, outdoor production activities, CityWalk and special events. The DEIR seeks to deny the existence of these very significant environmental impacts, and time and time again fails to provide objective evidence and analysis, or in many cases any evidence or analysis at all, to support its conclusions that the Project will not have any significant noise or land use impacts. It appears that the intent of the DEIR was to deprive the public of any meaningful opportunity to comment on substantial, adverse environmental effects associated with this major expansion of Universal City.

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IV.

CONCLUSION

TLRA respectfully requests that the County and City amend the SPO to incorporate all of the SPO revisions summarized in Exhibit 1 and highlighted in this letter. Despite its rhetoric, it seems apparent that Universal has little interest in mitigating the existing or future impacts of Universal City on its neighbors. If Universal will not work in good faith with TLRA and the thousands of other residents whose lives have been, and will continue to be, significantly impacted by Universal City operations, it is incumbent upon the County and City to protect their fundamental interests.

Very truly yours,

Jack H. Rubens

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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Enclosures

cc: Mr. Larry Friedman (w/encls.)
Honorable Zev Yaroslavsky,
Supervisor, 3rd District (w/encls.)
Honorable John Ferraro,
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bcc: Stephen C. Taylor, Esq. (w/encls.)

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SPECIFIC PLAN MODIFICATION/NOISE MITIGATION

(August, 1997)

A. GOALS.

1. Require public and governmental review for projects in Universal City with potentially significant noise impacts.
2. Create and implement meaningful standards for measuring noise impacts on surrounding residential and recreational areas which will minimize existing and future noise impacts.
3. Devise appropriate noise mitigation which allows the reasonable use and expansion of Universal City, while minimizing noise impacts on the surrounding residential and recreational areas.
4. Implement a noise monitoring system which permits an immediate response to noise complaints and violation of noise standards.

B. CONCEPTUAL MODIFICATIONS TO PRELIMINARY SPECIFIC PLAN.

1. Universal City shall be subject to all of the standards set forth in the County Noise Ordinance and the City Noise Ordinance, including Sections 112.01, 115.01 and 115.02 of the City Noise Ordinance (copies of those provisions are attached). To the extent that the City Noise Ordinance and County Noise Ordinance include similar standards, but the standards in one Noise Ordinance are more restrictive, the standards in the more restrictive Noise Ordinance shall control. Outdoor filming and helicopter use shall not be exempt from those standards.
2. All development projects and uses proposed in Universal City which are currently subject to one or more discretionary approval processes under either the Los Angeles Municipal Code or the Los Angeles County Code shall remain subject to those processes.
3. A conditional use permit or similar discretionary approval shall be required for all projects with potentially significant noise impacts on adjacent residential and recreational areas, including the following:

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- a. All entertainment attractions.
 - b. Entertainment retail venues which are not fully enclosed.
 - c. Hotels and all related uses, including golf courses.
 - d. Seasonal and Temporary Uses.
 - e. Other outdoor uses.
4. The "Environmental Thresholds" will not apply to any use which requires discretionary approval.
 5. Prohibited Uses.
 - a. Helicopter takeoffs and landings (except for emergencies).
 - b. Arenas and unenclosed amphitheater space.
 6. Require permitted and conditionally permitted uses to be confined to specified areas (i.e., Districts or sub-Districts), rather than permitting any use anywhere in Universal City.
 - a. Outdoor uses, including amusement games or arcades, aquariums, museums, displays, art shows, galleries, parades and street performer shows, recreational activities, restaurants, retail uses, special events, temporary and seasonal uses, etc., should be limited to specified areas.
 7. Modify the list of proposed uses to eliminate all vague, ambiguous, duplicative, incompatible and open-ended uses.
 8. A supplemental EIR shall be prepared upon the earlier of (a) the fifth (5th) anniversary of the adoption of the SPO or (b) the aggregate construction (including redevelopment) of 1,000,000 square feet of improvements in Universal City. The City and County shall have the right to modify the SPO based on such environmental review. A new supplemental EIR shall thereafter be prepared upon the earlier of (a) the fifth (5th) anniversary of the certification of the previous supplemental EIR or (b) the construction (including redevelopment) of 1,000,000 square feet of improvements. This process shall continue throughout the life of the SPO. In addition, all traffic improvements required by the SPO shall be completed prior to the commencement of any development (including redevelopment) in excess of 2,000,000 square feet.
 9. When the maximum square footage in the SPO is finalized, that should become the permanent maximum square footage permitted in Universal City.

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C. SPECIFIC MODIFICATIONS TO PRELIMINARY SPECIFIC PLAN.

1. Why are numerous provisions or phrases in the revised SPO bracketed?
2. Section 2D. Delete the words "practical and" on line 3. Under CEQA, MCA must implement all "feasible" mitigation measures. The word "practical" is vague and has no defined meaning. (5:1-3)¹⁷
3. Section 3B. Taken literally, this provision would exempt Universal City from a multitude of City and County zoning provision and creates great potential for abuse. This provision should be modified to state that Universal City is not exempt from any City or County zoning requirement unless expressly stated in the SPO. (6:12-21)
4. Section 3C. These provisions should be deleted in their entirety. (6:23-7:13)
5. Section 4 (Definitions).
 - a. Arenas. Delete the definition of "Arena". (9:1-4)
 - b. Entertainment Attraction. Delete the word "Building" (it is already included in the definition of "Structure"). (11:22) The laundry list of Entertainment Attractions should be substantially narrowed and limited to specified uses. (11:26-12:3)
 - c. Environmental Thresholds. The Environmental Thresholds do not address all environmental impacts associated with a project (e.g., noise). Also, modify the definition of "Environmental Thresholds" to reflect that some uses are conditionally permitted or otherwise discretionary. (12:24-28)
 - d. Floor Area. Why are "Parking Structures" excluded from "Floor Area"? In addition, why does "Floor Area" exclude "Seasonal Use" and "Temporary Use" when those uses may occur virtually the entire year as currently defined? (13:17, 20)
 - e. Floorplate. Replace the phrase "largest single horizontal plane of a Building or Structure" with the phrase "portion of a Building or other Structure". (13:26-27) In addition, delete the last sentence. (14:1-5)
 - f. Production Activities. Delete "and any derivation or evolution of the foregoing". (22:21-22)

¹⁷ All parenthetical references at the end of sections refer to pages and line numbers in the revised SPO.

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- g. Pyrotechnics. Delete this definition. (23:14-17)
- h. Seasonal Use. On lines 27-28, replace the phrase "a maximum of 100 consecutive days" with the phrase "30 days". Please note that, in its current form, the inclusion of the word "maximum" would mean that Seasonal Use could occur 362 days each year. (23:27-28)
- i. Special Events. On line 5, replace the phrase "including but not limited to" with "which includes". (26:4-7)
- j. Temporary Use. On line 18, replace the phrase "60 consecutive days, or 6 consecutive weekends" with the phrase "30 days, or 4 consecutive weekends". Please note that the proposed definition of Temporary Use would permit a Temporary Use 360 days each year. (26:17-19)
6. Section 5A(2) (Maximum Development Permitted). Eliminate any expansion of "Entertainment Venue". (28:15-29:13)
7. Sections 5A(3) and (4) (Phases of Development). Replace with the phasing provisions set forth in Section B.8, above.
8. Section 5A(5) (Equivalency Matrix). Modify the Equivalency Matrix to prohibit any conversion between Entertainment Venue and Entertainment Retail Venue. (30:22-32:28)
9. Section 5B. This provision (33:1-6) is equivalent to Section 3D (7:15-17). One of the provisions should be deleted.
10. Section 5C. In the first sentence of each paragraph, change "1-22" to "1-20". In addition, delete the second sentence in each paragraph. Any amendment to the SPO, including amendments to the Appendices, must be approved by the City Council and the Board of Supervisors, as the respective legislative bodies of the City and County. (33:8-17)
11. Section 6 (Project Plan Compliance). This Section will require a number of revisions to distinguish projects in Universal City that are subject to discretionary review. (33:19)
- a. Section 6A(3). Delete this use. (34:1-3)
- b. Section 6A(4). Delete this use. (34:4)
- c. Section 6A(10). Amend lines 13-15 to read as follows: "(10) Interior or exterior remodeling of a Building, provided that any such remodeling does not:". On line 20, change "50,000" to "5,000". As written, this provision would permit new uses for an entire building without any review, ministerial or otherwise. In addition, exempting a 50,000 square foot addition from all review is overreaching, particularly given that the City currently requires

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discretionary site plan review for any non-residential project which exceeds 40,000 square feet. (34:13-21)

d. Section 6A(12). Why should the rehabilitation or reconstruction of a non-conforming Building or Structure following a casualty be exempt from City and County requirements? (34:26-35:8)

e. Section 6B(3). This provision properly states that a Project Plan Compliance approval "does not in any way indicate compliance with other applicable provisions of the LACC/LAMC." (35:24-28) However, that provision contradicts Section 3B (6:12-21), which states that where the Specific Plan contains provisions "which are different from, more restrictive or more permissive than would otherwise be allowed" under the City and County Zoning Codes, "the Specific Plan shall prevail and supersede that applicable provision."

f. Section 6B(5)(b)(ii). The numerous defects in this provision are discussed in the January 21 Letter on page 13, footnote 11. (37:8-14)

g. Section 6B(6). What is the time period for the Planning Commission to review an application for Project Plan Compliance if an application is transferred to it? (37:25-28)

h. Section 6B(7). The public should have the same right to request an administrative clarification as Universal. (38:1-19)

i. Section 6B(8). A Project Plan Compliance should expire one year from the date of issuance, and no extension should be permitted. (38:22-39:5)

12. Section 7A(2) (Primary Uses By District). The permitted, conditionally permitted and prohibited uses in each District should be expressly stated. (39:15-40:6)

13. Section 7A(2)(c). Delete the word "Arenas". (40:14)

14. Sections 7C and D (Height Limitations). The Height Limits and Height Exception Areas for the Entertainment District and Hotel Overlay should be substantially reduced. (42-45)

15. Section 7I (Permitted Uses). All permitted and conditionally permitted uses should be expressly set forth in the SPO, rather than incorporating many of those uses from the City and County zoning codes. (52:11-17) In addition to the general comments and proposed revisions set forth above and in the body of the letter, TLRA requests the following specific revisions with respect to permitted uses (52:18-57:16)

a. Section 7I(10). All design, construction and manufacturing activities which utilize machinery should occur in enclosed structures. (54:3-9)

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- b. Section 7I(19). Delete permitted use for helicopter operations in its entirety. (55:1-2)
 - c. Section 7I(28). Delete permitted use for parades and street performer shows in its entirety. (55:19)
 - d. Section 7I(31). Clarification is required here to ensure that the broad definition of "Production Activities" does not result in permitted uses which are incompatible with the surrounding area. (55:22)
 - e. Section 7I(33). Delete the permitted use for pyrotechnics in its entirety. (55:24-26)
 - f. Section 7I(40). Delete second sentence of the Section. "Special Events" is already defined in Section 4 (26:4). In addition, the location of special events should be limited to specified areas which minimize noise impacts. (56:14-16)
 - g. Section 7I(38). On lines 22 and 23, replace the phrase "including but not limited to" with the phrase "which includes". On lines 23 and 24, delete the phrase "circuses and holiday festivals.". (56:22-25)
 - h. Section 7I(44). This section should be deleted in its entirety. "Uses which evolve as a result of development of technology or media" is far too vague and would permit MCA to add any number of new permitted uses over the years that are currently beyond the contemplation of anyone, including MCA. (57:8-10)
16. Section 10A (Traffic Improvement Requirements). All of the provisions in Section 10 should be subject to the requirement of completing all of the required traffic improvements prior to the commencement of construction which exceeds, in the aggregate, 2,000,000 square feet. (70:22-72:10)
- a. Section 10A(1). On line 26, replace the phrase "Plan Compliance Determination" with the phrase "Project Plan Compliance". In addition, it should be noted that the Department of Transportation's discretionary right to assign traffic improvements to a specific project indicates that the Project Plan Compliance procedure is in fact discretionary and requires CEQA review. This makes sense because the Department of Transportation can only determine which traffic improvements should be required for a particular project by conducting a traffic analysis. (70:25-71:8)
 - b. Section 10A(2)(a). Delete the second and final sentence in its entirety. The required traffic improvements should all be feasible. (71:15-21)
 - c. Section 10A(2)(b). Universal should not be permitted to proceed with specific projects merely by "guaranteeing" regional traffic improvements. (71:22-27)

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d. Section 10A(3). Taken to its extreme, this Section would permit the Department of Transportation to replace all of the existing traffic improvements with "comparable traffic improvements". The Department of Transportation should not have the right to modify or substitute "comparable traffic improvements" without CEQA review and public participation. In addition, if one or more of the required traffic improvements is infeasible, that should be determined prior to adoption of the SPO. (72:6-10)

17. Section 17 (Sound Attenuation Requirements). Modify Section 17 as set forth in Section B.1, above. In addition, the determination of compliance with the general requirements set forth in Section 17A should be permitted with respect to any affected site, and should not be limited to the nine arbitrary receptor locations shown on Exhibit 12 of the SPO. (97:19-98:21, 101)

18. Section 18 (Annual Report). The Annual Report should include detailed information regarding noise impacts of Universal City on the surrounding area, including a detailed summary of all noise complaints made during the previous year and how MCA responded. In addition, does the reference on line 7 to the "Planning Commission" mean both the City and County Planning Commissions? (103:1-14)

19. Section 19 (Interpretation). Any member of the public should have the right to seek an interpretation of the SPO, and to appeal that interpretation to the Regional Planning Commission/City Planning Commission. (103:16-25)

20. Appendix B (Environmental Thresholds). Add a new Section F for "Noise" which requires all projects subject to Project Plan Compliance to comply with Section 17 of the SPO (as modified pursuant to Section B1, above).

21. Appendix C (Construction Guidelines). Amend Construction Guidelines A and B to permit outdoor construction activity only between 7:00 a.m. and 6:00 p.m., Monday through Friday, except holidays. (C-2:20-C-3:7)

D. CONDITIONS TO APPROVAL OF SPECIFIC PLAN.

1. MCA's new noise monitoring system, which was created in cooperation with Councilman Ferraro's office, should be fully described in the DEIR and its effectiveness tested as part of the EIR process. If effective, operating and staffing rules should be imposed as conditions to the approval of the SPO.

2. Waterworld and any other existing or future entertainment or theme park attraction which utilizes any amplified sound or explosions or which is otherwise reasonably likely to violate any restrictions in the Noise Ordinances shall be enclosed.

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3. The outdoor use of sound amplification equipment and sirens, explosions, gunshots, operation of wind or wave machines and similar activities within the boundaries of Universal City shall also be subject to the following restrictions:
 - a. No amplified sound shall violate the standards and restrictions set forth in the City Noise Ordinance.
 - b. The use of sound amplification equipment shall only be permitted between the hours of 9:00 a.m. and 8:00 p.m.
 - c. Sirens, explosions, gunshots, operation of wind or wave machines and similar activities shall only be permitted between the hours of 12 p.m. and 8 p.m.
 - d. All sound amplification equipment shall be owned by MCA and shall be designed not to be audible at a distance in excess of 200 feet from the equipment or 150 feet from the boundary of Universal City, whichever is closer.
 - e. Any outdoor music or entertainment shows or outdoor special events which utilize sound amplification equipment shall be restricted to areas within the Entertainment District which have been specifically designed to minimize noise impacts on the surrounding residential and recreational areas. At a minimum, permanent speaker systems shall be installed in those areas which orient sound away from the surrounding residential and recreational areas and utilize surrounding structures to buffer those areas from all noise associated with the show or event. In addition, MCA sound engineers shall be present throughout any such show or event to measure and manage all noise associated with that show or event.
4. MCA shall be required to utilize any noise cancellation technology which is effective in mitigating noise impacts associated with existing operations at Universal City. In addition, use of noise cancellation technology shall be required as a condition to (a) the approval of any proposed entertainment attraction or other project within the Entertainment District and (b) future special events and other outdoor activities, if and to the extent such technology can materially reduce the noise impacts associated with that project, event or activity.
5. No outdoor amplified music shall be permitted in the CityWalk area.
6. MCA shall fund the creation and operation of a community advisory group for the duration of the Specific Plan which meets monthly (a) to review all noise complaints and how MCA responded and (b) if and to the extent the existing noise mitigation is inadequate, to recommend new or modified mitigation measures to the City and County for their consideration. Any recommended mitigation measures may relate to the Specific Plan and/or individual discretionary permits and approval. Any such mitigation measures approved by the City and County with respect to the Specific Plan shall be applied to all applicable existing and future development in Universal City.

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The noise advisory group would consist of 11 members, selected as follows:

<u>Organization</u>	<u>No. of Representatives</u>
MCA	2
Studio City Homeowners Association	1
Cahuenga Pass Homeowners Association	1
Lakeside Golf Club	1
Toluca Lake Homeowners Association	1
Toluca Estate Drive Homeowners Association	1
Toluca Lake Residents Association	1
Hollywood Knolls Community Club	1
Supervisor, 3rd District	1
Councilmember, 4th District	<u>1</u>
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7. Wind conditions are predictable to a large extent and should be factored into assessment and mitigation measures.

ATTACHMENT 6

Writer's Direct Line

November 17, 1997

Our File Number:

BY MESSENGER

County of Los Angeles
Regional Planning Commission
320 West Temple Street
Los Angeles, California 90012
Attention: Ms. Pamela Holt,
Assistant Administrator

City of Los Angeles
City Planning Department
221 South Figueroa Street, Room 310
Los Angeles, California 90012
Attention: Mr. Larry Friedman,
Hearing Officer

Re: Response to Analyses of OEAS Regulations for Universal City Specific Plan by Veneklasen Associates/Mestre Greve Associates

Ladies and Gentlemen:

As you know, this firm represents the Toluca Lake Residents Association ("TLRA") in connection with the proposed expansion of Universal City (the "Project").

The purpose of this letter is to comment on (1) the Acoustical Analysis of Outdoor Entertainment Amplified Sound Limitations for Universal City dated September 1997, prepared by Universal's noise consultant, Veneklasen Associates (the "Veneklasen Report"), and (2) the Acoustical Review of Universal City's "Outdoor Entertainment Amplified Sound Limitations" dated November 3, 1997, prepared by the County's noise consultant, Mestre Greve Associates (the "Mestre Greve Report"). Both of those reports analyze the proposed Outdoor Entertainment Amplified Sound Regulations (the "OEAS Regulations") proposed by Universal Studios, Inc. ("Universal") in the current draft of the proposed Universal City Specific Plan Ordinance (the "SPO"). We will also briefly discuss certain comments regarding the Veneklasen Report and the Mestre Greve Report set forth in the Joint Staff Report dated November 6, 1997 (the "November 6 Staff Report").

Attached as Exhibit 1 to this letter is a report prepared by Ultrasystems Environmental Incorporated ("Ultrasystems") dated November 14, 1997 (the "Ultrasystems Report"). Ultrasystems prepared its report on behalf of Lakeside Golf Club, which has worked closely with TLRA over the past year to address the various noise impacts associated with Universal City. As set forth in the Ultrasystems Report, Ultrasystems has significant concerns regarding the effectiveness of the proposed OEAS Regulations and the analytic

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modeling utilized by Veneklasen. TLRA concurs with Ultrasystems' analysis and urges the City and County to carefully review the Ultrasystems Report. For the sake of brevity, we will not restate Ultrasystems' more technical comments, and will instead focus on the larger noise issues.

At the outset, however, we emphasize that, over the past several months, Universal, the County and the City have developed a significant amount of new information regarding the existing and future environmental impacts associated with Universal City's operational noise sources, none of which was included in the DEIR, despite the fact that those noise sources represent one of the Project's most significant environmental impacts.¹ As a result, it appears that the County does not intend to respond in writing to public comments regarding that information and analysis. In addition, because the County Planning Commission has closed the public hearing, the public has had no opportunity to orally comment on any of this information. This process (or lack thereof) has stifled any meaningful public participation with respect to Project's most significant noise impacts.

This course of events is particularly disturbing because, as discussed in our prior letters, (1) the DEIR completely ignores the impact of Universal City's existing operational noise sources on the surrounding area, (2) the DEIR does not include any significance threshold for determining whether the Project's operational noise impacts will be significant, (3) the "UC Noise Model" which forms the basis for the noise analysis in the DEIR intentionally excluded all noise associated with outdoor film production and special events in Universal City, and (4) the DEIR includes no credible mitigation with respect to operational noise sources. The result is a CEQA shell game in which the CEQA document (i.e., the DEIR) did not include any information regarding Project's operational noise impact, thus precluding any meaningful public review, while the subsequent and only noise analysis on this issue is unlawfully insulated from CEQA review.

This process clearly violates CEQA. We once again urge County to revise the DEIR in a manner which allows the public and decisionmakers to intelligently take account Project's operational noise impacts, and to recirculate that document. TLRA also respectfully requests the opportunity to speak on these issues at the November 19 hearing.

¹ Those noise impacts include a variety of amplified and impulsive sounds, including voices, crowd noise, live music, sirens, helicopters, explosions, cannon blasts, crashing glass, car chases, fireworks and other pyrotechnic displays, wind and wave machines and flares, which are generated by entertainment attractions, tram tours, CityWalk events, special events and outdoor film production.

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I.SUMMARY

TLRA has the following responses and recommendations, each of which is discussed in detail below:

1. Require empirical noise testing to verify that the OEAS Regulations will effectively mitigate amplified and impulsive noise from Universal City or, if necessary, reduce the maximum decibel levels currently set forth in the OEAS Regulations.
2. Require Universal to provide baseline data regarding the existing noise impacts associated with operational noise sources in Universal City.
3. Revise the noise section of the DEIR to evaluate noise impacts associated with outdoor film production and special events.
4. Prohibit the use of amplified or impulsive sound between 8:00 p.m. and 9:00 a.m.
5. Apply the OEAS Regulations to outdoor film production.
6. Noise measurements to enforce the OEAS Regulations should be taken at both 50 and 100 feet. The OEAS Regulations should include maximum decibel levels at 100 feet, which should be 6 dBA lower than the maximum decibel levels at 50 feet.
7. Incorporate the noise mitigation recommended in the September 11 Staff Report (except as otherwise discussed in this letter).
8. Significantly strengthen the enforcement measures in the SPO to address what happens if the OEAS Regulations do not work, how residents can obtain immediate relief in the event of future violations and what happens if Universal is nonresponsive to legitimate noise complaints. Those procedures should include the creation of a community advisory committee. Universal should also be prohibited from obtaining building permits if it fails to comply with the OEAS Regulations or those regulations are ineffective.
9. At a minimum, Universal should be required to comply with the most restrictive construction hour and noise requirements in the City and County codes.
10. The L50 standard in the SPO should be reduced to 45 dBA between the hours of 10:00 p.m. and 7:00 a.m.

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11. The SPO should include an L_{max} of 65 dBA with respect to impulsive noise.
12. The existing trams should be retrofitted within one year following the adoption of the SPO.
13. The DEIR should be modified to provide an adequate noise analysis and then recirculated.

II. ANALYSIS

A. Neither The Veneklasen Report Nor The Mestre Greve Report Is Supported By Any Credible Empirical Or Baseline Data.

The threshold issue facing TLRA and thousands of other residents is whether the OEAS Regulations, a decibel-based standard, is an adequate substitute for the restrictions on amplified sound set forth in the City Noise Ordinance, which prohibits amplified sound that is audible (1) at a distance of 150 feet from the property line of the noise source, (2) within any residential zone or 500 feet thereof or (3) at a distance in excess of 200 feet from the sound equipment. The Veneklasen Report (at p. 7) and the Mestre Greve Report (at pp. 15-16) state that the City's restrictions on amplified sound provide limited protection for the surrounding communities because "audibility" is subjective and does not provide objective and measurable criteria for enforcement.

Obviously, that is untrue. The City's amplified sound restrictions have been applied throughout the City of Los Angeles for the past 18 years. To the extent that individuals have slightly different opinions regarding the "audibility" of amplified sound, it would be far simpler to devise an audibility standard than to create a complicated decibel-based standard like the OEAS Regulations (see Ultrasystems Report at pp. 8-9). We emphasize that the audibility standards in the City Noise Ordinance are based on the City's recognition that amplified sound is qualitatively different from other noise sources and, if audible, can severely impact residential neighborhoods and recreational areas.

The Veneklasen Report apparently assumes (at p. 1) that amplified sound from Universal City will be undetectable in a given neighborhood as long as the amplified sound is consistent with the measured ambient noise level in that community. However, that is simply untrue. As discussed in some detail in the Ultrasystems Report (at pp. 5-6, 8), amplified sound (as well as impulsive sound such as pyrotechnic displays and gunshots) are unusual and dissimilar from sounds normally associated with an urban area, and can therefore be audible

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and objectionable even if the amplified or impulsive sounds are 20 dBA lower than the ambient noise level.

Notwithstanding TLRA's strong belief that the City Noise Ordinance would provide far more protection than a decibel-based standard and would be much easier to enforce, TLRA recognizes that a decibel-based standard may be workable, if the appropriate maximum decibel levels are selected so that amplified and impulsive sounds are undetectable in the surrounding neighborhoods. However, as discussed in the Ultrasystems Report (at pp. 3-4), neither Veneklasen nor Mestre Greve did any meaningful empirical testing to demonstrate that the proposed OEAS Regulations would effectively mitigate Universal City noise sources. Instead, the analysis in the Veneklasen Report is based almost entirely on the application of the "UC Noise Model" previously developed by Veneklasen to analyze the Project's noise impacts.²

TLRA and other residents had assumed that the Veneklasen Report would determine whether the OEAS Regulations effectively mitigated amplified noise sources in Universal City, including entertainment attractions, CityWalk activities, special events, trams and outdoor film production, by measuring the actual, existing decibel levels associated with

² With respect to this issue, County staff has included a "Note" in the November 6 Staff Report (at p. 12) which states that, according to Veneklasen (Universal's noise consultant), since the original noise measurements for the DEIR were done randomly at different times and dates, Veneklasen "believes that it is reasonable to conclude that production activities were included in the noise baseline." That is absurd. It is manifestly unreasonable to conclude that 24-hour noise measurements included representative noise from outdoor film production because (1) given the number of outdoor filming events that occur at Universal City in any given year, it is extremely unlikely that the 24-hour noise measurements at more than 1 or 2 of the 23 receptor sites picked up noise from outdoor filming and (2) even if outdoor filming occurred during a 24-hour monitoring period, the production noise would be minimal or undetectable if there was no line-of-site between the filming activity and the applicable receptor site. More important, even if Veneklasen's contention was accurate, Veneklasen would have no way to differentiate film production noise from any other amplified or impulsive sounds that occurred during any given 24-hour measurement period because, as recognized in the Mestre Greve Report (at p. 5), the noise monitoring equipment was left unattended during the measuring periods. As a result, the baseline noise measurements provide no basis for testing the effectiveness of the OEAS Regulations on noise from outdoor production activities.

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those noise sources at the 23 receptor sites identified for the original noise analysis in the DEIR. It was also assumed that, at a minimum, the Veneklasen Report would compare the maximum decibel levels permitted at the 23 receptor sites pursuant to the OEAS Regulations with the current decibel levels at those receptor sites relating to amplified and impulsive sounds. Without that data, residents cannot possibly have any assurance that the OEAS Regulations will be effective at all, or at what decibel levels they would be effective. It is entirely possible that, in the absence of credible baseline data to the contrary, the OEAS Regulations would permit amplified and impulsive sounds which exceed current decibel levels.

The Ultrasystems Report also points out (at pp. 2-3) that the Veneklasen Report failed to include any information regarding the existing noise levels associated with amplified and impulsive noise sources in Universal City. Without that information, there is no way of knowing whether the OEAS Regulations will actually improve the existing noise environment.

No legitimate justification exists for not providing this empirical and baseline data. TLRA urges the County and City to require this information from Universal. As Ultrasystems has pointed out, for many reasons actual conditions may very greatly from the generalized assumptions incorporated into that model. In this case, it was unnecessary for the Veneklasen Report to rely solely on computer modeling because all of the noise sources in question are already operating at Universal City. Given the critical nature of this issue, TLRA believes it is extremely important that TLRA's or Lakeside's noise consultant actively participate in the empirical noise test.

RECOMMENDATION: Require Universal's noise consultant to provide baseline data regarding the existing noise impacts associated with operational noise sources in Universal City. In addition, empirical noise testing should be conducted to determine whether the OEAS Regulations will effectively mitigate those noise sources and, if not, the maximum decibel levels in the OEAS Regulations should be reduced. TLRA's or Lakeside's noise consultant should actively participate in that testing or be permitted to conduct its own testing.

B. TLRA Agrees That The OEAS Regulations Should Be Expanded To Include All Operational Noise Sources In Universal City.

The Veneklasen Report (at p. 29), the Mestre Greve Report (at pp. 13-14) and the November 6 Staff Report (at p. 16) all recommend that, if adopted, the OEAS Regulations be expanded to apply to all operational noise sources in Universal City relating to outdoor entertainment, live bands, Universal City shows, theatrical pyrotechnics, special events, commercial/retail activities, tram operations and thrill rides.

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RECOMMENDATION: TLRA agrees with those recommendations.

C. TLRA Agrees That The Noise Impacts Associated With Outdoor Production Activities And Special Events Must Be Analyzed In The DEIR To Determine Whether The OEAS Regulations Provide Adequate Mitigation For This Activities.

The Mestre Greve Report confirms TLRA's analysis that the DEIR completely failed to analyze existing and future noise impacts associated with outdoor film production and special events in Universal City (at pp. 7-10). The Mestre Greve Report also seriously questions, as TLRA and others have, the veracity of Universal's claim that film production noise levels "will not change with the buildout of the Specific Plan," (at pp. 7-8). Mestre Greve recommended that a "thorough analysis of movie production activities should be included" in the DEIR "so that the effect of the OEAS Regulations on the total noise environment is better understood."

Unfortunately, the summary of this analysis in the November 6 Staff Report (at p. 12) is somewhat misleading. First, the summary states that "further analysis and clarification" is necessary with respect to film production noise, when in fact Mestre Greve concluded that the DEIR contains no such analysis. Second, the "Note" following the summary uncritically states Universal's position, while ignoring Mestre Greve's express analysis to the contrary (which is almost identical to TLRA's prior analysis submitted to the County). As noted in the Mestre Greve Report (at pp. 7-8), the SPO contemplates a significant increase in overall production activity, and it is quite reasonable to assume that outdoor filming will proportionally increase. The Ultrasystems Report makes the same point (at p. 7).

Notwithstanding the complete failure of the DEIR to analyze noise impact associated with outdoor filming, the City Hearing Officer has taken a stab at formulating a mitigation measure. This mitigation measure would prohibit impulsive noises relating to outdoor film production between midnight and 5:00 a.m. during the winter and 1:00 a.m. to 5:00 a.m. during the summer within the Greenscape District, Interim Use Overlay Area and along the northerly boundary of Universal City (see p. 17).

While TLRA appreciates the City Hearing Officer's acknowledgment that noise mitigation is required with respect to outdoor filming, the proposed mitigation measure is inadequate for many reasons. First, if the generation of impulsive noise is inappropriate between midnight and 5:00 a.m., why would it be any more appropriate during other nighttime hours? Most people go to sleep before midnight and wake up after 5:00 a.m. The surrounding residences are entitled to some peace and quiet during the evening and while they sleep. TLRA has previously recommended, and continues to recommend, that all impulsive

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noises, whether related to film production or other activities at Universal City, be permitted only between the hours of 9:00 a.m. and 8:00 p.m.

Second, the proposed mitigation measure excludes amplified sound, which is often used in connection with outdoor film production. TLRA is unaware of any justification for distinguishing between those two categories of noise. TLRA continues to recommend that the use of sound amplification equipment should only be permitted between the hours of 9:00 a.m. and 8:00 p.m.

Third, the mitigation measure is limited to discrete portions of Universal City and will provide little benefit to Toluca Lake residents. Any limitation on noise associated without outdoor filming should apply throughout Universal City.

The Mestre Greve Report (at pp. 9-10) also confirms that the DEIR utterly failed to analyze the noise impacts associated with special events at Universal City. This is a significant omission because many of the residents' complaints over the years have focused on noise from special events, which Universal has never been able to control effectively. For some reason, however, the November 6 Staff Report failed to summarize Mestre Greve's conclusion that the DEIR failed to analyze noise impacts associated with special events.

Mestre Greve also repeatedly states in its report that it cannot determine the effectiveness of the OEAS Regulations with respect to outdoor filming and special events due to the absence of any baseline environmental analysis in the DEIR (see pp. 8, 9, 10, 11, 15). However, without explanation, the November 6 Staff Report simply ignores all of Mestre Greve's recommendations with respect to this issue.

RECOMMENDATION: TLRA agrees with Mestre Greve's analysis and once again requests that the County revise the noise section of the DEIR to properly evaluate all existing and potential noise impacts associated with the Project and to recirculate the document, as required by CEQA. If noise impacts associated with outdoor production incrementally contribute to a significant noise impact (which is certainly the case here), the OEAS Regulations should be applied to outdoor film production and special events. In addition, the use of amplified or impulsive sound in connection with outdoor film production and other activities at Universal City should be prohibited between the hours of 8:00 p.m. and 9:00 a.m.

D. TLRA Agrees That Noise Measurements Should Be Made At Both 50 Feet and 100 Feet From The Noise Source.

The Mestre Greve Report cogently argues (at pp. 13-14) that compliance with the proposed OEAS Regulations cannot be determined solely by noise measurements at

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50 feet from the applicable noise sources, and recommends an additional measurement at 100 feet. The Ultrasystems Report raises this same concern (at pp. 4-5). The November 6 Staff Report also adopts this recommendation (at p. 16).

However, the Mestre Greve Report misses a crucial point. As discussed in the Ultrasystems Report (at p. 9), the maximum decibel levels at 100 feet should be 6 dBA lower than the corresponding maximum decibel levels at 50 feet that are currently set forth in the OEAS Regulations. This is because the noise model used in the Veneklasen Report assumes that the rate of noise decrease from a point source will be at least 6 dBA per doubling of distance. Since 100 feet "doubles" 50 feet, the maximum decibel levels should be reduced by 6 dBA at 100 feet.

RECOMMENDATION: Noise measurements should be taken at both 50 and 100 feet. If a decibel-based system is utilized, once the maximum decibel levels at 50 feet have been determined, the maximum decibel levels at 100 feet should be 6 dBA lower.

E. The SPO Should Include Significantly Stronger Enforcement Measures Than Recommended In The Noise Reports.

Assuming that Universal can demonstrate through empirical testing and comparison to baseline data that the OEAS Regulations are workable and can be applied to all operational noise sources in Universal City, it is essential that the SPO include an effective enforcement program. Surprisingly, the Proposed Enforcement Program included in the Veneklasen Report (Attachment E) includes many of the elements rejected by County and City staff in their Joint Staff Report dated September 11, 1997 (the "September 11 Staff Report"). TLRA concurs that Universal's proposed enforcement program will be ineffective.

The recommendations for enforcement set forth in the Mestre Greve Report (at p. 16) and the November 6 Staff Report (at p. 16) are helpful. The September 11 Staff Report also includes a number of staff recommendations which should be approved (for some reason, those recommendations are not incorporated into the November 6 Staff Report, but they should be). A copy of those recommendations is attached as Exhibit 3.

Unfortunately, Mestre Greve's and the Staffs' enforcement recommendations do not address the three issues of greatest concern to TLRA and the other surrounding communities, as follows: (1) What if the OEAS Regulations do not work?; (2) Assuming that the OEAS Regulations do work, how do residents obtain immediate relief if Universal, whether intentionally or unintentionally, violates those regulations?; and (3) What happens if Universal is nonresponsive to legitimate noise complaints?

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With respect to the first issue, the Mestre Greve Report recommend (at p. 16), and County and City staff concur (at p. 16), that if the goal of the OEAS Regulations is to limit amplified and impulsive sounds to levels consistent with ambient community levels is not attained, then modifications to the OEAS Regulations should be required. There are two very significant problems with that requirement. First, the issue is not whether amplified and other operational noise in Universal City is consistent with the ambient noise levels in surrounding communities. As discussed in the Ultrasystems Report (at pp. 5-6, 8), amplified and impulsive sounds can significantly impact residential neighborhoods even if they do not exceed ambient levels. The real issue is whether the OEAS Regulations will effectively mitigate the existing and future noise problems that have plagued local residents for the past decade. Second, if the OEAS Regulations prove to be ineffective, definitive procedures should be set forth in the SPO for the modification of the OEAS Regulations, and, if necessary, the modification of other provisions in the SPO.

With respect to the second issue, both Mestre Greve and staff recommend random testing by a third-party professional. That is fine as far as it goes. However, that provides no immediate relief to residents if the OEAS Regulations do not work or are not followed by Universal. That is particularly true since the random testing apparently will only take place a few times each year. Residents in the surrounding area must have a mechanism for obtaining immediate relief if the existing noise problems persist or worsen. Strangely, notwithstanding that earlier this year Universal unveiled its long-awaited monitoring system, neither Universal, the County, the City nor their respective consultants have proposed any type of monitoring system that might provide short-term relief. While it is painfully obvious that Universal's current monitoring system does not work, that should not foreclose discussion of an effective monitoring system.

With respect to the third issue, the SPO does not include any enforcement provisions for violations of the OEAS Regulations. It is our understanding that the current draft of the SPO was supposed to prohibit the issuance of any further building permits in Universal City if Universal does not comply with the OEAS Regulations (or otherwise fails to comply with requirements of the SPO), but that restriction does not appear to be set forth anywhere in the SPO.

Since January, 1997, TLRA has proposed the creation of a community advisory committee to address all three of these issues (see Exhibit 2). Given the ineffectiveness of Universal's mitigation efforts in the past, TLRA (as well as Lakeside and all of the neighborhood organizations set forth in Exhibit 2) believe the establishment of an advisory committee is essential to effective noise mitigation. The central focus of the advisory committee would be to receive and consider noise complaints, work with Universal

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to alleviate noise problems and, if necessary, recommend modifications to the OEAS Regulations and other noise standards set forth in the SPO. Unfortunately, neither County nor City staff has ever responded to this recommendation nor indicated any reason why it should not be incorporated into the SPO.

RECOMMENDATION: The SPO should be modified to incorporate enforcement procedures that address what happens if the OEAS Regulations do not work, the manner in which residents can obtain immediate relief if the OEAS Regulations are not followed, and what happens if Universal fails to respond to legitimate noise complaints. The establishment of the creation of a community advisory committee should be an integral part of those procedures. Universal should also be prohibited from obtaining building permits if it fails to comply with the OEAS Regulations or those regulations are ineffective. TLRA welcomes the opportunity to jointly discuss these issues with City and County staff and Universal's representatives.

F. At A Minimum, Universal Should Be Required To Comply With The Most Restrictive Construction Hour And Noise Requirements In The County and City Codes.

TLRA is simply at a loss to understand the various proposals made by Universal over the past few months with respect to construction hours and noise. It was originally TLRA's understanding that Universal would agree to be bound by the more restrictive limitations on constructions hours and noise set forth in the City and County codes (just as Universal originally stated that it should be subject to County Noise Ordinance with respect to operational noise because (according to Universal) the County Noise Ordinance is more restrictive than the City Noise Ordinance). In that case, (1) grading and construction would be prohibited between 7:00 p.m. and 7:00 a.m. on weekdays and anytime on Sundays or holidays, if the sound creates a noise disturbance across a residential or commercial property line (County Noise Ordinance), (2) grading and construction activities would be absolutely prohibited between 6:00 p.m. and 8:00 a.m. on any Saturday or national holiday, and at any time on any Sunday (City Noise Ordinance), and (3) grading and construction activities would be subject to various maximum decibel levels for mobile and stationary construction equipment (County Noise Ordinance).

Instead, Universal has repeatedly sought to exempt itself from most of these restrictions. Initially, County staff largely rejected Universal's position (see the September 11 Staff Report at pp. 7-8). However, in the November 6 Staff Report (at pp. 14-15), while staff recommends somewhat more restrictive requirements than those currently proposed by Universal, they now apparently support more significant deviations from the County and City Noise Ordinances than they did two months ago.

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This is simply unacceptable to TLRA. At an absolute minimum, Universal should be required to comply with the more restrictive provisions of the City and County codes, as briefly discussed above. Once again, there is no legitimate justification for exempting Universal from any of the County and City restrictions.

To the contrary, as set forth in our previous letters, there is ample justification for imposing greater restrictions on grading and construction hours. First, Universal City is surrounded by Toluca Lake and other residential neighborhoods, and the residents who live there are already subject to disruptive noise from many other Universal City sources during both daytime and evening hours. Second, it is anticipated that construction activity (and therefore construction noise) in Universal City will occur on a regular, if not continuous, basis over the next 15 years. Third, construction noise will be exacerbated because Universal's construction work will regularly occur at higher elevations than the surrounding communities.

The Mestre Greve Report also concludes that, if Mestre Greve's recommended mitigation measures are imposed, Project will not have any significant construction impacts. Mestre Greve's conclusion is flawed for several reasons. First, the primary mitigation measure recommended by Mestre Greve is compliance with the County Noise Ordinance. However, as discussed above, both Universal and County staff are suggesting substantial deviations from the construction hour noise restrictions in the County Noise Ordinance. Second, the mere fact that the proposed Project complies with zoning requirements does not mean that it has no potential to cause significant impacts. See Oro Fino Goldmining Corp. v. County of El Dorado, 225 Cal. App. 3d 872, 881-82 (1990) (the court rejected the contention that project noise levels would be insignificant simply because they were consistent with the applicable general plan standard). Third, Mestre Greve had no basis for drawing this conclusion because they were not provided with (and therefore did not review) the Construction Management and Mitigation Plan proposed by Universal (see Mestre Greve Report at p. 10). TLRA maintains that the Project will have enormous construction impacts which will not be mitigated by the minimal conditions proposed by Universal or recommended in the November 6 Staff Report.

RECOMMENDATION: For the reasons set forth above, TLRA strongly recommends that grading and construction be prohibited on weekends and holidays and that Universal otherwise be required to comply with the more restrictive limitations on construction hours and noise set forth in the City and County codes.

G. Both Mestre Greve and Ultrasystems Have Noted Significant Flaws With Respect To The Maximum L50 And Lmax Decibel Levels Set Forth In Section 17A of the SPO.

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Section 17A of the SPO states that no sound sources within Universal City can exceed an L50 of 50 dBA or an Lmax of 70 dBA. Both Mestre Greve and Ultrasystems have noted several significant concerns with respect to these standards.

First, the L50 limitation of 50 dBA supposedly represents the maximum noise level permitted in residential areas under the County Noise Ordinance. However, as noted in the Ultrasystems Report (at p. 7), the maximum decibel level for residential properties is 50 dBA only during daytime hours (between 7:00 a.m. and 10:00 p.m.). The maximum decibel level during nighttime hours (between 10:00 p.m. and 7:00 a.m.) is only 45 dBA. TLRA has repeatedly raised this issue since last January, but has never received any response as to why this limitation has not been included in the SPO. Section 17A should be modified to include the 45 dBA limitation between 10:00 p.m. and 7:00 a.m.

Second, the Mestre Greve Report (at pp. 5-6) notes that, pursuant to Section 12.08.410 of the County Noise Ordinance, the Lmax for impulsive noise should be reduced by 5 dBA (70 dBA to 65 dBA). It is unclear whether the November 6 Staff Report recommends that modification to Section 17A of the SPO. Once again, there is no reason why Universal should be exempt from that requirement, particularly given the variety of impulsive sounds that emanate from Universal City.

RECOMMENDATION: Reduce the L50 standard to 45 dBA between the hours of 10:00 p.m. and 7:00 a.m. in Section 17A of the SPO. In addition, add an Lmax of 65 dBA with respect to impulsive noise.

H. The Existing Trams Should Be Retrofitted Immediately.

Staff recommends that all existing trams in Universal City be retrofitted with directional speakers systems within five years following the adoption of the SPO. However, TLRA sees no reason why that retrofitting could not occur immediately, particularly since Councilman Ferraro first raised this issue more than 2 1/2 years ago in April, 1995 (see November 6 Staff Report at p. 17).

RECOMMENDATION: Require the retrofit of all existing trams within one year following the adoption of the SPO.

I. TLRA Has Recommended Several Additional Noise Mitigation Measures.

In our January 21, 1997 letter to the County, we attached a lengthy Exhibit which set forth a substantial number of general and specific comments on the first draft of the SPO and recommended a series of noise mitigation measures. Following the release of the

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Regional Planning Commission
November 17, 1997
Page 14

second draft of the SPO, that Exhibit was slightly modified and attached as Exhibit 1 to our August 13, 1997 letter to the County.

TLRA appreciates that City and County staff have reviewed those provisions and have already suggested certain noise mitigation which incorporates, to some degree, several of TLRA's recommendations. We also understand that City and County staff are preparing a series of technical revisions to the SPO which will address other concerns raised by TLRA.

TLRA urges the Planning Commission and City Officer to carefully review the recommendations in the August 13 letter and provide direction to staff regarding those modifications and mitigation measures which they believe should be incorporated in the SPO. TLRA anticipates further comments on the next draft of the SPO.

III.

CONCLUSION

TLRA respectfully requests that the County and City pursue the recommendations in this letter and Exhibit 1 to our August 13 letter.

Very truly yours,

Jack H. Rubens

for SHEPPARD, MULLIN, RICHTER & HAMPTON LP

LA2:LRE\LET\REZ\11084381.2

Enclosures

cc: Honorable Zev Yaroslavsky,
Supervisor, 3rd District (w/encls.) (BY MESSENGER)
Honorable John Ferraro,
Councilman, 4th District (w/encls.) (BY MESSENGER)
Honorable Michael Antonovich,
Supervisor, 5th District (w/encls.) (BY MESSENGER)

County of Los Angeles
Regional Planning Commission
November 17, 1997
Page 15

bcc: Mr. J. Patrick Garner (w/encls.) (BY FEDERAL EXPRESS)
Mr. Robert J. Salvaria (w/encls.) (BY FEDERAL EXPRESS)
Mr. Richard Nahas (w/encls.) (BY FEDERAL EXPRESS)
Stephen C. Taylor, Esq. (w/encls.)

ATTACHMENT 7

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

FORTY-EIGHTH FLOOR

333 SOUTH HOPE STREET

LOS ANGELES, CALIFORNIA 90071-4448

TELEPHONE (213) 620-1780

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WRITER'S DIRECT LINE

OUR FILE NUMBER

(213) 617-4216

REZ-58434

March 17, 1998

BY FACSIMILE AND U.S. MAIL

County of Los Angeles
Regional Planning Commission
320 West Temple Street
Los Angeles, California 90012
Attention: Ms. Pamela Holt,
Assistant Administrator

City of Los Angeles
City Planning Department
221 South Figueroa Street, Room 310
Los Angeles, California 90012
Attention: Mr. Larry Friedman,
Hearing Officer

Re: Universal City Specific Plan -
Proposals for Enforcement of Noise Restrictions

Ladies and Gentlemen:

As you know, this firm represents the Toluca Lake Residents Association ("TLRA") in connection with the proposed expansion of Universal City.

In our November 17, 1997 letter to you (at pages 11-13), we discussed the need for more comprehensive enforcement procedures than those recommended by Universal and County and City staff with respect to the noise standards eventually included in the proposed Universal Specific Plan Ordinance (the "SPO"). In that letter, we identified the three issues of greatest concern to TLRA and the other surrounding communities, as follows: (1) What if the proposed Universal's proposed noise regulations do not work?; (2) Assuming that Universal's decibel-based noise regulations can be made effective, how do residents obtain immediate relief if Universal, whether intentionally or unintentionally, violates those regulations?; and (3) What happens if Universal is nonresponsive to legitimate noise complaints?

While our November 17 letter discusses some important elements of an effective enforcement program, we thought it would be helpful to propose a full range of proposed enforcement procedures. Therefore, enclosed for your review is a

LOS ANGELES ■ ORANGE COUNTY ■ SAN DIEGO ■ SAN FRANCISCO

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Page 2

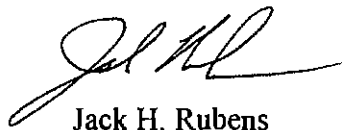
proposed Noise Enforcement Outline, which is an amalgamation of various procedures recommended by County and City staff, the City Planning Commission, TLRA, Ultrasystems Environmental Incorporated (on behalf of Lakeside Golf Club) and others over the past year.

It is TLRA's hope that the Noise Enforcement Outline will serve as the foundation for joint discussions among Universal, the County, the City and TLRA to devise meaningful and equitable noise enforcement procedures.

We hereby request that you include a copy of the Noise Enforcement Outline in the packet that you deliver to each County Regional Planning Commissioner in connection with the March 23 hearing.

If you have any questions, please feel free to call me.

Very truly yours,



Jack H. Rubens

for SHEPPARD, MULLIN, RICHTER & HAMPTON LP

LA2:LRELETRZ011105916.1

Enclosure

cc: Honorable Zev Yaroslavsky,
Supervisor, 3rd District
Honorable John Ferraro,
Councilman, 4th District
Honorable Michael Antonovich,
Supervisor, 5th District
Mr. J. Patrick Garner
Mr. Richard Nahas
George J. Mihalsten, Esq.

NOISE ENFORCEMENT OUTLINE

1. Noise Monitoring System. Universal will develop an effective noise monitoring system. The requirements set forth below for the noise monitoring system will be included in the Specific Plan Ordinance ("SPO") and the President of Universal Studios, Inc. ("Universal") will be responsible for overseeing compliance with these requirements.
 - a. The system will be manned by onsite Noise Compliance Officers employed by Universal, who will be trained professionals authorized to respond to noise complaints and take corrective action.
 - b. Universal will maintain a 24-hour hotline to permit direct contact with the Noise Compliance Officer.
 - c. Universal will maintain a written log of all noise complaints received from the hotline or otherwise, the identity of the person who called (including the address and phone number of that person), the time each complaint was received, the action taken to resolve it, the time required to take such action, and the date and time when the complaining party was informed of such action.
 - d. Universal shall respond to all community noise complaints in a timely and effective manner, as determined by the City and County.
 - e. If the source of the noise complaint is active at the time Universal receives notice of the complaint, then Universal shall respond to the complaint as soon as possible by terminating the activity causing the noise or otherwise reducing the noise to a level that complies with all of the noise standards in the SPO (the "Noise Standards"). Universal will advise the complaining party of the action taken by Universal.
 - f. Whether or not the source of the noise complaint has terminated at the time Universal receives notice, Universal shall, as soon as practical, analyze the activity that caused the noise, determine if any Noise Standard was violated and, if so, devise mitigation measures to ensure that such activity will not

violate the Noise Standards in the future. Universal shall keep the complaining party informed as to Universal's progress in resolving the noise issue.

- g. A Universal sound engineer will be present throughout any outdoor music or entertainment show, special event or film production which involves amplified or impulsive noise to ensure compliance with the Noise Standards. The sound engineer shall be responsible for insuring compliance with all Noise Standards.
- h. If Universal fails to respond in a satisfactory manner to any noise complaint, residents shall have the option of calling members of the City and County planning staffs specifically designated to receive and respond to Universal noise complaints.

2. County/City Independent Noise Consultant. The City and County planning departments shall jointly select a fully qualified, independent noise consultant (the "Universal Consultant") to undertake the monitoring and review set forth below, at Universal's expense, for the duration of the SPO. The Universal Consultant shall be a person who by education, training and experience is fully qualified to undertake the work for which the Universal Consultant is retained and who has no conflict of interest with Universal.

- a. In order to verify compliance with all of the noise standards in the SPO, the Universal Consultant shall monitor Universal noise sources on an unannounced, random basis.
 - i. The Universal Consultant shall conduct unannounced, random noise monitoring at least four times each year at not less than eight locations, at least four of which shall be located onsite and at least four of which shall be located offsite.
 - ii. Each noise measurement shall be attended and shall be conducted for a minimum of four hours. The hours selected for each set of noise measurements shall be designed to coincide with peak noise activity at Universal City with respect to amplified and impulsive noise sources.
 - iii. Each set of offsite noise measurements shall include Receptors S and ___ described in the DEIR.

- iv. Each set of unannounced, random noise measurements shall be designed to confirm that all operational noise sources in Universal City, particularly entertainment attractions, special events, outdoor film production, trams and other amplified/impulsive noise sources, comply with all of the Noise Standards.
- v. *//////*In conducting its noise measurements, the Universal Consultant shall use an instrument meeting American National Standard Institute's Standard S.4-1971 for Type 1 or Type 2 sound level meters.*//////* All monitoring equipment shall be field calibrated prior to use on any monitoring day. All monitoring equipment shall receive yearly re-certification through a program established through its manufacturer.
- b. The Universal Consultant shall review all applications for projects subject to Project Plan Compliance review to determine whether the proposed project will comply with all of the Noise Standards. In addition, prior to commencing operation of any project, the Universal Consultant shall conduct onsite and offsite noise measurements of the project's peak operational noise level to confirm that the project is in full compliance with all of the Noise Standards. Following that testing, the Universal Consultant shall attest in writing that the project complies with all of the Noise Standards or, if the project does not comply, set forth specific mitigation measures that will ensure full compliance with the Noise Standards. Any such mitigation measures will be imposed on the project.
- c. Universal shall provide to the Universal Consultant all information necessary for the Universal Consultant to conduct the noise measurements, and prepare the reports, described in subsections a. and b., above. Among other things, Universal shall provide the Universal Consultant with an advance schedule of all events in Universal City that involve amplified or impulsive noise sources, including the location, date and time of such activities. This information shall be provided to the Universal Noise Consultant at least 15 days prior to the applicable activity.
- d. The Universal Consultant shall set forth in writing the results of each set of noise measurements taken pursuant to subsection a. and b., above, including all noise measurement data and the analysis used to determine compliance with all of the Noise Standards. The Universal Consultant shall expressly state whether Universal is in compliance with all of the Noise Standards.

Each such report will also include a qualitative assessment of any measured amplified and impulsive noise on the surrounding communities. The Universal Consultant shall concurrently deliver copies of that information to Universal, the City, the County and the NAC (as defined below).

- e. If the Universal Consultant determines, based on its noise measurements, that any existing or proposed noise source in Universal City does not or will not comply with any of the Noise Standards, the Universal Consultant shall identify mitigation measures (including project redesign) that will ensure full compliance with the Noise Standards and include those mitigation measures in its written report. Any mitigation measure that do not involve the construction or alteration of physical improvements shall be implemented within 30 days after the Universal Consultant identifies the mitigation measure. Any mitigation measure that involves the construction or alteration of physical improvements shall be implemented within 90 days after the Universal Consultant identifies the mitigation measure. Additional noise mitigation may include, but is not limited to, the following:
 - i. Additional vertical barriers placed around and/or above the noise source.
 - ii. Limits on amplifier power if the reference noise level at the mixing booth exceeds the threshold necessary to comply with all of the Noise Standards (to be determined by the Universal Consultant and verified by the NAC Consultant).
 - iii. Modified speaker design or placement that better focuses sound energy and reduces side lobe energy losses.
 - iv. Noise cancellation techniques using separate out-of-phase speakers outside the attraction or event.
 - v. Any form of new technology (as it becomes available) that will achieve compliance with the Noise Standards.
- f. In addition to the written reports described above, each year the Universal Consultant shall prepare a report which summarizes all noise data collected during the previous year and sets forth the Universal Consultant's recommendations, if any, with respect to (i) additional noise mitigation that will bring construction and/or operational activities into compliance with

the Noise Standards and/or (ii) proposed modifications to any of the Noise Standards. The Universal Consultant shall submit that report to the City and County concurrently with Universal's submission of its Annual Report.

g. At the request of the NAC (as defined below), the Universal Consultant will attend specified NAC meetings.

3. Noise Advisory Committee. Universal shall fund the creation and operation of a Noise Advisory Committee (the "NAC") for the duration of the SPO which meets on a bi-monthly basis. The purposes of the NAC will be to (i) provide oversight to ensure that all Universal noise sources comply with the Noise Standards, and that the Noise Standards are sufficient to eliminate noise nuisance potential in the surrounding communities, and (ii) make recommendations to the City and County regarding noise issues. The NAC shall consist of 10 members, comprised of the following (each organization shall select its own representative):

<u>Organization</u>	<u>No. of Representatives</u>
Universal	1
Studio City Homeowners Association	1
Cahuenga Pass Homeowners Association	1
Lakeside Golf Club	1
Toluca Lake Homeowners Association	1
Toluca Estate Drive Homeowners Association	1
Toluca Lake Residents Association	1
Hollywood Knolls Community Club	1
Supervisor, 3rd District	1
Councilmember, 4th District	<u>1</u>
	10

The NAC will operate as follows:

- a. The NAC will review the noise complaints set forth in the logs maintained by Universal with respect to its noise monitoring system, and how Universal responded. Universal will provide copies of those logs for the preceding two calendar months not less than ten (10) days prior to each bi-monthly meeting. Universal will maintain the original logs for the duration of the SPO. The NAC will also review all written reports prepared by the Universal Consultant described above.

- b. Universal shall provide to the NAC the same information regarding Universal City activities that it provides to the Universal Consultant pursuant to Section 2.c, above.
- c. Universal shall provide funding for the NAC to retain its own independent noise consultant (the "NAC Consultant"), and shall provide accommodations for NAC meetings. The funding provided by Universal shall permit the NAC Consultant to perform not less than 100 hours of work at an hourly rate that does not exceed the hourly rate charged by the Universal Consultant. The NAC Consultant shall be a person who by education, training and experience is fully qualified to undertake the work for which the NAC Consultant is retained and who has no conflict of interest with Universal.
- d. Under the direction of the NAC, the NAC Consultant will work to maximize compliance with the Noise Standards, verify that the monitoring program described above provides meaningful and relevant data and determine whether the Noise Standards are sufficient to minimize Universal City's noise impacts on the surrounding communities.
- e. As requested by the NAC, the NAC Consultant shall review and evaluate all materials provided to the NAC and the organizations and individuals that comprise the NAC, and attend the NAC's bi-monthly meetings.
- f. If the NAC determines that Universal has not responded in a satisfactory manner to any noise complaint(s), and/or that any of the Noise Standards are inadequate, the NAC shall make written recommendations to the County and the City regarding (i) the manner in which Universal should respond to similar noise complaints in the future, (ii) additional noise mitigation required to achieve compliance with the Noise Standards and (iii) any proposed revisions to the Noise Standards. The NAC's recommendations may include, but are not limited to, recommendations that Universal enclose or redesign a noise source which violates any of the Noise Standards or otherwise creates noise nuisance potential. These written recommendations shall be considered by the County and City in conjunction with each Annual Report submitted by Universal.
- g. Universal shall provide reasonable access to Universal City and information concerning the construction and operation of onsite noise sources necessary for the NAC to perform its functions.

4. Annual Report.

- a. The County and City shall consider the reports submitted by the Universal Consultant and the NAC in conjunction with each Annual Report.
- b. The County/City shall provide the Universal Consultant and the NAC with a draft copy of each Annual Report. The NAC shall have the right to review and comment on each draft Annual Report and submit those comments to the County/City, which comments will be attached to the Annual Report. In addition, the City/County shall direct the Universal Consultant, on an as-needed basis, to audit one or more Annual Reports, as determined by the _____.
- c. If administrative action is determined necessary to ensure compliance with the Noise Standards, the City Council and County Board of Supervisors shall have the authority to require the Director of Planning (City and County) to withhold further issuance of Project Plan Compliance approvals and building permits until corrective measures undertaken by Universal are reviewed by the City/County Regional Planning Commission and approved by the City Council/County Board of Supervisors.
- d. The SPO will include detailed procedures for the revision of the Noise Standards by the City Council/Board of Supervisors in the event that one or more of the Noise Standards are insufficient to eliminate noise and nuisance potential in the surrounding communities.

ATTACHMENT 8



LIGHTS !!

CAMERA !!

ACTION !!

Date: January 28, 2011

To: Universal City Neighbors

On Monday, January 31st through Friday, February 4th, 2011 between the hours of 6:00 pm and 6:00 am, the following backlot production activities are planned at the New York St sets:

Production Lights
Gunshots
Explosions
Wind Machines
Fire Effects

We are working with the production to lessen the impact where possible.

We at Universal are renewing our commitment to communicate efficiently and effectively with our community. To that end we are moving to a new process to communicate with you regarding Universal Studios production activity. Send e-mail to UniversalStudios.Production@nbcuni.com. In the subject line add PRODUCTION NOTIFICATION and you will be added to a database to receive these notifications electronically. Your e-mail address will only be used to communicate with you regarding production activities, other specific activity at Universal Studios and community events.

If you have any questions or concerns, please call the Universal Studios Community Hotline number at (818) 622-2995.

Thank you for your cooperation.

Response to Comment No. 75-43

Attachments 1–8 provide various documents in support of the comments presented in the letter with regard to noise issues, which documents are acknowledged and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Attachments 1–8 were also referenced in Comment No. 75-8. As such, refer to Response to Comment No. 75-8, above, for additional information.

Comment No. 75-44

See next page

ATTACHMENT 9



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

Bureau of Toxicology & Environmental Assessment
CYRUS RANGAN, M.D., F.A.A.P., A.C.M.T., Director
695 South Vermont Avenue, South Tower-14th Floor
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Michael D. Antonovich
Fifth District

January 28, 2011

Dear Community Members,

In response to a request from the Office of Supervisor Yaroslavsky, the Los Angeles Department of Public Health conducted a noise monitoring evaluation at NBC Universal Studios and the surrounding areas on the period of Friday, November 12 and Saturday, November 13, 2010 as dictated by the Noise Ordinance. This evaluation focused on community noise associated with the "Water World" attraction and the "Halloween Horror Nights" event at Universal Studios, Universal City. The monitoring was done specifically to: (1) Assess the noise impact by the Universal Studios "Water World" attraction and "Halloween Horror Nights" event on residential properties located in the Toluca Lake area and on a commercial property located at Lakeside Golf Club; and (2) Determine compliance with the County of Los Angeles Noise Ordinance.

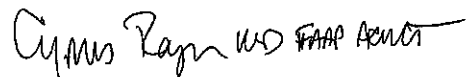
The attached report includes the Notice of Violation addressed to NBC Universal Studios, in addition to detailed findings the noise monitoring evaluation. For the time periods monitored, the "Water World" attraction was found to be in compliance with the County Noise Ordinance section 12.08.390 of the Los Angeles County Code, Title 12. In addition, the "Halloween Horror Nights" event was found to exceed the noise standards for the Los Angeles County Noise Ordinance Title 12.

The Department has directed Universal Studios to take appropriate action to ensure that future operations of the "Halloween Horror Nights" event are in compliance with the Noise Ordinance. In addition, the Department will work with Universal Studios in an effort to reduce the levels of community noise emanating from the operations of the studio and entertainment park.

The Department recognizes the need for a continuing compliance monitoring program at the studios and in adjoining residential areas, and will work with the studios and community members to effect such a program. This will include monitoring during times when the community has expressed concerns about heightened noise impacts to the community, such as during certain adverse weather conditions and during the summer months.

If you have any further questions, please contact Cole Landowski, Head of the Environmental Hygiene Program, at (626) 430-5440.

Sincerely,

Handwritten signature of Cyrus Rangan, M.D., F.A.A.P., A.C.M.T.

Cyrus Rangan, M.D., F.A.A.P., A.C.M.T.
Director of Bureau of Toxicology & Environmental Assessment

CR:rr
12837

Attachments

cc: Ben Saltsman
Jonathan Fielding
Jonathan Freedman
Maxanne Hatch
Angelo Bellomo



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

Bureau of Toxicology & Environmental Assessment

CYRUS RANGAN, M.D., F.A.A.P., A.C.M.T., Director

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Fourth District

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Fifth District

January 26, 2011

NOTICE OF VIOLATION

NBC Universal Studios
E. Mark Lyum, Senior Vice President
West Coast Real Estate/Facilities
100 Universal City Plaza
Universal City, CA 91608

**SUBJECT: VIOLATION OF THE LOS ANGELES COUNTY CODE, TITLE 12,
ENVIRONMENTAL PROTECTION NOISE CONTROL ORDINANCE.
INTRUSIVE NOISE SOURCE LOCATED AT UNIVERSAL STUDIOS,
HALLOWEEN HORROR NIGHTS EVENT.**

You are hereby advised that the subject event exceeded the exterior noise standards as found in section 12.08.390 of the Los Angeles County Code, Title 12, Noise Control Ordinance. Please refer to the attached report for specific description of the violation.

Due to the public health significance you are hereby directed to comply with the Los Angeles County Noise Ordinance Title 12 at once. It is advised that you consult with an acoustical engineer or consultant on the remediation of the intrusive noise.

If you have any further questions, please contact Cole Landowski, Head of the Environmental Hygiene Program, at (626) 430-5440.

Sincerely,

Cyrus Rangan, M.D., F.A.A.P., A.C.M.T.
Director of Bureau of Toxicology & Environmental Assessment

CR:rr
12837

Attachments

cc: Ben Saltsman
Maxanne Hatch
Angelo Bellomo

2010 UNIVERSAL STUDIOS HALLOWEEN HORROR NIGHTS NOISE IMPACT STUDY

INTRODUCTION

A sound impact study was conducted in order to assess sound levels emitted by Universal Studios at 100 Universal City Plaza, Universal City, California 91608. The purpose of the study was to investigate the noise impact by Universal Studios Halloween Horror Nights on residential properties located in the 3400 block of Blair Drive, Los Angeles, California 90068 and determine compliance with the County of Los Angeles Noise Ordinance.

Ambient noise levels were measured by the County of Los Angeles Environmental Health Staff during the period of Thursday, September 23 through Friday, September 24, 2010 and again on Saturday, November 13 through Sunday, November 14, 2010 as dictated by the Noise Ordinance.

Alleged intrusive noise was monitored on September 25-26, 2010 and during the period of October 21-24, 2010, by Environmental Health Staff .

COUNTY OF LOS ANGELES NOISE ORDINANCE

The applicable Los Angeles County exterior noise standard is found in Section 12.08.390 of the Los Angeles County Code, Title 12, Environmental Protection, Noise Control Ordinance. Allowable noise levels are expressed in terms of a median level not to be exceeded on more than 50% of all the readings within any hour. Some other noise levels are allowed away from the median; therefore the larger the deviation, the shorter the allowable period of elevated noise, up to a + 20 dBA maximum level.

Applicable standards depend upon the noise sensitivity of the receiving land use. If the sound transmitter and the receiver have different zoning, the appropriate noise standard is the arithmetic mean of the transmitting and receiving land use, except for industrial zoning, where the receiving standard becomes the standard. The allowable Los Angeles County noise standards for residential zones from **7 a.m. to 10 p.m.** are:

Noise Standard	Time Duration in Minutes	Decibel Level (dBA)
L50	Not to be exceeded for more than 30 minutes	50
L25	Not to be exceeded for more than 15 minutes	55
L8.3	Not to be exceeded for more than 5 minutes	60
L1.7	Not to be exceeded for more than 1 minute	65
L max	Never to be exceeded	70

2010 UNIVERSAL STUDIOS HALLOWEEN HORROR NIGHTS NOISE IMPACT STUDY

The Allowable Los Angeles County noise standards for residential zones from 10 p.m. to 7 a.m. are:

Noise Standard	Time Duration in Minutes	Decibel Level (dBA)
L50	Not to be exceeded for more than 30 minutes	45
L25	Not to be exceeded for more than 15 minutes	50
L8.3	Not to be exceeded for more than 5 minutes	55
L1.7	Not to be exceeded for more than 1 minute	60
Lmax	Never to be exceeded	65

If noises are impulsive, such as gunfire and explosions, then the noise standards are reduced by 5 dBA. **If ambient noise levels exceed these thresholds the standard is adjusted upward to match the ambient noise level.**

Intrusive noise is defined as “alleged offensive noise which intrudes over and above the existing ambient noise at the receptor property (Section 12.08.210).

Impulsive noise is defined as a sound of short duration, usually less than one second and of high intensity, with an abrupt onset and rapid decay (Section 12.08.190).

Unless otherwise herein provided, no person shall operate or cause to be operated any source of sound at any location within the unincorporated county, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated to exceed any of the exterior noise standards.

SITE DESCRIPTION

Universal Studios is located in the East San Fernando Valley near the Cahuenga Pass, at 100 Universal City Plaza, bounded by the Los Angeles River Flood Control Channel to the north, Blair Drive to the east, the Hollywood Freeway (US-101) to the south and Lankershim Boulevard to the west. The theme park is located at an elevation of approximately 750 feet above sea level. There are a few structures that act as noise barriers between the source and the sites of the complaints along Blair Drive. Blair Drive residential structures are located above the studio lots. In addition other environmental conditions may have a significant impact on sound transmission originating from the park.

2010 UNIVERSAL STUDIOS HALLOWEEN HORROR NIGHTS NOISE IMPACT STUDY

NOISE LEVEL MEASUREMENTS

Section 12.08.420, subsection B states that the location selected for measuring exterior noise levels shall be at any point on the receptor property, and at least four feet above the ground and ten feet from the nearest reflective surface.

The exterior noise was measured during the Halloween Horror Nights event on September 25 and 26, 2010 and again on October 21-24, 2010. The measurement sites were located at 3401 Blair Drive and 3488 Blair Drive, Los Angeles, CA 90068. Measurements were made using the B & K 2260 and Larson Davis 824 noise meters. The meters were calibrated before and after the measurements were taken. All measurements were made utilizing the A-weighted, slow response (dBA) scale.

FINDINGS:

- The applicable exterior noise standard (Lmax) was exceeded by noise sources not associated with the Halloween Horror Nights event. Such noise sources were noted as:
 - Overflying aircraft (planes and helicopters)
 - Vehicle traffic near the receptor sites
 - Various unidentified amplified sounds
 - Sirens from emergency vehicles
 - Car Alarms
- The applicable exterior noise standards (L1.7, L8.3, L25 and L50) were exceeded by intrusive noise generated by the Universal Studios Halloween Horror Nights Event on October 23-24, 2010 at 3488 Blair Drive, Los Angeles.
- Noise attenuating objects such as buildings, trees, fences were minimal between the nearest source of alleged intrusive noise and the receptor properties.
- No adverse weather conditions such as high wind speed, rain or extreme overcast were present during the sound monitoring for both ambient and operation noise.
- Universal Studios made efforts to attenuate noise by:
 - Installing sound baffles or enclosures for speakers generating sound effects (see photos 1 & 2).
 - Erecting “bus type shelters” to attenuate noise caused by use of chain saws (see photos 3, 4, 5 and 6).
 - Placement of speakers under cars and debris to direct noise back upon the Universal Studios lot (see photos 7 & 8).

2010 UNIVERSAL STUDIOS HALLOWEEN HORROR NIGHTS NOISE IMPACT STUDY

- **FINDINGS (continued):**

- Erection of sound curtains on entire buildings to attenuate noise levels that reflect off the surface of the building (see photos 9 & 10).
- Reduction of the number of chain saws used in crowd control efforts.
- Reduction of frequency and intensity of the pyrotechnic “flare cubes”
- Elimination of a “sheet maze” nearest to receptor properties

CONCLUSION:

Universal Studios and its’ Halloween Horror Nights Event has been found to be in violation of the Los Angeles County Noise ordinance as to the night of October 23, 2010 and into the early morning hours of October 24, 2010 (see Table HHN2 – pages 2 and 3).

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
INTRUSIVE NOISE
3401 BLAIR DRIVE, LOS ANGELES 90068**

TABLE HHN1 - Page 1 of 2

SEPTEMBER 25-26, 2010 B & K 2260 - S/N -2391309

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:22 PM	9:00 PM	70	76.8	65	62.5	60	59.5	55	57.8**	54.1	56.5**
9:00 PM	10:00 PM	73.8	73.1	65	60.2	60	57.8	55	56.3**	53.4	55.3**
10:00 PM	11:00 PM	71.9	68.0	60	59.3	55	57.1**	54	55.6**	53.2	54.2**
11:00 PM	12:00 AM	65	61.1	60	56.8	55.8	55.4	53.9	54.1**	52.7	52.9**

OCTOBER 21-22, 2010 B & K 2260 - S/N -2391309

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:27 PM	9:00 PM	70	69.2	65	62.5	60	58.4	55.1	56.5**	54.1	55.5**
9:00 PM	10:00 PM	73.8	69.0	65	60.2	60	57.6	55	56.1**	53.4	55.0**
10:00 PM	11:00 PM	71.9	64.8	60	59.8	55	57.2**	54	55.8**	53.2	54.6**
11:00 PM	12:00 AM	65	66.7**	60	59.9	55.8	57.2**	53.9	55.3**	52.7	54.1**
12:00 AM	1:00 AM	67.3	67.3	60	57.6	55.7	55.3	53.7	52.8	51.9	51.0

If the ambient L value exceeds the foregoing level, then the ambient L value becomes the exterior noise level for that standard.

** < 5dBA Difference (Inconclusive)

* 5-10 dBA Difference Between Intrusive Noise and Ambient (Corrected)

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
INTRUSIVE NOISE
3401 BLAIR DRIVE, LOS ANGELES 90068**

TABLE HHN1 - Page 2 of 2

OCTOBER 23-24, 2010

Larson Davis 824 #A3434

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:00 PM	9:00 PM	70	80.8	65	66.6**	60	58.8	55.1	56.7**	54.1	55.5**
9:00 PM	10:00 PM	73.8	65.7	65	60.2	60	58.5	55	57.2**	53.4	56.2**
10:00 PM	11:00 PM	71.9	66.3	60	60.7**	55	58.9**	54	57.9**	53.2	57.0**
11:00 PM	12:00 AM	65	69.4	60	61.0**	55.8	59.0**	53.9	57.5**	52.7	56.2**
12:00 AM	1:00 AM	67.3	66.1	60	59.9	55.7	56.9**	53.7	54.5	51.9	52.0**

If the ambient L value exceeds the foregoing level, then the ambient L value becomes the exterior noise level for that standard.

** < 5dBA Difference (Inconclusive)

* 5-10 dBA Difference Between Intrusive Noise and Ambient (Corrected)

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
INTRUSIVE NOISE
3488 BLAIR DRIVE, LOS ANGELES 90068**

TABLE HHN2 - Page 1 of 3

SEPTEMBER 25-26, 2010 B & K 2260 - S/N -2391308

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:00 PM	9:00 PM	70	76.7	65	59.6	60	57.2	55	55.7**	50.3	54.7**
9:00 PM	10:00 PM	70	83.6	65	59.2	60	56.8	55	55.6**	50	54.7**
10:00 PM	11:00 PM	70.9	62.2	60	58.2	55	55.8**	50.1	54.4**	49.2	53.3**
11:00 PM	12:00 AM	65	66.3	60	55.9	55	53.9	50	52.8**	48.5	52.0**
12:00 AM	12:27 AM	65.5	71.3	60	56.9	55	53.4	50.2	51.8**	48.3	50.7**

OCTOBER 21-22, 2010 B & K 2260 - S/N -2391308

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:00 PM	9:00 PM	70	74.6	65	65.5	60	57.6	55	55.2**	50.3	54.0**
9:00 PM	10:00 PM	70	78.0	65	58.3	60	56.0	55	54.6**	50	53.6**
10:00 PM	11:00 PM	70.9	63.3	60	57.6	55	55.3**	50.1	54.0**	49.2	52.9**
11:00 PM	12:00 AM	65	63.3	60	57.4	55	54.8	50	53.4**	48.5	52.5**
12:00 AM	1:00 AM	65.5	60.7	60	54.7	55	52.6	50.2	51.0**	48.3	48.7**

If the ambient L value exceeds the foregoing level,
then the ambient L value becomes the exterior
noise level for that standard.

** < 5dBA Difference (Inconclusive)

* 5-10 dBA Difference Between Intrusive Noise and Ambient (Corrected)

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
INTRUSIVE NOISE**

TABLE HHN2 - Page 2 of 3 3488 BLAIR DRIVE, LOS ANGELES 90068

OCTOBER 23-24, 2010 B & K 2260 - S/N 2391309

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:00 PM	9:00 PM	70	74.1	65	67.0**	60	58.1	55	56.3**	50.3	54.3* (+4 dBA)
9:00 PM	10:00 PM	70	73.3	65	59.8	60	58.1	55	55.8* (+.8 dBA)	50	54.8 (+4.8 dBA)
10:00 PM	11:00 PM	70.9	69.0	60	60.6**	55	57.5* (+2.5 dBA)	50.1	56.1* (+6 dBA)	49.2	55.2* (+6 dBA)
11:00 PM	12:00 AM	65	73.9	60	60.2**	55	57* (+2 dBA)	50	55.7* (+5.7 dBA)	48.5	54.7* (+6.2 dBA)
12:00 AM	12:35 AM	65.5	66.0	60	59.1**	55.7	56.3**	50.2	54.3**	48.3	52.7**

If the ambient L value exceeds the foregoing level, then the ambient L value becomes the exterior noise level for that standard.

** < 5dBA Difference (Inconclusive)

* 5-10 dBA Difference Between Intrusive Noise and Ambient (Corrected)

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
INTRUSIVE NOISE**

TABLE HHN2 - Page 3 of 3 3488 BLAIR DRIVE, LOS ANGELES 90068

OCTOBER 23-24, 2010 Larson Davis 824 - S/N A3435

START	END	Lmax Standard	Lmax Measured	L1.7 Standard	L1.7 Measured	L 8.3 Standard	L8.3 Measured	L25 Standard	L25 Measured	L50 Standard	L50 Measured
8:00 PM	9:00 PM	70	74.1	65	65.9* (+.9 dBA)	60	58.3	55	56.2**	50.3	55.2**
9:00 PM	10:00 PM	70	73.2	65	59.9	60	57.9	55	55.7* (+.7 dBA)	50	54.6 (+4.6 dBA)
10:00 PM	11:00 PM	70.9	72.1	60	60.7**	55	57.5* (+2.5 dBA)	50.1	56.0* (+5.9 dBA)	49.2	55.1* (+5.9 dBA)
11:00 PM	12:00 AM	65	74.0	60	60.1**	55	56.9 (+1.9 dBA)	50	55.6* (+5.6 dBA)	48.5	54.6* (+6.1 dBA)
12:00 AM	12:35 AM	65.5	75.3	60	59.9*	55	56.7**	50.2	54.3**	48.3	52.4**

If the ambient L value exceeds the foregoing level,
then the ambient L value becomes the exterior
noise level for that standard.

** < 5dBA Difference (Inconclusive)

* 5-10 dBA Difference Between Intrusive Noise and Ambient (Corrected)

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA**

3401 Blair Drive, Los Angeles, CA 90068

TABLE HHN 3 - Page 1 of 2

DATE	EVENT	INSTRUMENT	START TIME	END TIME	Laeq	Lmax (slow)	Lmin	L1.7	L8.3	L25	L50	L90	
						dBa	dBa	dBa	dBa	dBa	dBa	dBa	
THURSDAY 9/23/2010	Ambient	B&K 2260 #2391309 Slow Mode	8:00 PM	9:00 PM	54.0	68.6	NA	61.8	55.4	53.4	52.4	50.8	
			9:00 PM	10:00 PM	53.8	73.8	NA	59.3	53.4	52.1	51.2	50.1	
			10:00 PM	11:00 PM	52.4	71.9	NA	57.9	52.3	51.4	50.6	49.2	
			11:00 PM	12:00 AM	50.8	64.4	NA	58.1	53.6	50.5	49.0	46.8	
OVERALL			7:43:36 PM	12:00:05 AM	52.9	73.8	45.2	59.3	54.0	52.3	51.1	48.6	

DATE	EVENT	INSTRUMENT	START TIME	END TIME	Laeq	Lmax (slow)	Lmin	L1.7	L8.3	L25	L50	L90
						dBa	dBa	dBa	dBa	dBa	dBa	dBa
SATURDAY 10/23/2010	Ambient	Larson Davis #824A3434 Slow Mode	4:32 PM	5:00 PM	60.1	78.3	NA	70.8	59.0	57.0	55.9	54.1
			5:00 PM	6:00 PM	56.0	73.6	NA	66.0	56.7	54.7	53.2	50.7
			6:00 PM	7:00 PM	53.8	74.3	NA	61.8	54.8	52.0	50.8	48.7
			7:00 PM	8:00 PM	56.2	73.9	NA	63.1	57.6	55.8	54.4	51.5
10/24/2010			1:00 AM	2:00 AM	53.4	69.1	NA	58.8	55.4	53.7	52.2	49.7
OVERALL			NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA

3401 Blair Drive, Los Angeles, CA 90068

TABLE HHN 3 - Page 2 of 2

DATE	EVENT	INSTRUMENT	START TIME	END TIME	L _{aeq}	L _{max (slow)}	L _{min}	L _{1.7}	L _{8.3}	L ₂₅	L ₅₀	L ₉₀
						dB _A	dB _A	dB _A	dB _A	dB _A	dB _A	dB _A
SATURDAY 11/13/2010	Ambient	Larson Davis 824 #824A3434	5:07 PM	6:00 PM	53.5	67.5	NA	59.8	55.8	53.7	52.5	50.4
			6:00 PM	7:00 PM	53.3	60.9	NA	57.9	55.0	53.7	52.8	51.3
			7:00 PM	8:00 PM	56.3	67.6	NA	59.5	58.4	57.3	56.1	52.9
			8:00 PM	9:00 PM	56.2	66.9	NA	59.3	57.7	56.7	55.8	54.4
			9:00 PM	10:00 PM	55.9	65.9	NA	59.1	57.4	56.5	55.6	54.0
11/14/2010			10:00 PM	11:00 PM	56.0	65.8	NA	59.0	57.7	56.6	55.7	53.8
			11:00 PM	12:00 AM	56.6	66.3	NA	59.3	58.0	57.2	56.3	54.6
			12:00 AM	1:00 AM	55.7	61.8	NA	58.9	57.7	56.5	55.4	53.4
		OVERALL	17:07:02 PM	1:01:02 AM	55.6	67.6	48.8	59.0	57.6	56.4	55.3	52.2

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA - AVERAGES
3401 Blair Drive, Los Angeles, CA 90068**

TABLE HHN 4 - Page 1 of 1

	HOUR	Leq (dBA)	Lmax Slow (dBA)	Lmax Fast (dBA)	L1.7 (dBA)	L8.3 (dBA)	L25 (dBA)	L50 (dBA)	L90 (dBA)
DAYTIME	8:00	55.1	68.6	75.0	60.6	56.6	55.1	54.1	52.6
	9:00	54.9	73.8	75.6	59.2	55.7	54.3	53.4	52.1
NIGHTTIME	10:00	54.2	71.9	73.3	58.5	55.0	54.0	53.2	51.5
	11:00	53.7	64.4	66.3	58.7	55.8	53.9	52.7	50.7
	12:00	53.2	67.3	69.9	58.5	55.7	53.7	51.9	50.1

UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA

3488 Blair Drive, Los Angeles, CA 90068

TABLE HHN 5 - Page 1 of 2

DATE	EVENT	INSTRUMENT	START TIME	END TIME	Laeq	Lmax (slow)	Lmin	L1.7	L8.3	L25	L50	L90
					dBa	dBa	dBa	dBa	dBa	dBa	dBa	dBa
THURSDAY 9/23/2010	Ambient	B&K 2260 #2391308	8:00 PM	9:00 PM	52.9	66.8	NA	61.3	55.1	52.0	50.9	48.7
			9:00 PM	10:00 PM	52.3	69.8	NA	61.0	53.2	51.3	50.0	48.3
		Slow Mode	10:00 PM	11:00 PM	51.8	70.9	NA	58.8	51.8	50.2	49.5	48.3
			11:00 PM	12:00 AM	49.1	64.5	NA	57.6	50.6	48.2	47.4	46.0
		OVERALL			7:43:36 PM	12:00:05 AM	51.8	70.9	44.9	59.5	53.3	51.1

DATE	EVENT	INSTRUMENT	START TIME	END TIME	Laeq	Lmax (slow)	Lmin	L1.7	L8.3	L25	L50	L90	
					dBa	dBa	dBa	dBa	dBa	dBa	dBa	dBa	
SATURDAY 10/23/2010	Ambient	Larson Davis #824A3435	4:40 PM	5:00 PM	61.2	78.7	NA	72.2	63.1	55.0	53.5	51.5	
			5:00 PM	6:00 PM	55.1	77.7	NA	64.0	56.2	52.9	51.2	48.1	
			Slow Mode	6:00 PM	7:00 PM	54.3	77.8	NA	62.0	54.5	49.8	48.6	46.8
				7:00 PM	8:00 PM	55.0	71.2	NA	61.9	56.7	54.8	53.6	51.9
		OVERALL			4:39:37 PM	12:41:07 AM	56.5	78.8	45.2	62.7	57.6	55.9	54.5
10/24/2010			12:45 AM	1:45 AM	48.2	62.9	NA	52.3	49.8	48.6	47.7	46.1	
		OVERALL			12:45:38 AM	1:57:11 AM	49.6	70.4	44.4	56.5	50.7	48.9	48.0

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA**

3488 Blair Drive, Los Angeles, CA 90068

TABLE HHN 5 - Page 2 of 2

DATE	EVENT	INSTRUMENT	START TIME	END TIME	L _{aeq}	L _{max (slow)}	L _{min}	L _{1.7}	L _{8.3}	L ₂₅	L ₅₀	L ₉₀
					dB _A	dB _A	dB _A	dB _A	dB _A	dB _A	dB _A	dB _A
SATURDAY	Ambient	Larson Davis 824	8:19 PM	9:00 PM	50.9	66.6	NA	58.3	52.3	50.7	49.7	48.2
11/13/2010		#824A3435	9:00 PM	10:00 PM	49.9	61.8	NA	54.7	51.7	50.4	49.3	47.6
		Slow Mode	10:00 PM	11:00 PM	49.3	59.8	NA	52.7	50.9	50.0	48.9	47.0
			11:00 PM	12:00 AM	50.2	63.3	NA	52.9	51.7	50.7	49.6	47.8
11/14/2010			12:00 AM	1:00 AM	50.2	65.5	NA	54.9	51.8	50.6	49.6	48.0
		OVERALL	8:19:23 PM	1:11:22 AM	50.0	66.6	45.5	54.6	51.4	50.3	49.3	47.7

**UNIVERSAL STUDIOS
HALLOWEEN HORROR NIGHTS
AMBIENT DATA - AVERAGES
3488 Blair Drive, Los Angeles, CA 90068**

TABLE HHN 6 - Page 1 of 1

	HOUR	Leq (dBA)	Lmax Slow (dBA)	Lmax Fast (dBA)	L1.7 (dBA)	L8.3 (dBA)	L25 (dBA)	L50 (dBA)	L90 (dBA)
DAYTIME	8:00	51.9	66.8	69.5	59.8	53.7	51.4	50.3	48.5
	9:00	51.1	69.8	72.4	57.9	52.5	50.9	49.7	48.0
NIGHTTIME	10:00	50.6	70.9	72.8	55.8	51.4	50.1	49.2	47.7
	11:00	49.7	64.5	72.6	55.3	51.2	49.5	48.5	46.9
	12:00	49.7	65.5	67.5	54.9	51.9	50.2	48.3	46.0

2010 UNIVERSAL STUDIOS WATER WORLD NOISE IMPACT STUDY

INTRODUCTION

A sound impact study was conducted in order to assess sound levels emitted by Universal Studios at 100 Universal City Plaza, Universal City, California 91608. The purpose of the study was to investigate the noise impact by the Universal Studios Water World attraction on residential properties located in the Toluca Lakes area and on a commercial property located at Lakeside Golf Club at 4500 Lakeside Drive, Burbank, California 91505 and determine compliance with the County of Los Angeles Noise Ordinance.

Ambient noise levels were measured by the County of Los Angeles Environmental Health Staff during the period of Friday, November 12 and Saturday, November 13, 2010 as dictated by the Noise Ordinance. Alleged intrusive noise was monitored during the same period.

COUNTY OF LOS ANGELES NOISE ORDINANCE

The applicable Los Angeles County exterior noise standard is found in Section 12.08.390 of the Los Angeles County Code, Title 12, Environmental Protection, Noise Control Ordinance. Allowable noise levels are expressed in terms of a median level not to be exceeded on more than 50% of all the readings within any hour. Some other noise levels are allowed away from the median; therefore the larger the deviation, the shorter the allowable period of elevated noise, up to a + 20 dBA maximum level.

Applicable standards depend upon the noise sensitivity of the receiving land use. If the sound transmitter and the receiver have different zoning, the appropriate noise standard is the arithmetic mean of the transmitting and receiving land use, except for industrial zoning, where the receiving standard becomes the standard. The allowable Los Angeles County noise standards for residential zones from 7 a.m. to 10 p.m. are:

Noise Standard	Time Duration in Minutes	Decibel Level (dBA)	Decibel Level (dBA) Adjustment for Impulsive Noise
L50	Not to be exceeded for more than 30 minutes	50	45
L25	Not to be exceeded for more than 15 minutes	55	50
L8.3	Not to be exceeded for more than 5 minutes	60	55
L1.7	Not to be exceeded for more than 1 minute	65	60
L max	Never to be exceeded	70	65

2010 UNIVERSAL STUDIOS WATER WORLD NOISE IMPACT STUDY

The allowable Los Angeles County noise standards for commercial zones from 7 a.m. to 10 p.m. are:

Noise Standard	Time Duration in Minutes	Decibel Level (dBA)	Decibel Level (dBA) Adjustment for Impulsive Noise
L50	Not to be exceeded for more than 30 minutes	60	55
L25	Not to be exceeded for more than 15 minutes	65	60
L8.3	Not to be exceeded for more than 5 minutes	70	65
L1.7	Not to be exceeded for more than 1 minute	75	70
L max	Never to be exceeded	80	75

If noises are impulsive, such as gunfire and explosions, then the noise standards are reduced by 5 dBA. **If ambient noise levels exceed these thresholds the standard is adjusted upward to match the ambient noise level.**

Intrusive noise is defined as “alleged offensive noise which intrudes over and above the existing ambient noise at the receptor property (Section 12.08.210).

Impulsive noise is defined as a sound of short duration, usually less than one second and of high intensity, with an abrupt onset and rapid decay (Section 12.08.190).

Unless otherwise herein provided, no person shall operate or cause to be operated any source of sound at any location within the unincorporated county, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level, when measured on any other property either incorporated or unincorporated to exceed any of the exterior noise standards.

SITE DESCRIPTION

Universal Studios is located in the East San Fernando Valley near the Cahuenga Pass, at 100 Universal City Plaza, bounded by the Los Angeles River Flood Control Channel to the north, Blair Drive to the east, the Hollywood Freeway (US-101) to the south and Lankershim Boulevard to the west. The theme park is located at an elevation of approximately 750 feet above sea level. Several buildings act as noise barriers between the source and the sites of the complaints, along the Los Angeles River Flood Control channel. In addition other environmental conditions may have a significant impact on sound transmission originating from the park.

2010 UNIVERSAL STUDIOS WATER WORLD NOISE IMPACT STUDY

NOISE LEVEL MEASUREMENTS

Section 12.08.420, subsection B states that the location selected for measuring exterior noise levels shall be at any point on the receptor property, and at least four feet above the ground and ten feet from the nearest reflective surface.

The exterior noise was measured during the Water World event on November 12 and 13, 2010. The measurement sites were located at Lakeside Golf Club and the residential areas of Toluca Lakes including 10428 Valley Springs Lane, Toluca Lakes, CA 91505. Measurements were made using the B & K 2260 and Larson Davis 824 noise meters. The meters were calibrated before and after the measurements were taken. All measurements were made utilizing the A-weighted, fast response (dBA) scale.

FINDINGS:

- The applicable exterior noise standard (Lmax) was exceeded by noise sources not associated with the Water World event. Such noise sources were noted as:
 - Overflying aircraft (planes and helicopters)
 - Vehicle traffic near the receptor sites (Freeways and major streets)
 - Various unidentified amplified sounds
 - Sirens from emergency vehicles
 - Car Alarms
 - Golf activities
- Noise attenuating objects were observed such as buildings, trees, fences between the nearest source of alleged intrusive noise and the receptor properties.
- No adverse weather conditions such as high wind speed, rain or extreme overcast were present during the sound monitoring for both ambient and operation noise.
- Noise generated from the Water World attraction was intermittent during the study.
- Sound levels at the South property line at Hole 4 of the Lakeside Golf Club ranged from 44.3 dBA to 80.3 dBA on Friday, November 12, 2010. These levels included noise from aircraft, freeway traffic, street traffic, etc.
- Sound levels at the South property line at Hole 4 of the Lakeside Golf Club ranged from 44.4 dBA to 71.2 dBA on Saturday, November 13, 2010. These levels included noise from aircraft, freeway traffic, street traffic, etc.
- Sound levels at the South property line at 10428 Valley Springs Lane ranged from 45.2 dBA to 97.1 dBA on Friday, November 12, 2010

2010 UNIVERSAL STUDIOS WATER WORLD NOISE IMPACT STUDY

FINDINGS (continued):

- Sound levels at the South property line at 10428 Valley Springs Lane ranged from 44.6 dBA to 80.8 dBA on Saturday, November 13, 2010.
- Lmax reached inside the Water World attraction approximately adjacent to north end of the Water World attraction was 103.2 dBA.

CONCLUSION:

Universal Studios and its' Water World attraction was found to be in compliance with the Los Angeles County Noise ordinance and its exterior noise standards (see attached tables WW1-WW4 for details).

UNIVERSAL STUDIOS WATER WORLD EVENT (WW1)

LOCATION: RECEPTOR AT GOLF COURSE "HOLE 4" (SOUTH PROPERTYLINE) (B&K 2260) DATE: FRIDAY 11/12/10

COMPARISON OF WW EVENT AT 1PM & 3PM HR VERSUS AMBIENT & STANDARD; MEASUREMENTS OF ~1 HR. DURATION.

EVENT	TIME	LFMX DBA	L1.7 DBA	L8.3 DBA	L25 DBA	L50 DBA	L90 DBA
AMBIENT	AVERAGE OF 1PM & 4PM (40MIN) HR	74.4	59.7	54.0	50.2	47.8	44.8
STANDARD (COMMERCIAL LAND USE)	7AM-10PM	75	70	65	60	55	NA
1 ST INTRUSIVE EVENT (WW)	1 PM HR (EVENT 1:15-1:35)	77.4 (*~52 DBA)	65.8	63.0	57.1	51.0	44.3
2 ND INTRUSIVE EVENT (WW)	3 PM HR (EVENT 3:15-3:35)	80.3 (*~54 DBA)	61.0	54.8	51.2	48.8	45.7

*THE MAXIMUM NOISE LEVEL OBSERVED AT RECEPTOR DURING WW FINAL EXPLOSION EVENT.

UNIVERSAL STUDIOS WATERWORLD EVENT (WW2)

LOCATION: RECEPTOR AT GOLF COURSE "HOLE 4" (SOUTH PROPERTYLINE) (LARSON DAVIS 824) DATE: SATURDAY 11/13/10

COMPARISON OF WW EVENT AT 12, 1, & 3PM HR VERSUS AMBIENT & STANDARD; MEASUREMENTS OF ~1 HR. DURATION.

EVENT	TIME	LFMX DBA	L1.7 DBA	L8.3 DBA	L25 DBA	L50 DBA	L90 DBA
AMBIENT	AVERAGE OF 11(21 MIN), 2, & 4PM(21 MIN) HR	81.6	58.9	50.4	47.4	46.1	44.2
STANDARD (COMMERCIAL LAND USE)	7AM-10PM	75	70	65	60	55	NA
1 ST INTRUSIVE EVENT (WW)	12 PM HR (EVENT 12:00-12:20)	71.2	57.9	52.6	49.2	47.5	44.4
2 ND INTRUSIVE EVENT (WW)	1 PM HR (EVENT 1:10-1:30)	70.1	57.3	51.5	48.9	47.7	45.0
3 RD INTRUSIVE EVENT (WW)	3PM HR (3:10-3:30)	69.0	56.8	50.5	47.8	46.6	45.1

UNIVERSAL STUDIOS WATERWORLD EVENT (WW3)

LOCATION: RECEPTOR AT RESIDENCE 10428 VALLEY SPRINGS LANE (SOUTH PROPERTYLINE) (LD 824) DATE: FRIDAY 11/12/10

COMPARISON OF WW EVENT AT 1, 3, & 4PM HR VERSUS AMBIENT & STANDARD; ~1 HR DURATION.

EVENT	TIME	LFMX DBA	L1.7 DBA	L8.3 DBA	L25 DBA	L50 DBA	L90 DBA
AMBIENT	2PM HR	80.9	67.1	61.8	55.7	50.0	46.3
STANDARD (RESIDENTIAL LAND USE)	7AM-10PM	65	60	55	50	45	
1 ST INTRUSIVE EVENT (WW)	1 PM (18MIN)HR (EVENT 1:15- 1:35)	74.8	58.0	52.0	48.6	46.8	45.3
2 ND INTRUSIVE EVENT (WW)	3 PM HR (EVENT 3:15- 3:35)	97.1	85.6	77.7	67.2	49.8	45.7
3 RD INTRUSIVE EVENT (WW)	4 PM HR (EVENT 4:45- 5:05)	84.1	72	55.6	48.9	47.4	45.2

UNIVERSAL STUDIOS WATERWORLD EVENT (WW4)

LOCATION: RECEPTOR AT RESIDENCE 10428 VALLEY SPRINGS LANE (SOUTH PROPERTYLINE) (B&K) DATE: SATURDAY 11/13/10

COMPARISON OF WW EVENT AT 12 PM, 1PM, & 3PM HR VERSUS AMBIENT & STANDARD; ~1 HR DURATION.

EVENT	TIME	LFMX DBA	L1.7 DBA	L8.3 DBA	L25 DBA	L50 DBA	L90 DBA
AMBIENT	2PM HR	78.2	58.2	51.0	48.5	47.5	46.2
STANDARD (RESIDENTIAL LAND USE)	7AM-10PM	65	60	55	50	45	
1 ST INTRUSIVE EVENT (WW)	12 PM HR (EVENT 12-12:20)	74.1	57.0	50.5	47.1	45.9	44.6
2 ND INTRUSIVE EVENT (WW)	1 PM HR (EVENT 1:10-1:20)	72.3	58.2	50.2	47.5	46.6	45.4
3 RD INTRUSIVE EVENT (WW)	3 PM (55MIN) HR (EVENT 3:10-3:20)	80.8	60.9	52.8	49.4	48.0	46.8

Response to Comment No. 75-44

This comment consists of copies of the County Department of Health's noise study issued in January 2011. These materials are acknowledged and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Attachment 9 was also referenced in Comment No. 75-41. As such, please refer to Response to Comment No. 75-41, above, for additional information.

Comment No. 75-45

See next page

ATTACHMENT 10

RECORDED AT THE REQUEST OF
THE CITY OF LOS ANGELES

79- 641029

44000-710
C.F. 76-2037

PLEASE DELIVER TO:
CITY CLERK MAIL BOX

ORDER TO VACATE NO. 79-01619
(California Streets and Highways
Code Sections 8323 and 8324)

FREE P

Vacation of Foran Avenue between Valley Spring Lane and the
Los Angeles County Flood Control Channel - Ordinance of
Intention No. 150,789 - Street Vacation Map No. A-18516.

On June 5, 1978, pursuant to Ordinance of Intention
No. 150,789, and after notice was posted as required by law
and the said ordinance was published, and no protests having
been filed against said proposed vacation, the Council
approved the said vacation but subject to the conditions of
vacation having been complied with.

Said conditions for this vacation have been fully met.

Therefore, from the evidence submitted to the
Council, the Council find that Foran Avenue between Valley
Spring Lane and its southerly terminus at the Los Angeles
County Flood Control Channel, proposed for vacation in the
said ordinance of intention is unnecessary for present or
prospective public street purposes, except for certain
easements reserved and shown on the Street Vacation Map;
and

The Council of the City of Los Angeles hereby
orders that the said public street be and the same is vacated,
except for said certain easements reserved above; and

The particular portions of the public street which
is vacated were described by reference in said ordinance of
intention and are described herein by reference to Volume 20,

RECORDED IN OFFICIAL RECORDS
OF LOS ANGELES COUNTY, CA
1 MAY 1979 2 P.M. JUN 13 1979
Recorder's Office

PRELIMINARY FOR RECORDATION BY THE CITY OF LOS
ANGELES UNDER GOV'T. CODE SECTION 8100
SUBDIVISION OF E/W & LAND
ROBERT A. SHAW, DIRECTOR, BY *[Signature]*
REC. CLERK

79- 641029

2

page 97 of "Street Vacation Maps" on file in the office of the City Clerk of the City of Los Angeles, City Hall, Los Angeles, California.

The City Clerk shall certify to the making of this order, shall attest same and affix the City Seal, and shall cause a certified and sealed copy of this order to be recorded in the office of the County Recorder of Los Angeles County. From and after the making of this order, the area described and shown on said map is free of a public easement for street purposes.

I certify that the foregoing order was made by the Council of the City of Los Angeles at its meeting of *June 6*, 1979 by a majority vote of all of its members.

REX E. LAYTON, CITY CLERK

By *Celice Rayajain*
Deputy

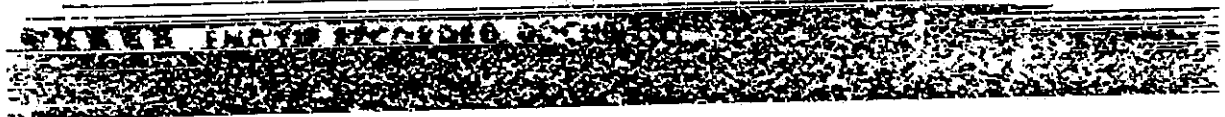


Donald C. Wilson, City Engineer
District 10
City of Los Angeles
FEB 9 1979
R. Kuroda

Approved as to Form and Legality

BURT PINES, City Attorney
By *[Signature]* Deputy
FEB 14 1979
RECORDED

Council File No. 76-2037



Response to Comment No. 75-45

This comment consists of a copy of Order to Vacate No. 79-01619 (California Streets and Highways Code Sections 8323 and 8324). These materials are acknowledged and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Attachment 10 was also referenced in Comment Nos. 75-12 and 75-13. As such, please refer to Response to Comment Nos. 75-12 and 75-13, above, for additional information.

Comment Letter No. 76

Toluca Lake Noise Council
tolucalakenoiscouncil@gmail.com

Comment No. 76-1

We are an active community group working hand in hand with the Toluca Lake Homeowners Association on current noise issues coming from Universal. Following their fire, we have had significant, new problems with noise from the lot and theme park. Our group is comprised of over 80 residents from Toluca Lake. Please note that we are against any expansion (or “evolution”) at Universal in any way, shape or form. Our position is that Universal Studios should not be in this small residential neighborhood to begin with. When they became a “theme park” many years ago, they were a very small operation, and this neighborhood has not even had the opportunity to oppose much of what has been done and added to the theme park over the years. They are already too large for their residential surrounding.

Response to Comment No. 76-1

The comment expresses general opposition to any development at the Project Site. The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are responded to below.

Comment No. 76-2

In terms of the Evolution Plan, we oppose it, in its entirety, due to the increased noise, traffic and pollution in our neighborhoods. We believe it will decrease our property values and negatively impact our quality of life. Should you need all of the names of residents that are part of our group, please let us know and we can provide such a list to you in the next few weeks.

Response to Comment No. 76-2

The commenter states their opposition to the proposed Evolution Plan with respect to increased noise, traffic and pollution and the potential to decrease property values and quality of life. The Draft EIR analyzed potential Project noise, traffic and air quality impacts (see Section IV.C, Noise; Section IV.B.1, Traffic/Access – Traffic/Circulation; and Section IV.H, Air Quality, of the Draft EIR). In all environmental issue areas where significant impacts were identified to potentially occur, project design features and mitigation

measures to reduce or eliminate those impacts also have been identified. In some cases, the project design features and mitigation measures would not be sufficient to completely eliminate the significant impacts. Thus, although potential Project impacts would be mitigated to the extent feasible, as discussed in Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, implementation of the Project would result in impacts that are considered significant and unavoidable. Based on the analysis contained in Section IV.B.1, Traffic/Access-Traffic/Circulation, Section IV.C, Noise; and Section IV.H, Air Quality, of the Draft EIR, implementation of the Project would result in significant and unavoidable environmental impacts with regard to traffic (during Project operations and cumulative conditions); noise (during Project construction and cumulative conditions); and air quality (during Project construction and operations and cumulative conditions).

The portion of the comment related to property values does not relate to the environmental analysis of the Draft EIR. With regard to quality of life, if by “quality of life,” the commenter means “personal satisfaction (or dissatisfaction) with the cultural or intellectual conditions under which [one] live[s] (as distinct from material comfort),”⁸² quality of life is not an environmental topic addressed under CEQA. Environmental issues set forth under CEQA (e.g., traffic, land use, air quality) are addressed throughout the Draft EIR by subject category. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

⁸² Website <http://dictionary.reference.com/browse/quality+of+life?s=t>

Comment Letter No. 77

Bart Reed
The Transit Coalition
P.O. Box 567
San Fernando, CA 91341-0567

Comment No. 77-1

Cover Sheet:

Please find our NBC U comment letter

Letter:

The Transit Coalition, as a nonprofit advocacy organization based in the San Fernando Valley, is providing its comments regarding the Draft Environmental Impact Report (“DEIR”) for the NBC Universal Evolution Plan (the “Project”), focusing on the following elements:

- Transit usage
- Bicycle facilities
- Pedestrian accessibility
- Parking requirements

Our goal is for a Project that will provide a level of transit, bike, and pedestrian accessibility that will actually induce a significant modal shift from vehicular use under a standard development scenario. While the Applicant indicates that this is one of the Project’s goals, as currently envisioned, the Project would require a number of important modifications to meet the California Environmental Quality Act (“CEQA”) standard for less than significant impacts.

Our approach to these modifications is to present low-cost, cost-neutral, and even cost-saving alternatives for the Applicant to implement that would enhance transit, bicycle, and pedestrian usage. Several of these recommendations differ from mitigation measures that focus solely on the Level of Service (“LOS”) for vehicles. Indeed, if mitigation measures are only focused on improving LOS, that is an inducement to driving over transit, biking, or walking.

Response to Comment No. 77-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As a point of clarification, CEQA does not establish a “standard for less than significant impacts.” Rather CEQA requires a full disclosure of a project’s potential environmental impacts, identification of mitigation measures that reduce the project’s significant impacts to the extent feasible, and certain procedures for a Lead Agency to certify an EIR as adequate under CEQA even if the project results in significant impacts after the imposition of feasible mitigation measures. Impacts of the proposed Project are assessed using the established thresholds of significance. With regard to traffic issues, the thresholds of significance are discussed on pages 610–617 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. In addition, in response to the commenter’s statement regarding mitigation measures that only focus on improving LOS, note that Mitigation Measures B-1 and B-2 (pages 666–668) recommend various transit improvements.

Impacts related to transit usage, bicycle facilities, pedestrian accessibility, and parking requirements are discussed in the Draft EIR in the following sections:

- IV.B.1, Traffic/Access – Traffic/Circulation;
- IV.B.2, Traffic/Access – Parking; and
- IV.K.4, Public Services – Parks and Recreation.

Comment No. 77-2

Hence, in addition to incorporating the LOS modeling results, The Transit Coalition calls upon the City of Los Angeles to require the Applicant make modifications to its proposed mitigation measures, as outlined below, in order to justify the Transportation Demand Management (“TDM”) credits that the Applicant is requesting.

Response to Comment No. 77-2

As noted in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project’s transportation features and recommended mitigation measures include several measures that promote other modes of travel such as transit, bicycling, and walking and reduce vehicle travel. The Project’s transportation features and recommended mitigation measures focused on first decreasing automobile travel through promoting a shift towards alternative modes of transportation.

Regarding the Transportation Demand Management credits assumed in the Project’s traffic analysis, as noted in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), research from other developments located in proximity to transit, both

nationally and in other parts of California, has shown a higher trip reduction than that assumed by the Project. Therefore, the Transportation Demand Management trip reduction accounted for in the Project's analysis already represents a conservative approach. Additionally, as noted in the City of Los Angeles Department of Transportation's (LADOT) Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Project's trip generation would be monitored by the LADOT and the Project would be required to comply with the trip estimates and Transportation Demand Management credits noted in the Draft EIR as the Project's Transportation Demand Management program would be required to include:

“[A] periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals; non-compliance to the trip-reduction goals would lead to financial penalties or may require the implementation of physical transportation improvements.”

Comment No. 77-3

Finally, we propose that the TDM credits be phased-in alongside the phasing of the Project based on actual documentation of vehicle trips generated and modal shifts to transit, biking, and walking. Incentives should be provided to the Applicant in the form of TDM credits, parking requirements, and density levels that would be increased or decreased for subsequent phases to align the Applicant's interests with maximum vehicle trip reduction and modal shifts.

Response to Comment No. 77-3

As suggested in the comment, the Transportation Demand Management credits are phased in with the proposed development. As noted in Subsection IV.B.1.5.n of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter V of the Transportation Study, similar to other development proposals in the City of Los Angeles, the Project's Transportation Improvement and Mitigation Phasing Plan was developed using trips as thresholds. For purposes of the Project's proposed Transportation Improvement and Mitigation Phasing Plan, the Project was conceptually divided into four development phases with traffic mitigations tied to each phase. The primary focus of this sub-phasing analysis is to provide a plan that requires the implementation of transportation improvements in tandem with the traffic impacts of the development. Table 28 of the Transportation Study and Attachment J in the City of LADOT's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), summarize the proposed Transportation Improvement and Mitigation Phasing Plan. As noted in Response to Comment No. 77-2, above, the Project's trip generation would be monitored through a trip monitoring and

reporting program to verify compliance with the projected Transportation Demand Management credits and trip generation.

Comment No. 77-4

I. Trip Generation / Transportation Demand Management Credits

While The Transit Coalition agrees with the Applicant's goal to achieve a 20 percent TDM reduction on the new housing units proposed for the Project - indeed, we could support an even higher reduction as an incentive - the proposed mitigation measures are insufficient to achieve this goal. Several factors that have been noted by other parties are that housing that targets upper-income households, requires bus-to-rail transfers, and includes multiple free parking spaces for each housing unit is unlikely to achieve a 20 percent TDM reduction. While free transit passes provide a marginal degree of convenience that may help induce some transit trips, the long distance and grade to the high-capacity, high-frequency transit services at Metro Universal City Station will serve as a deterrent for pedestrian access to that facility; hence, the design of the new transit service in the Project Area becomes crucial.

Response to Comment No. 77-4

The comment refers to the 20 percent Transportation Demand Management credit assumed for the residential units in the Mixed-Use Residential Area. As noted in Appendix K of the Transportation Study, numerous studies across California and nationally, have found much higher trip reductions for residents living near rail stations:

“Residents living near transit stations were found to be five times more likely to commute by transit compared to the average resident worker in the same city. On average, transit was reported as the primary commute mode for work trips by 26.5 percent (24.3 percent rail and 2.2 percent bus) and 1.9 percent for bike/walk by station-area residents. Transit was reported as the primary commute mode for non-work trips by 8.1 percent (5.3 percent rail and 2.9 percent bus) and 4.3 percent for bike/walk.

A recent study by Chatman (*Transit-Oriented Development and Household Travel: A Study of California Cities*, Daniel G. Chatman, 2006) included a detailed data collection effort and analysis of travel behavior in the San Diego and San Francisco–Oakland–San Jose metropolitan areas. A total of 727 station-area workers were surveyed in 2005. The reported average transit mode-split for station-area workers was 12.9 percent (8.3 percent rail and 4.6 percent bus) and 6.4 percent bike/walk. The study also surveyed 1,113 households in 2003–2004. The reported average transit mode-split for station-area residents was 14.1 percent (12.0 percent rail and 2.1 percent bus) and 9.0 percent bike/walk.”

Therefore, the 20 percent trip reduction assumed in the Draft EIR and the Transportation Study presents a conservative estimate. Additionally, as noted in Response to Comment No. 77-2, above, the Project's trip generation would be monitored by the City of Los Angeles Department of Transportation.

Further, Project residents would not have to walk to the Universal City Metro Red Line Station. As described in Mitigation Measure B-2 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Applicant has proposed a new shuttle service that would connect the residents to the Universal City Metro Red Line Station.

This shuttle service would promote transit by providing the Project's and local residents with a frequent and reliable connection to the Universal City Metro Red Line Station at headways of 15 minutes during the peak hours and 30 minutes during the off-peak hours. Please refer to Topical Response No. 5: Transit Mitigation (see Section III.C, Topical Responses, of this Final EIR) for further information.

Comment No. 77-5

Also, if the cost of parking is rolled into the residential units, that provides a sunk cost disincentive toward transit use and requires a higher rental or purchase price to break even for the Applicant. In order to be a Transit-Oriented Development ("TOD"), to which the Applicant aspires, the cost of all residential parking should be unbundled from the units. This will make the units more attractive to households with fewer vehicles and greater usage of transit and non-motorized modes. A portion of the parking price, above the Applicant's cost, should be allocated toward the new transit service.

Response to Comment No. 77-5

In general, the proposed parking requirements for the Project, summarized in Section IV.B.2, Traffic/Access – Parking, of the Draft EIR and Chapter X of the Transportation Study, were developed based on the Los Angeles County Code and the City of Los Angeles Municipal Code. The proposed City and County Specific Plans include provisions for modifications to minimum parking requirements and shared parking plans. The comment's suggestion regarding parking pricing and unbundling parking fees for the residential development in the Mixed-Use Residential Area is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-6

II. Transit Improvements

The Applicant proposes three transit improvements: the purchase and maintenance of an articulated bus for use on Ventura Boulevard; a shuttle system to the Project Area; and subsidized transit passes.

Response to Comment No. 77-6

The comment generally describes certain transportation project design features and recommended mitigation measures. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-7

1. Ventura Boulevard

The proposal to purchase and maintain an articulated bus for Ventura Boulevard, while well-intentioned, would be a very inefficient use of resources for mitigation. The Los Angeles County Metropolitan Transportation Authority (“Metro”) does not have a shortage of buses; in fact, it is continuing to reduce bus service systemwide. Metro does not operate articulated buses on Ventura Boulevard, nor do ridership projections suggest that would be the optimal way to induce Project tenants, visitors, and residents to use transit instead of driving.

Metro’s own blog, The Source, has highlighted that the top issue riders noted in its surveys was the need for more frequent service.¹ While increasing frequency during peak hours may cause inefficient bunching on some routes, increasing off-peak frequency improves the perception of transit reliability among choice riders, because even if a bus is late (a reliability issue), the next bus will arrive soon enough that it will not be a problem (a frequency benefit).

Research indicates that the elasticity of demand for off-peak service due to changes in frequency is typically double that of peak service,² indicating that more riders can be attracted through boosting off-peak frequency than by focusing on reducing crowding on peak service.

Headways are now infrequent enough that for a rider it is often faster to board any bus that arrives first, Local or Rapid, rather than to wait for the Rapid. This is a factor in causing ridership on the Rapid lines to fall: according to Professor Robert Cervero, “service frequency strongly influenced BRT patronage in Los Angeles County.”³

Hence, rather than specifying the times of day during which additional service should be operated, The Transit Coalition proposes that the Applicant obtain an agreement with Metro to provide Metro with funds equal to the cost of Mitigation Measure B-1, as estimated by Metro, toward the increase of service levels on Metro Rapid Line 750 for 10 years. In return for receiving these funds, Metro would be required to increase the number of daily trips on Line 750 and stipulate that it shall make no net cuts to total daily trips on Line 750 for the duration of this funding. Thus, Metro can determine the optimal allocation of resources for this bus line as conditions change. This alternative would also reduce administrative requirements on the Applicant over the life of the Project, resulting in a net reduction in cost.

¹ Camino, Fred. (2011). *Why You Ride (or Don't) Thursday roundup.* *thesource.metro.net*, January 20, 2011.

² Currie, Graham, Wallis, Ian. (2008). *Effective ways to grow urban bus markets—a synthesis of evidence.* *Journal of Transport Geography*, Volume 16, Issue 6, pp 419–429.

³ Cervero, R., Murakami, J., & Miller, M. (2010). *Direct ridership model of Bus Rapid Transit in Los Angeles County, California.* *Transportation Research Record*, Vol. 2145, pp. 1-7.

Response to Comment No. 77-7

The proposed improvement to Metro Rapid 750's operation, as described in Mitigation Measure B-1 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigates the significant impacts of the Project during the peak hours. The suggestion to reallocate the funds equal to the cost of Mitigation Measure B-1 is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-8

Another crucial factor for transit usage is the trip time relative to driving. Currently, the Ventura Boulevard bus services (Lines 150, 240, and 750), suffer from delays at Plaza Parkway (Intersection #16) and Campo de Cahuenga Way/Riverton Avenue (Intersection #17) due to close proximity of these two intersections and the types of signals they currently have. Buses can get caught behind each signal cycle, adding several unnecessary minutes to the travel time, making transit usage less attractive.

Fortunately, there are two mitigation measures that would address this problem in the near vicinity of the Project Area. First, the left-turn signal from eastbound Ventura Boulevard to eastbound Campo de Cahuenga Way should be converted from a protected to a protected-permissive signal. This would allow buses to continue through to the Metro station without additional delay.

Response to Comment No. 77-8

As discussed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and the Transportation Study, the Project does not result in significant transportation impacts at Ventura Boulevard and Plaza Parkway (Intersection 16) or at Ventura Boulevard and Campo de Cahuenga Way/Riverton Avenue (Intersection 17); therefore, mitigation measures are not recommended for these intersections. The suggestion to modify the referenced intersection signal is noted and has been incorporated into the Final EIR for review and consideration by the decision makers prior to any action on the Project.

Comment No. 77-9

In general, The Transit Coalition requests that the Applicant and the City of Los Angeles Department of Transportation (LADOT) implement all of the Project's proposed left-turn enhancements as protect-permissive signals by default in order to maximize throughput and LOS, unless if safety considerations indicate otherwise.

Response to Comment No. 77-9

As described in Subsection IV.B.1.5.e of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project's proposed left-turn signals are not required to mitigate the Project's impacts. The suggestion to implement these left-turn signals as protected-permissive is noted and has been incorporated into the Final EIR for review and consideration of the decision-makers prior to any action on the Project. It should be noted that protected-permissive signals are generally acceptable to LADOT unless they pose a safety issue due to visibility.

Comment No. 77-10

The other needed mitigation measure would be to move the traffic signal from the intersection of Ventura Boulevard and Plaza Parkway to the shopping plaza's entrance from Vineland Avenue. This one improvement alone would not only significantly benefit transit service, it would immediately eliminate one of the intersections at which LOS cannot be reduced to less-than-significant levels. Vineland Avenue has about half the number of vehicles as Ventura Boulevard at Intersection #14, so significantly more vehicles benefit from having a smoother flow of traffic on Ventura Boulevard.

By providing these mitigation measures, access to the Project site from Ventura Boulevard will become smooth and unimpeded; otherwise, gridlock is foreseeable. This will also be necessary to maintain transit times on Line 750; otherwise, the amount of service Metro will be able to operate for a given level of cost will decrease due to increased travel times generated by additional trips to the Project, particularly Zones A & B, thus adding to the significant transit impacts of this project.

Response to Comment No. 77-10

As noted in the Project's traffic analysis in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, and the Transportation Study, the intersection at Ventura Boulevard and Plaza Parkway (intersection 16) is signalized under existing conditions and is, therefore, analyzed accordingly in the Project's traffic analysis. The Project does not result in significant transportation impacts at Ventura Boulevard and Plaza Parkway (Intersection 16). The suggestion to relocate the signal from this location to the shopping plaza's entrance on Vineland Avenue is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-11

The Applicant needs to address whether its LOS estimates for this intersection are based on overall traffic, averaging delays for all directions and vehicles; they are not consistent with current delays of 1-4 minutes by being caught at multiple signal cycles between Intersections #14, #16, and #17 on approaching the Metro Universal City Station, serving the Project Area. While not every bus is caught at each of these intersections, the cumulative impact of this problem adds up to thousands of hours of lost productivity for passengers and operational costs for Metro.

Response to Comment No. 77-11

As noted in Subsection IV.B.1.2.(3)(1) of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter II of the Transportation Study, the analysis presented in the Draft EIR and the Transportation Study employs standard LADOT policies and procedures [*Traffic Study Policies and Procedures* and the *Los Angeles CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles* (City of Los Angeles, 2006)] that are used for all development proposals across the City of Los Angeles. According to LADOT policy, the study utilized the "Critical Movement Analysis—Planning" method of intersection capacity calculation to analyze signalized intersections. This methodology accounts for all vehicles the same and averages the available capacity across the various movements at the intersections.

Comment No. 77-12

In addition, by using statistics based on averages per vehicle, rather than by passenger trip, the Applicant's model does not reveal the significant nature of the impact on existing transit riders as well as the likelihood of Project tenants, visitors, and residents to use this transit service. On p.825, Figure 45A indicates that 361 of 2,432 vehicles passing through the intersection during AM peak hours are turning from eastbound Ventura Boulevard to eastbound Campo de Cahuenga. Using the data on p.755, Table 25, with 37 Line 150/240

passengers/trip x 6 peak hour trips plus 46 Line 750 passengers/trip x 12 peak hour trips, i.e., the Applicant's assumptions, 774 passengers are currently being carried. When added to the 361 vehicles at a "typical auto capacity of 1.20 persons per auto in the Study Area" (p.205), at least 1,186 individuals are currently making a left-turn from eastbound Ventura Boulevard to eastbound Campo de Cahuenga during the AM peak hour. Under the Future With Project Scenario, 962 vehicles would be making this turn, implying at least 1,907 affected people (and that is not taking into account any changes in transit ridership), while 3,769 vehicles would be passing through the intersection in all directions. Hence, LOS measurements averaging out the delay to 18 buses over 3,769 vehicles obscure the impact by person when taking into account transit ridership, which reveals that at least 1,907 individuals would be affected by this problem.

Response to Comment No. 77-12

The commenter is referred to Response to Comment No. 77-11, above. As noted, the Project's traffic analysis employs standard City of Los Angeles Department of Transportation policies and procedures which analyzed intersection Level of Service by automobile trips using the CMA methodology. The CMA methodology accounts for all vehicles similarly and averages the available capacity across the various movements at the intersections. Contrary to the statement in the comment, the level of the Project's impacts are not understated using this methodology. The CMA methodology simply states the Project's impacts on vehicles regardless of the vehicular occupancy.

Comment No. 77-13

In order for the Applicant to receive the TDM credits associated with the Future With Project With Funded Improvements Scenario, these two mitigation measures must be included.

2. Shuttle System

The Transit Coalition agrees with the City of Burbank's recommendations that the proposed shuttle system be integrated with an existing transit provider, not only for the reasons Burbank identified, but also because it will increase the likelihood of use by potential transit riders who are less familiar with the Project Area through integration with existing system maps and online trip planners. In particular, regardless of who the operator is, it is essential that the services consist of fixed-routes with published timetables. We believe the optimal scenario may be for BurbankBus to operate the new shuttle from Universal City Station through the Project Area to downtown Burbank, with the Applicant establishing an agreement with Metro to increase service on Line 222 on Barham Boulevard.

As with Ventura Boulevard, frequency of service and speed of travel are crucial factors to induce mode shift to transit. Hence, we recommend 10 minute peak and 20 minute off-

peak headways. Both the peak-hour lanes on the North-South Road and an additional, reversible lane on Barham Boulevard should be High Occupancy Vehicle (HOV-3) lanes to encourage carpool, vanpool and transit usage. Given the existing and latent demand for travel on Barham Boulevard, even HOV-2 would be insufficient to produce the trip time reductions sufficient to induce modal shift; HOV-3 or bus-only restrictions would keep free-flowing conditions in those lanes. These improvements would reduce travel time, enabling greater frequency for the same cost, which in turn justify greater TDM credits through higher transit usage.

3. Transit Passes

The Transit Coalition would support the provision of free transit passes, such as the current EZ Pass, that would provide free access to both Metro and BurbankBus services. We note, however, that the benefit here is primarily derived from convenience; higher-income individuals tend to have a low level of price elasticity of demand with respect to transit. In other words, even offering transit for free does not necessarily have a major impact on whether higher-income individuals will use it. To the extent the Project develops housing aimed at lower incomes, the trip reductions generated by this mitigation measure will increase. Hence, unbundling the cost of parking from the housing units would need to be part of the Project's mitigation measures in order to justify the proposed TDM credits.

Response to Comment No. 77-13

The comment requests that the proposed local shuttle system be branded as a service included in one of the existing transit systems. It is currently anticipated that the shuttle would be operated and maintained by the Applicant. However, the Applicant could contract with a private entity or an existing transit system to operate the shuttle. Regardless, as noted in City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Applicant agrees to work with Metro, LADOT, and the City of Burbank staff to ensure that the proposed shuttle routes meet the demands and needs of employees and residents at the time of deployment of the shuttle system.

With regard to transit along Ventura Boulevard, as described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, recommended Mitigation Measure B-1 includes one additional articulated bus (seated capacity = 66, standing capacity = 75) that would be operated along the transit line's Metro 750 route, including the Ventura Boulevard corridor. In addition to funding the capital cost of the bus, the Project will also pay for total operations and maintenance (O&M) costs for the new bus during peak hours (7:00 A.M. to 10:00 A.M. and 3:00 P.M. to 6:00 P.M.) for the first three years. To ensure continued operations, the Project will pay for the unsubsidized portion of these costs for an additional seven years. Farebox revenues and state/federal transit subsidies shall be credited

against O&M costs for years 1 through 10. At the end of this 10-year period, the bus would be incorporated into Metro's fleet and the cost of operations would be accommodated by standard Metro funds. The additional bus reduces the Project's impacts to a level that is less than significant without an increase in the frequency of service to those noted in the comment.

With regard to the suggestion for High-Occupancy Vehicle lanes, the projected traffic volumes along the proposed North-South Road are low enough and the resulting Level of Service high enough that there is no need to designate the travel lanes along the North-South Road as High-Occupancy Vehicle (HOV-3) lanes. In other words, the designation of two lanes on the North-South Road as High-Occupancy Vehicle (HOV-3) lanes would offer carpools, vanpools, and transit vehicles no travel time advantage over two mixed-flow lanes in each direction. The proposed third southbound through lane on Barham Boulevard mitigates the Project's traffic impacts while alleviating traffic congestion along the corridor. The suggestion to designate this lane as a reversible, HOV-3 lane is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The commenter is referred to Response to Comment No. 77-2, above, for discussion of the proposed Transportation Demand Management credits and Response to Comment No. 77-5, above, for discussion of the parking requirements.

Comment No. 77-14

4. Other Transit Impacts and Analysis

On p.619, both the peak-hour lanes on the new North-South Road and the additional lane on Barham Boulevard need to be High Occupancy Vehicle (HOV-3) lanes to encourage carpool, vanpool and transit usage. Given the existing and latent demand for travel on Barham Boulevard, even HOV-2 would be insufficient to produce the trip time reductions sufficient to induce modal shift; HOV-3 or bus-only restrictions would keep the free-flowing conditions in those lanes necessary to operate on-time, high-reliability transit services that would induce modal shift by riders who are not transit-dependent.

Response to Comment No. 77-14

The commenter is referred to the discussion of High-Occupancy Vehicle lanes in Response to Comment No. 77-13, above.

Comment No. 77-15

On p.669, the Applicant proposes to widen "the northbound off-ramp at Universal Terrace Parkway (Campo de Cahuenga Way) to provide a free-flow right-turn lane from the off-

ramp onto eastbound Universal Terrace Parkway (Campo de Cahuenga Way).” This measure will create a conflict with the existing buses on Campo de Cahuenga Way attempting to make a right-hand turn into the Universal City Station Transit Center.

Moreover, this significantly increases the hazard to pedestrians crossing the bridge from the subway to the Caltrans Park and Ride facility, since they will not be visible to drivers when crossing the right-turn lane. The Transit Coalition recommends against this proposed mitigation measure. If this measure is kept, it is absolutely necessary for the safety of buses and pedestrians that the right-turn lane be signalized as a part of Intersection #22 to prevent drivers from killing pedestrians inadvertently as a result of the mitigation measure’s design.

Response to Comment No. 77-15

As discussed on page 695 of Section IV.B.1, Traffic/Access – Traffic Circulation, of the Draft EIR, Caltrans completed a Project Study Report for the US-101 Interchange improvement at Universal Terrace Parkway (Campo de Cahuenga Way) in March 2009. An additional environmental analysis of this interchange improvement will be conducted by Caltrans as part of its Preliminary Assessment and Environmental Document Phase. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-16

On p.697, the Applicant acknowledges that 30 parking stalls from the Caltrans Park and Ride facility would be lost in order to build the new freeway on-/off-ramps at Fruitland Drive. However, the Applicant is incorrect in stating that “substitute spaces would be available in the Metro Transportation Authority (sic) and County of Los Angeles Park and Ride Facility.”

These parking lots are almost invariably full by 7:45 A.M. on weekdays, so there is no current spare capacity to offset this mitigation measure. If Metro Universal (Related Project #65) does not proceed, this would be an unmitigated impact.

Response to Comment No. 77-16

As noted on page 698 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, if the proposed Metro Universal project is delayed or does not go forward, substitute spaces would be available in the Metro Transportation Authority and County of Los Angeles Park and Ride Facility.

As part of the Draft EIR for the proposed Metro Universal project, a detailed parking utilization survey was conducted for the Metro Park and Ride facility at the Universal City

Metro Red Line Station, the Caltrans Park and Ride overflow lot along Ventura Boulevard, and the County Park and Ride overflow lot along Ventura Boulevard.⁸³

Based on this survey, a total of 793 Metro park & ride spaces are currently provided at the four sites. The weekday occupancy studies for all four sites show that there is a current peak demand of approximately 718 vehicles for commuters. The existing peak Saturday evening demand, is approximately 470 spaces for Hollywood Bowl patrons. On average Hollywood Bowl event nights, there is a total parking demand of 378 to 498 spaces. On peak Hollywood Bowl event nights, the total parking demand is 545 spaces.

The County of Los Angeles operates a shuttle between the Universal City Metro Red Line Station and the John Anson Ford Amphitheatre. During summer season evening performances at the Amphitheatre, the shuttle picks up and drops off Amphitheatre patrons in the kiss & ride area, and patrons park at Sites A and B. Field observations show that the peak John Anson Ford Amphitheatre parking demand is approximately 50 parking spaces.⁸⁴ During the summer, the John Anson Ford Amphitheatre and Hollywood Bowl periodically hold events on the same night. As noted above, on average John Anson Ford Amphitheatre summer event nights, there is a total parking demand of approximately 228 spaces. As noted above, on average Hollywood Bowl event nights, there is a total parking demand of 378 to 498 spaces. On peak Hollywood Bowl event nights, the total parking demand is 545 spaces. If there is an event at the John Anson Ford Amphitheatre and an event with average attendance at the Hollywood Bowl on the same night, the total parking demand would be 428 to 548 spaces. On a peak Hollywood Bowl event night on the same night as John Anson Ford Amphitheatre events, the total parking demand is 595 spaces.

As noted in Subsection IV.B.1.6.i.(1) of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and by the commenter, the US 101 interchange improvements at Universal Terrace Parkway (Campo de Cahuenga Way) would result in a reduction of 30 parking spaces in the Caltrans Park and Ride overflow lot. As noted in Subsection IV.B.1.6.i.(1) of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and shown in the table below, even with this reduction, the available parking supply of 763 spaces between the four sites would be sufficient to meet the peak demands. The table below provides a summary of the parking demand and surplus for the four sites under various scenarios:

⁸³ Website http://cityplanning.lacity.org/eir/MetroUniversal/DEIR/Appendices/Appendix%20IV.B-1L_Chapter%20XI_Parking.pdf.

⁸⁴ Website http://cityplanning.lacity.org/eir/MetroUniversal/DEIR/Appendices/Appendix%20IV.B-1L_Chapter%20XI_Parking.pdf.

Scenario	Peak Demand	Parking Surplus
Weekday Mornings and Afternoons—Commuters	718	45
Weekday Evenings—Average Hollywood Bowl Events without John Anson Ford Amphitheatre events	498	265
Weekday Evenings—Peak Hollywood Bowl Events without John Anson Ford Amphitheatre events	545	218
Weekday Evenings—Average Hollywood Bowl Events with John Anson Ford Amphitheatre events	548	215
Weekday Evenings—Peak Hollywood Bowl Events with John Anson Ford Amphitheatre events	595	168

Comment No. 77-17

On p. 751, Table 24 states incorrect service levels that affect capacity assumptions for the following:

Lines 150/240: midday headways range from 15-25 minutes, so it is inaccurate to select the minimum headway; the average midday headway for this line pair currently is 20 minutes.

Line 750: as noted before, the eastbound morning headways to Zones A & B is every 10 minutes; given the commercial nature of these zones, more trips will be coming to rather than departing from them, as evidenced by the Project-Only trip results at Intersection #36, so the correct A.M. headway to use would be 10 minutes. Also, midday headways are now every 30 minutes.

Response to Comment No. 77-17

The headways shown in Table 24 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and in Table 10 of the Transportation Study are average headways based on both directions of travel for individual transit lines. This approach is similar to that employed to calculate the peak demand on the transit lines which does not account for the direction of travel. The information in the tables was provided by Metro at the time of the preparation of the Project's traffic analysis. Regarding the mid-day headways for Metro Local 150/240, this information was provided for information purposes only and is not used in the Congestion Management Program's transit analysis which requires an analysis of only the peak hours. It should also be noted that the mid-day

headways for Metro Local 150/240 range from 15 to 25 minutes between 12:00 P.M. to 2:00 P.M. However, between 2:00 P.M. to 4:00 P.M., these headways range from 8 to 12 minutes. Therefore, the 15 minutes listed in Table 24 represents an average headway.

Comment No. 77-18

On p.755, Table 25 uses an incorrect capacity for Line 96: this is contracted service by a private operator using a smaller bus; the capacity is lower than 50, with maximum load patronage already exceeding capacity during PM hours at times.

Response to Comment No. 77-18

The information in the tables was provided by Metro at the time of the preparation of the Project's traffic analysis. As shown in Table 43 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Table 33 of the Transportation Study, the residual capacity on the transit system serving the Project Site with the Project and its improvements (Mitigation Measure B-1 in Section IV.B.1 of the Draft EIR) is expected to be 1,521 in the morning peak hour and 1,109 in the afternoon peak hour. Therefore, even with a lower capacity assumed for Metro Local 96, the anticipated transit demand from the Project on a system-wide basis would be more than satisfied by the capacity surplus, and the Project is not expected to significantly impact the regional transit system.

Comment No. 77-19

III. Bicycle Facilities

The Transit Coalition supports the request of bicycle advocates and the City of Burbank that the Applicant participate in completion of the Los Angeles River Bicycle Path between Barham Boulevard and Lankershim Boulevard along the Los Angeles River. Given the significant elevation gain on the North-South Road, through bicycle traffic will be better served with a shorter, direct, level path along the river. Implementation of this mitigation measure would be a component of evidence to support the study's claimed TDM and non-motorized transportation credits.

Response to Comment No. 77-19

As discussed on pages 418–419 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District. As

stated in the Draft EIR, the Applicant would cooperate with the County, City, and other agencies, as necessary, to accommodate the future use of the County land along the Los Angeles River Flood Control Channel for public use as contemplated by the County River Master Plan, and to continue use, if allowed by the County, of a portion of River Road for studio access. In addition, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the Los Angeles River Flood Control Channel, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public path on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the internal bike path along the North-South Road.

It should also be noted that the proposed Transportation Demand Management (TDM) credits for the Project are not contingent upon the inclusion of the bike path along the Los Angeles River Flood Control Channel. As noted in Table 19 of the Transportation Study (see Appendix E-1 of the Draft EIR), the proposed Transportation Demand Management program assumes a vehicular trip reduction of only 18 peak-hour trips as a result of the shift to bicycle travel, translating into a less than 0.25 percent bicycle mode-split. This level of reduction is minimal on a site-wide basis. The commenter is also referred to Response to Comment No. 77-2, above, for additional detail on the Transportation Demand Management credits.

Comment No. 77-20

IV. Pedestrian Accessibility

No single impact of the Project causes greater concern to The Transit Coalition than on pedestrian accessibility at Metro Universal City Station, which is located at Intersection #36. The mitigation measures proposed to address LOS at this intersection would cause irreparable harm to pedestrian accessibility in a number of ways. In order to have a bridge that is compliant with the Americans with Disabilities Act, the structure would have to be of a size that would require a significant amount of time for pedestrians to scale and descend. Moreover, the bridge would only connect the subway entrance with the Project Area; however, the removal of crosswalks would impede riders switching between through buses on Lankershim Boulevard and the transit center. Far from being an amenity, the bridge will be an impediment to pedestrian movement.

Response to Comment No. 77-20

The referenced pedestrian bridge across Lankershim Boulevard at its intersection with Universal Hollywood Drive/Campo de Cahuenga Way is not a recommended

mitigation measure for the Project mitigation. As discussed on page 652 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the mitigation program for the original Universal City Metro Red Line station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed Project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of Directors authorized the full budget to design and construct the bridge.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-21

While the agreement between Metro and the Applicant stipulating the construction of this facility predates the Project, the Applicant has the ability to renegotiate with Metro the terms of the agreement. We request that the City of Los Angeles require that the Applicant release Metro from the obligation to build this bridge in return for the following:

- Diagonal crosswalks at Intersection #36, together with signage and signal timing modifications that enable pedestrian-only crossing time in return for eliminating pedestrian crossings when vehicles are moving
- 50-50 split between the Applicant and Metro of the cost savings to Metro of foregoing the bridge
- Commitment by Metro to apply 100% of its cost savings to increasing service on Lines 150, 240, and 750
- Receipt by the Applicant of additional TDM credits

By eliminating pedestrian crossings while vehicles are moving, the Applicant can improve LOS at this intersection at a fraction of the cost of the bridge, and share in multi-million dollar cost savings at the same time. As indicated by LADOT at www.ladot.lacity.org/pdf/PDF127.pdf, the cost of the diagonal crosswalk is a mere \$7,000, vs. several million dollars to build a bridge no one needs.

Response to Comment No. 77-21

As noted in Response to Comment No. 77-20, above, the referenced pedestrian bridge is not a recommended mitigation measure for the Project but rather part of the mitigation program for the original Universal City Metro Red Line station construction by

Metro. It should also be noted that implementation of diagonal crosswalks would reduce the green time available for vehicular traffic, including transit buses, and, therefore, result in an overall degradation of traffic operations at this intersection. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 77-22

V. Parking

For the reasons described above, in order to justify the TDM credits, all residential parking needs to be unbundled from the cost of housing. Specifically, the condominium/owned parking ratios should be reduced to or below the apartment/rental parking ratios for both residents and guests.

Response to Comment No. 77-22

The commenter is referred to Response to Comment No. 77-5, above, regarding the proposed Project parking regulations.

Comment No. 77-23

In addition to residential parking, The Transit Coalition has identified excess parking requirements in the retail portion of the development, the elimination of which would not only enhance pedestrian accessibility, but also reduce costs for the Applicant. These include reducing child care center parking ratio: this should be a “kiss and ride”, parking for employees only (and the employees should be provided with incentives to use other modes). The hotel parking requirement should be reduced to 1 space per 3 guest rooms, given the exceptional transit accessibility and co-location with destination, with unbundled parking costs

Likewise, the community shopping center and restaurants should have a higher shared parking reduction than 2% to account for the differences in customer volumes between stores:

- Estimated peak demand in Table 47 is 396, below the 460 spaces required under Specific Plan
- We recommend a 15% reduction per square foot to leave a 5% unutilized contingency capacity
- Given the number of lower-wage jobs in the retail sector, free transit passes should be made available to all employees to encourage transit use and further reduce parking requirements

Response to Comment No. 77-23

The parking requirements in the proposed City Specific Plan for child care, hotel, and retail uses in the Mixed-Use Residential Area are based on rates provided in the City of Los Angeles Municipal Code. As shown in Table 45 in Section IV.B.2, Traffic/Access – Parking, of the Draft EIR, the parking requirements for the restaurant uses in the Mixed-Use Residential Area are lower than the rates provided in the City of Los Angeles Municipal Code and lower than those suggested by the Urban Land Institute and the International Council of Shopping Centers (which vary between 10.5 spaces per 1,000 square feet to 20 spaces per 1,000 square feet) and, therefore, account for both the urban nature of the Project and the potential for shared parking between various uses.

The parking requirements in the proposed County Specific Plan for the hotel uses in the Entertainment Area are based on rates provided in the Los Angeles County Code and are lower than rates estimated by the Urban Land Institute. For the child care facility, the proposed County Specific Plan requires that any child care facility within the proposed County Specific Plan area be limited to the children of employees of NBC Universal or its successor in interest. The potential child care facility is included as part of Studio Office land use category. The proposed parking rate for a child care facility in the County portion of the Project Site reflects this land use categorization.

Both the proposed City and County Specific Plans include provisions for modifications to minimum parking requirements and shared parking plans. The comment regarding the policy decision to reduce parking rates is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

With regard to the transit passes, the project's Transportation Demand Management program includes subsidized transit passes for eligible employees. The Transportation Demand Management program also calls for transit passes to be included in the rent/homeowners association fees for the residential uses in the Project. Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for additional information.

Comment No. 77-24**Conclusion**

In summary, The Transit Coalition requests that the Applicant and the City of Los Angeles agree to implement the mitigation alternatives that we have described above in order to justify the TDM credits at a modest overall cost and in some cases even a savings to the Applicant.

Response to Comment No. 77-24

The commenter is referred to the individual Response to Comments above with regard to the mitigation alternatives suggested by the commenter. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 78

Rachel Torres
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Comment No. 78-1

It may be too soon in the development to confirm this question, but I am wondering if there will be new food service in this project. Currently, at the studios, there are multiple food service operations. I am wondering if this new project will add more.

Thank you.

Response to Comment No. 78-1

As described in Section II, Project Description, of the Draft EIR, the Project proposes new entertainment retail, hotel, and neighborhood retail and community-serving commercial uses. It is anticipated that such uses would include new restaurant and other food services.

Comment No. 78-2

The NBC Universal Evolution Plan (the "Project") includes the development of an approximately 391-acre site located in the east San Fernando Valley near the north end of the Cahuenga Pass (the "Project Site"). The Project, as proposed, would involve a net increase of approximately 2.01 million square feet of new commercial development, which includes 500 hotel guest rooms and related hotel facilities. In addition, a total of 2,937 dwelling units would be developed. Implementation of the proposed Project would occur pursuant to the development standards set forth in two proposed Specific Plans.

Response to Comment No. 78-2

The comment summarizes the Project Description as described in Section II, Project Description, of the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 79

Victor N. Viereck
Universal City North Hollywood
Chamber of Commerce
6369 Bellingham Ave.
North Hollywood, CA 91605

[Note: A duplicate of the letter provided below was received on 1/13/11]

Comment No. 79-1

The Universal City/North Hollywood Chamber of Commerce is impressed at the depth in which the NBC Universal Draft EIR explored traffic and other transit-related issues. As an organization whose members own businesses and work very near NBC Universal, it is critically important that our clients, customers and employees be able to access local businesses. The traffic mitigations and other improvements proposed by the applicant will ensure that vehicles continue to easily navigate local roadways.

Additionally, the job creation and substantial revenues that will result from the Evolution Plan will also help ensure the long-term viability and vitality of the Valley's entertainment and tourism industries, both of which are critical to the local economy.

The Board of the Universal City/North Hollywood Chamber of Commerce strongly endorses the NBC Universal Evolution Plan and the many benefits it will bring to the San Fernando Valley.

Response to Comment No. 79-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 80

J. Patrick Garner
10211 Valley Spring Ln.
Toluca Lake, CA 91602
jpgarner@sbcglobal.net

Comment No. 80-1

My name is John Patrick Garner. I live at 10211 Valley Spring Lane – just across the golf course from Universal City. I have been involved in noise issues at Universal since 1989 – as the founder of the Toluca Lake Residents Association during the last Universal Master Plan process and currently as Chairman of the Universal Noise Committee of the Toluca Lake Homeowners Association.

THE ISSUE

The DEIR is correct in mandating the establishment of a noise monitoring system for years of construction related noise if the current Master Plan is approved.

The DEIR is absolutely wrong that the majority of the other noise sources at Universal City do not impact the nearby community as they do not generate enough noise to be audible above ambient noise levels at the receptors in the project area. The issue is not decibels it is noise that disturbs Universal's neighbors in a major way.

THE REMEDY

NBC Universal (NBCU) has itself recognized that even existing noise from Universal City is a problem for the surrounding community and has therefore established a senior management level task force to deal with existing noise. This NBCU Core Response Team composed of two Senior Vice Presidents and two Director level NBCU management employees is in the process of setting up a very comprehensive program to deal with the current non-construction noise that the DEIR says will not be a problem in the surrounding community.

The remedy that should be mandated in the DEIR is to make the process now being developed by senior management at NBCU to deal with community complaints about noise from Universal City permanent as a condition of the approval of their Master Plan.

HISTORY

Residents living close to Universal City have been involved with NBCU on the issue of noise in our community for at least 30 years. The pattern has been – a problem develops

and action is taken to solve that problem. What has been lacking is a sustainable on-going program at NBCU to effectively deal with noise issues.

Early on our community's efforts resulted in the Universal Amphitheater being covered. In the late 1990's local residents were very involved in Universal's proposed Master Plan. Many filings were made through our attorney at Sheppard Mullin Richter and Hampton on issues related to noise. Universal eventually ceased pursuing that Master Plan but as a result of the interaction with local residents during the process NBCU recognized that noise was a problem (even though the DEIR for that project stated that it was not) and many constructive changes were made to lessen the impact of noise on our community.

Several months ago noise from Universal City again reached a level that caused local residents to mobilize. The community established its own "noise hot line" and scores of noise problems were documented. The result has been a process involving senior executives from NBCU and the leadership of Toluca Lake homeowner groups to once again deal with noise from Universal City in our community. Unfortunately, last Saturday the new process broke down entirely and we had one of the worst full days of noise in recent memory. The procedure to get on top of the noise quickly outlined below was not executed and the senior management team does not yet know why there was so much noise.

CURRENT MASTER PLAN

NBCU is again pursuing a new master plan for Universal City and will soon be taking direction from the SIXTH OWNER in the last 20 years. Local residents are very concerned that once the current NBCU noise initiative has run its course we will be dealing with years of new noise issues from construction and new venues without a process that NBCU and its latest owners are mandated to keep in place. We know from the noise issues that arose during the recent reconstruction of NBCU's back lot after the fire that there will absolutely be serious noise issues to deal with.

NBCU'S CURRENT SENIOR MANAGEMENT LEAD COMMUNITY NOISE INITIATIVE

The initiatives underway and in review by the senior level NBCU Core Response Team related to noise include:

- A Noise Hotline staffed 24/7 by a company representative will take calls and emails related to noise. Immediately following the complaint, an email will be sent to the NBCU Core Response Team (currently two Senior Vice Presidents and two Director level NBCU employees). Within 24 hours, the complainant will receive a call or email from the Core Team with a response to their complaint. This new response process has been reviewed and approved by top NBCU management and the Core Team will be held accountable for adhering to it. This process was

recently put in place and the community has been notified but it must be made permanent.

- A monthly newsletter will be distributed to community residents which will include a report on the number and nature of calls related to noise and what has been done. This initiative was recently implemented but must be made permanent.
- NBCU will create a computer mapping program to identify current and potential noise generators at Universal City and will use this program to identify and correct existing noise problems and in planning all future construction and venues. This initiative has begun but it must be completed, used during the proposed master plan construction period and be made permanent.
- NBCU will use the best available noise suppression technology to retrofit existing sources of noise and in all new construction and venues. This initiative has begun but must be completed for all existing sources of noise and all new construction and be made permanent.
- NBCU will establish allowable decibel levels for all sources of noise at Universal City. Noise levels will be measured on site. NBCU will insure that they are not exceeded. This initiative has not been agreed to by NBCU but is essential for dealing with noise now and in the future.
- NBCU will host regular meetings of community leaders to discuss noise issues. This initiative is underway. These meetings must be held monthly during any period of new construction or venue modification and must be made permanent.

SUMMARY

Over 30+ years of our community's dealings with NBCU on noise issues NBCU has eventually taken action to address current problems. What is required now is a permanent and effective on-going process that NBCU is required through this Master Plan to implement. This is especially critical now as our community is facing years of serious construction related and other noise if the current Master Plan is approved. History has proven that without this requirement our community has no option except waiting for the next noise problem and then prodding NBCU to take action.

Response to Comment No. 80-1

The comment is a duplicate of a letter attached to a comment card submitted by a private individual at the public comment meeting on December 13, 2010, that is provided and responded to as Comment Letter No. CC-22 in this Final EIR. Please refer to Comment Letter No. CC-22 and responses thereto.

Comment Letter No. 81

Ron L. Wood, President and CEO
The Valley Economic Alliance
5121 Van Nuys Blvd., Ste. 200
Sherman Oaks, CA 91403

Comment No. 81-1

One of the primary objectives of The Valley Economic Alliance is to grow and strengthen the local economy. We believe a strong economy fosters new business development which in turn improves the quality of life for everyone in the region. Fundamental to that objective is retaining, expanding and attracting businesses and adding high-quality jobs.

The Alliance believes that NBC Universal's 20-year blueprint for development at Universal City meets this objective. This project should generate 43,000 jobs throughout Los Angeles. While this is impressive at any time, it is even more impactful given today's unemployment and underemployment rates.

While the Economic Alliance's primary focus is on job creation and retention, there are other benefits that we applaud. For example, the project will generate new economic activity and new revenues to the City and County. Additionally, this development aids two of our area's most vital industries, entertainment and hospitality.

For these reasons, we consider this project to be vitally important and tremendously beneficial to Southern California.

Response to Comment No. 81-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As stated in Section IV.N.1, Employment, of the Draft EIR, 43,000 direct, indirect, and induced construction and operational jobs would be generated by the Project.

Comment Letter No. 82

Daymond Rice, Chair
Stuart Waldman, President
Valley Industry & Commerce Association
5121 Van Nuys Blvd., Ste. 203
Sherman Oaks, CA 91403

Comment No. 82-1

On behalf of the Valley Industry & Commerce Association (VICA), we are writing to express our comments on the Draft Environmental Impact Report (DEIR) for NBC Universal's Evolution Plan.

VICA recognizes that the proposed Evolution Plan will bring significant benefits to the local and regional economy as well as improve the quality of life in the surrounding area. The project will not only transform the current property, but it will also contribute to the overall appeal by being a model transit-oriented development as well as an innovative green development.

VICA encourages long-term planning for developments that are significant to the creation and preservation of jobs and a healthy jobs-housing balance. As detailed in the findings of the Draft EIR, the Evolution Plan will both create jobs and add new housing at one central location. VICA believes that locating housing next to businesses and transit is the blueprint for future prosperous growth in Los Angeles. Universal's plan appears to be a model of infill development and represents an economic catalyst for the future.

NBC Universal has been and continues to be dedicated to being a proactive member of the community. They have invested in the future of Los Angeles, and a key part of their culture is giving back to the communities they are part of, through volunteering and philanthropic giving.

Response to Comment No. 82-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 83

North and South Weddington Park
Park Advisory Board
10844 Acama St.
North Hollywood, CA 91602

Comment No. 83-1

On behalf of the non- city [sic] employed members of the Weddington Park PAB (Park Advisory Board) we thank you for the opportunity to respond to the proposed NBC Universal Evolution Plan (Project) Draft Environmental Impact Report. We respectfully request that all comments be considered as questions and all issues below responded to as such.

Response to Comment No. 83-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are responded to below.

Comment No. 83-2

We are aware that in their January 26, 2011 [sic] response to the Project DEIR the County of Los Angeles Department of Parks and Recreation determined that the said Project “will not affect any Department facilities.” This response was signed by Joan Rupert, Section Head, Environmental & Regulatory Permitting. We do not question this finding given the “letter of the law” but question it in terms of the “spirit of the law.”

Our Parks, especially South Weddington, will be greatly affected by the Metro Universal Project if it goes through as proposed. We feel that the Metro Universal Project and the Universal Evolution Plan are inextricably interlinked and cannot be viewed one with out [sic] the other. Communities United for Smart Growth (CUSG a 501 C3) goes into great detail regarding this bifurcation in their response and we support their position. The Evolution Project DEIR states in the Summary page 111:

“The Metro Universal Draft EIR concludes that the proposed Metro Universal project would result in the following significant visual character and views impacts: (1) significant visual character impacts due to proposed development from portions of Weddington Park (South) and Lankershim Boulevard as well as from Campo de Cahuenga Way, respectively; (2) significant visual character impacts due to signage at the locations identified above as well as from portions of the Hollywood Freeway,

Ventura Boulevard; Weddington Park (South); ... **With the proposed Metro Universal project, the Project development on Lankershim Boulevard would be even less visible from Weddington Park (South) than under Project conditions.**” (emphasis added)

In the quote above the Project DEIR is using the proposed Metro project as a “buffer.” So, with the Metro Project we will experience cumulative impacts and without the Metro project this board believes that there would be more direct impact from the proposed Evolution Project.

Response to Comment No. 83-2

The comment references a January 26, 2011, letter from the County of Los Angeles Department of Parks and Recreation stating that the Project will not affect any Department facilities. To clarify, Weddington Park (South) is located within the City of Los Angeles and is within the jurisdiction of the City of Los Angeles Department of Recreation and Parks and is not within the jurisdiction of the County of Los Angeles.

The comment states that the proposed Metro Universal project will greatly affect parks, especially Weddington Park (South). As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (Draft EIR, page 269.) Please also refer to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of the Final EIR).

With respect to the Communities United for Smart Growth comments referenced in the comment, please refer to Comment Letter No. 39 and the responses thereto included in this Final EIR.

Potential Project impacts to Weddington Park (South) with respect to visual character and views are analyzed on pages 1094–1096 of Section IV.D, Visual Qualities, of the Draft EIR. As explained therein, the visual character from inside of the park is of a pastoral setting with large maintained grass areas and large trees planted along the perimeter of the park, surrounded by residential development to the north, commercial development to the east and the freeway to the south. From Weddington Park (South), views looking east towards the Project Site consist mostly of the Project Site and off-site mid- and high-rise buildings intermixed with landscaping, and intermittent long-range views of the Santa Monica Foothills in the background, including a small portion of Cahuenga Peak. While a portion of Cahuenga Peak can be seen from various vantage points within

the park, the further north one travels within the park, the more intermittent the background view of Cahuenga Peak becomes. The Island residential area and City View Lofts obscure views from the park to the north and the northeast, respectively. To the southeast, views are obstructed by the vegetation and varying topography within the park itself, and do not allow a long-range view to areas outside of the park. To the south, views are obstructed by the elevated Hollywood Freeway. There are no other views of valued visual resources as viewed from Weddington Park (South). As explained on page 1102 of the Draft EIR, a less than significant impact on visual character would occur at all of the analyzed geographic areas, including City park and recreational facilities, with respect to proposed development and signage. Similarly, less than significant view impacts would occur from all locations surrounding the Project Site.

The analysis of the Project's effects on the visual character and views of valued resources provided in Section IV.D, Visual Qualities, of the Draft EIR are based on the assessment of the Project against existing conditions (i.e., without the Metro Universal project). As discussed on pages 1094-1096 of the Draft EIR, the Project (in absence of the Metro Universal project) would not present a substantial change in contrast or prominence to the Project Site as viewed from Weddington Park (South), and therefore Project impacts related to visual character from the Weddington Park (South) geographic area would be less than significant. With respect to views, page 1095 of the Draft EIR states that although Project development could block the limited views of this visual resource, these changes would occur within a narrow field of view and the prominent view would not substantially change, and thus impacts would be less than significant.

With regard to potential cumulative impacts, as noted in the comment, the cumulative visual quality impacts of the proposed Project and the Metro Universal project are also analyzed in the Draft EIR. (Draft EIR, pages 1105–1106.) As discussed on pages 1105–1106 in Section IV.D, Visual Qualities, of the Draft EIR, the Project's incremental effects on the significant impacts caused by the Metro Universal project, which is no longer proposed, were considered and determined not to be cumulatively considerable. Without the Metro Universal project, the Project's incremental effects on visual character and views would not be cumulatively considerable, as well.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 83-3

Notwithstanding [sic] the above, adding the additional 5 million square feet of development in the Evolution Plan with 2,937 residential units, 6,000 residents, a 500 room hotel, additional Theme Park facilities along with a planned increase of 1.5 million more tourists on top of the 1.5 million Square Feet of development in the Metro proposal we claim that

both South and North Weddington will be affected by increase [sic] usage and environmentally by the “significant and unavoidable impacts” (as stated in the DEIR) on air and noise.

Response to Comment No. 83-3

The comment appears to assume that the Project would result in 5 million square feet of new development. To clarify, as explained on page 279 and set forth in Table 2, Building Program, on page 280 of Section II, Project Description, of the Draft EIR, the Project would involve the net increase of approximately 2.01 million square feet of new commercial development (approximately 2.65 million square feet of new development and demolition of approximately 638,000 square feet of existing uses), which includes up to 500 hotel guest rooms and related facilities, plus 2,947 dwelling units.

With respect to cumulative air quality and noise impacts, as described in the Draft EIR, the Project would result in significant and unavoidable cumulative impacts with respect to air quality and noise (construction). Please refer to Section IV.H, Air Quality, and Section IV.C, Noise, of the Draft EIR, for a discussion of these cumulative impacts. With regard to the Metro Universal project, please refer to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR) for further information. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 83-4

Quimby Fees

It is our understanding that the current Quimby Fee that is in effect demands that in subdivisions containing more than 50 dwelling units, the City allows developers to dedicate parkland in lieu of paying fees. These fees, were they paid, would be used to create new park space or be invested in existing park space within a specific distance from said project. This Project has opted to invest within their own development.

We strongly request that the Quimby fees that would have been demanded of this Project be invested in Weddington Park, North & South and any other existing local and regional parks. We feel these fees should benefit the existing community and not the developer. Especially given the ambiguous phasing in the Project DEIR and the ambiguous open and park space to be developed pursuant to the number of residential units, we believe that in these harsh economic times and the cutbacks in park programs and personnel, that those fees can better serve the existing facilities.

Response to Comment No. 83-4

The Quimby Act, Section 66477 of the California Government Code, authorizes cities and counties to enact ordinances that require the dedication of land, payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map. (Draft EIR, Section K.4, Public Services – Parks and Recreation, page 1771.) As authorized by the Quimby Act, the City of Los Angeles has established a local ordinance, Los Angeles Municipal Code Section 17.12, requiring land dedication or payment of fees for park or recreational purposes for projects involving residential subdivisions. (Draft EIR, pages 1776–1777.) In subdivisions containing more than 50 dwelling units, the City permits developers to dedicate parkland in lieu of paying fees. (Draft EIR, page 1777.) As permitted under the Quimby Act, Los Angeles Municipal Code Section 17.12 allows a subdivision to credit the monetary value of parkland improvements and private recreation facilities against the requirement to dedicate land and/or pay in-lieu fees. (Id.) Accordingly, as described in the Draft EIR, and pursuant to Section 5 of the proposed Universal City Specific Plan, the Project would provide 200 square feet of park or recreation space per dwelling unit within the City Specific Plan area, as well as the construction and improvement of that space. The Project’s proposed parks and open space plan, set forth in Section 5 of the proposed City Specific Plan, complies with the Quimby Act and the Los Angeles Municipal Code and satisfies the Project’s Quimby requirements. The 13.5 acres of private park and recreation space provided by the Project, in combination with the value of improvements to that space, would exceed the Project’s land dedication or in-lieu fee requirements under Los Angeles Municipal Code Section 17.12. (Draft EIR, pages 1797–1798.) The proposed on-site park and recreation space will thus serve the purpose of serving the park and recreational needs of the subdivision, as the Quimby Act requires. (Draft EIR, Appendix A-1, Proposed City Specific Plan, Section 5.B.) The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 83-5**Open Space**

The DEIR speaks in very general terms regarding park space, open space, walking and bike paths, meeting rooms etc. In its Parks section [*DEIR, IV.K.4 Public Services – Parks & Recreation, page 1774*] identifies the requirements for both neighborhood parks and community parks. Since NBC Universal has stated in many meetings since the first introduction of the original Vision Plan that the park space in the residential component is intended to be for the use of everyone in the larger community, it seems clear that the open space is intended to be a Community Park.

Where in the DEIR does it state that the open space is in the category of Community Park?

Response to Comment No. 83-5

As explained on page 1774 in Section IV.K.4, Public Services – Parks and Recreation, of the Draft EIR, the City’s Public Recreation Plan identifies standard park characteristics and discusses various types of parks that the City provides in terms of local parks and regional facilities. Local parks include both neighborhood and community recreational parks and open space. The open space that would be provided at the Project Site within the proposed Mixed-Use Residential Area is intended to meet the park and recreational needs of the on-site residents and would also be available to the broader community.

Additionally, the Project provides parks at a higher ratio (2.09) than the existing ratio in the Community Plan area (1.21), and, as such, the overall ratio in the Community Plan area would be improved with the development of the proposed Project. As further explained on page 1794 of the Draft EIR, at final buildout, the proposed Project would increase the park ratio in the Community Plan area to 1.28 acres per 1,000 residents, a 5.8 percent increase over existing conditions. While the proposed Project would not meet the long-range goal of 4 acres of parkland per 1,000 residents, the Project would meet the Public Recreation Plan’s short- and intermediate-range goal of 2 acres of community and neighborhood parks per 1,000 residents.

Comment No. 83-6

Furthermore, the DEIR relies on non-public space for its calculation and still appears unable or unwilling to meet the City’s Public Recreation Plan [page 1794], which is a portion of the 1980 Los Angeles General Plan.

Why can this Project not meet the minimum requirements of open space (4 acres per 1000 residents) that is required for a Community Park?

If the open space is to be truly utilized by the entire community, as well as the employees of NBC Universal and other businesses on the lot, it seems evident that a great deal more open space should be supplied. It is clear to this Board that the Project must meet the minimum requirements for a Community Park.

This Board does not accept, in the particulars of this case, such areas as planted medians to be open space useable by the public. We would accept only active and passive park space open to the public.

Is any portion of the open space calculations based on such features as terraces, balconies or patios attached to individual residential units?

Response to Comment No. 83-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. To clarify, while the City's Public Recreation Plan was adopted in 1980, the City's General Plan is a dynamic document, comprised of different Elements that were adopted in various years. While the City's Public Recreation Plan establishes a long-range standard of 4 acres of parks per 1,000 residents, the City's Public Recreation Plan also notes that these long-range standards may not be reached during the life of the plan, and, therefore, includes more attainable short- and intermediate-range standards of 1 acre per 1,000 persons for neighborhood parks and 1 acre per 1,000 persons for community parks, or 2 acres per 1,000 people of combined neighborhood and community parks. The long-range standard of 4 acres of parks per 1,000 residents is a long-term goal of the City's Public Recreation Plan and not intended to be met or imposed by any single project. As explained on page 1784 of the Draft EIR, the City has identified 11 park and recreational facilities, totaling 4,630.92 acres, located within a 2-mile radius of the Project Site, including regional parks.

Implementing the provisions of Section 5 of the proposed City Specific Plan equates to a park ratio of 2.09 acres per 1,000 Project residents. As such, the Project would provide parks at a higher ratio (2.09) than the existing ratio in the Community Plan area (1.21) and a level that exceeds the City's Public Recreation Plan standard of 2 acres of neighborhood and community parks per 1,000 residents. Thus, with buildout of the proposed Project, the overall parks ratio in the Community Plan area would be improved with the development of the proposed Project and the Citywide goal would not be impacted by the proposed Project. In addition, as further discussed below, the Project's park space and recreational facilities would be fully improved in general accordance with the conceptual Parks and Open Space Plan, as opposed to just the dedication of unimproved open space as required by the Los Angeles Municipal Code Section 17.12. Also refer to Response to Comment No. 39-159, above.

As concluded on page 1795 in Section IV.K.4, Public Services – Parks and Recreation, of the Draft EIR:

“As the Project's park space and recreational facilities would be developed in general accordance with the Project's Conceptual Parks and Open Space Plan, these facilities would meet the Public Recreation Plan's definition of recreational sites. While Section 5.C of the proposed City Specific Plan includes park space and recreation facilities that are not included in the Public Recreation Plan's definition of recreational sites (e.g., roof terraces, courtyards, pedestrian paseos), such facilities would meet the intent of the

Public Recreation Plan in that they would serve the recreational needs of the population and reduce impacts to existing parks and recreational facilities. Thus, all of the Project's park space and recreational facilities would meet the intent of the City's Public Recreation Plan.

Pursuant to Section 5.E of the proposed City Specific Plan, implementation of the Project's park space and recreation facilities in accordance with Section 5 of the proposed City Specific Plan would satisfy the requirements of Los Angeles Municipal Code Sections 12.21.G, 12.33, 17.12, and 17.58."

With regard to use of park facilities by the various on-site populations, page 1798 of the Draft EIR states the following:

"It is anticipated that the majority of park usage would be by individuals who permanently reside at the Project Site and the non-residential uses added to the Project Site would result in negligible, if any, increased demand at City recreation facilities. If impacts to these facilities occur, increased usage would principally occur by employees seeking to eat their lunch off-site at local parks located in proximity to the Project Site, principally Weddington Park (South), which is located west of Lankershim Boulevard and that Project employee use of nearby parks would principally occur during non-peak periods (i.e., weekdays during the mid-day time period). It is not anticipated that Project Site employees would use local parks for purposes related to their employment at the Project Site. Although the potential for Project employee use of off-site parks is possible, actual use of such facilities would be inhibited by the amount of time it would take for on-site employees to access off-site local parks in light of the amount of time a typical employee has available for lunch. Therefore, while some employee usage is anticipated to occur, impacts, if any, would be less than significant."

Comment No. 83-7

It is the responsibility of a PAB to look out for the health, wellbeing, proper usage and care of their park facility. We are very proud of our park. We are proud of our staff and what they have accomplished and how they have successfully grown programs given the current financial challenges. This Project, if built to its proposed size over a 20-year period, will have a tremendous impact on the facilities that this park offers. We ask that it benefit from this development and not be diminished.

We also want to express our concern and disappointment in this Project's virtual dismissal of the Los Angeles River. The LA River separates North and South Weddington Parks and is very important to us. This Project has the ability to open up public access to this regional resource and its recreational and environmental possibilities. Even if the argument is given that it is not their responsibility there is moral responsibility as well as good faith considerations for the surrounding communities and the City's LA River Revitalization Plan

and the County's LA River Master Plan. We see the possibilities of the Los Angeles River and the DEIR denigrates as it repeatedly refers to it as the Los Angeles River Flood Control Channel.

Doesn't this give pause as to their sincerity regarding open/park/ recreational use when they ignore the LA River, a great resource?

They have adamantly refused to place their Bike Path along the River and have snaked it up and down impossibly steep hills and exit it into dangerous traffic on Lankershim Boulevard.

Response to Comment No. 83-7

With regard to the issue of nomenclature, as stated on page 1335 of the Draft EIR, the Los Angeles River runs past the Project Site within the concrete-lined Los Angeles River Flood Control Channel. As such, the Draft EIR references this component of the regional infrastructure system as the Los Angeles Flood Control channel. Los Angeles River As explained on pages 418–419 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City of Los Angeles. The remaining approximately three-fourths of northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs the along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County of Los Angeles and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District.

As stated in the Draft EIR, the Applicant will cooperate with the County, City and other agencies as necessary to accommodate the future use of the County land for public use as contemplated by the County River Master Plan and to continue use, if allowed by the County, of a portion of River Road for studio access. In addition, the Project includes the pedestrian/bicycle connection through the Project Site to CityWalk, as contemplated by the County River Master Plan. This internal circulation is not proposed as a substitute for the path along the Los Angeles River Flood Control Channel. Further, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the Los Angeles River Flood Control Channel, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public path on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the internal bike path along the proposed North-South Road. Therefore, the Project would not create a gap in the public path proposed along the Los Angeles River Flood Control Channel in the referenced City and County plans.

As explained in more detail on pages 496–497 and 523–524 of the Draft EIR, with these and other project design features, the Project furthers the goals and objectives of, and would not be inconsistent with, the Los Angeles River Master Plan and the Los Angeles River Revitalization Master Plan.

With regard to impacts on park facilities, as explained in more detail in Section IV.K.4, Public Services – Parks and Recreation, of the Draft EIR, with the implementation of the project design features, the impacts to City parks and recreational facilities would be reduced to a less than significant level. See also Response to Comment Nos. 83-6 and 83-7 above.

Comment No. 83-8

Is this plan consistent with the draft City of LA Bicycle Plan?

Has it been reviewed by the LA Department of Transportation Bicycle Program?

If so, has it been approved?

Response to Comment No. 83-8

Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR discusses the proposed Project’s consistency with land use plans and includes the recently adopted Los Angeles Bicycle Plan.⁸⁵ The Draft EIR notes that at the time of preparation of the Draft EIR the City was updating the Bicycle Plan, which is part of the Transportation Element. As discussed on pages 512–516 of the Draft EIR, the Project would not be inconsistent with the policies of the City of Los Angeles General Plan Transportation Element.

The Los Angeles Bicycle Plan was adopted in March 2011, after the release of the Draft EIR for the Project. The Los Angeles Bicycle Plan is an update to the Bicycle Plan adopted by the City in 1996 and re-adopted in 2002 and 2007. As stated in the Los Angeles Bicycle Plan, “[i]t establishes long-range goals, objectives, and policies at a citywide level and contains a broad range of programs that constitute the steps the City intends to take in order to become a more bicycle-friendly Los Angeles.” In Chapter 5, Implementation, of the Los Angeles Bicycle Plan, the plan acknowledges that only some of the proposed bicycle lanes were evaluated in the Mitigated Negative Declaration that was conducted simultaneously with preparation of the Los Angeles Bicycle Plan and that “many

⁸⁵ *The Los Angeles Bicycle Plan was adopted with amendments by the Los Angeles City Council on March 1, 2011, after circulation of the Evolution Plan Draft EIR. The Bicycle Plan was referred to in the Draft EIR as “Draft Bicycle Plan” because it had not been adopted. In this Final EIR it is referred to as “Los Angeles Bicycle Plan” or “2010 Bicycle Plan.”*

future bicycle lanes will require additional analysis (particularly impacts on traffic) pursuant to the California Environmental Quality Act (CEQA).” “As each bikeway that is identified as a future bicycle lane is prioritized in the Five-year Implementation Strategy a preliminary analysis will be conducted to evaluate whether further environmental review will be necessary. In some cases the analysis may determine that the originally selected roadway is not well-suited for a bicycle lane. In these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane.”

As discussed on page 517 of the Draft EIR, the Project would promote the goals and objectives of the Bicycle Plan by providing public access to the river, a variety of recreation opportunities and network of multi-use trails, and expanding open space. The proposed Trailhead Park would also provide a connection, via Lakeside Plaza Drive, to the existing bicycle path to the east on Forest Lawn Drive. Therefore, the Project would not be inconsistent with the Los Angeles Bicycle Plan. Also, as discussed in Response to Comment No. 83-7, above, the Project does not preclude a bike path along the Los Angeles River Flood Control Channel.

Comment No. 83-9

Incorporation of Other Responses

The Weddington Park PAB joins the following organization in their comments and objections and other matters raised in their filings to the NBC Universal Evolution Plan DEIR, and incorporate those comments and objections in this response as though set forth in full herein.

Communities United for Smart Growth
The Santa Monica Mountains Conservancy
Friends of the Los Angeles River

Response to Comment No. 83-9

The comment incorporates comments from Comment Letter No. 39, Communities United for Smart Growth, dated February 3, 2011; Comment Letter No. 17, Santa Monica Mountains Conservancy, dated January 25, 2011; and Comment Letter No. 43, Friends of the Los Angeles River, dated February 4, 2011. Please see Comment Letter Nos. 39, 17 and 43 of this Final EIR, and responses thereto, for responses to the referenced comment letters. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 84

Arutyun Agaronyan
1295 Kittridge St.
North Hollywood, CA 91606

Comment No. 84-1

I don't work in entertainment, but I can see how the industry would benefit from NBC Universal's Evolution Plan. With the project's new soundstages and production facilities, there will be more compelling reasons to keep production – and jobs – here in Southern California.

I urge you to keep this in mind and move the project through the approval process quickly.

Response to Comment No. 84-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 85

Vorsper Aiwize
1615 N. Wilcox Ave., #1385
Hollywood, CA 90028-6205

Comment No. 85-1

Since I am concerned about traffic related to the Universal Plan, I was glad to read in the Draft Environmental Impact Report that these issues were being addressed. Among the improvements important to me are the changes to Barham and Lankershim boulevards which are desperately needed to improve traffic flow. Also, the proposed shuttle system that will link the MTA station, the studio and businesses in Burbank, Hollywood and West Hollywood will help in getting people out of their cars. Promoting alternative forms of transportation and encouraging employees and residents to walk and use public Transit is what we need in the community, [sic]

Traffic in Los Angeles is difficult but what will happen if the plan does not go forward and the investment in these traffic solutions is not made? We'll lose the jobs and watch traffic continue to get worse. I don't believe that is good for our city.

Response to Comment No. 85-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Traffic conditions at many study intersections under future conditions with ambient growth but without the Project would be worse than future conditions with the Project and the identified project design features and mitigation measures of the proposed Project [refer to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Topical Response No. 5: Transit Mitigation (see Section III.C, Topical Responses, of this Final EIR)].

Comment Letter No. 86

Nicole Alaimo
nicolealaimo73@gmail.com

Comment No. 86-1

I am writing to express to you my strong opposition to the proposed project for 5 MILLION square feet of new residential and commercial space in this area. Anyone who has spent a fraction of time on Barham Blvd. knows this already congested thoroughfare cannot possible [sic] facilitate an 80% increase in traffic. Nor do we wish to sustain significant impacts to our air quality, noise and solid waste.

We live in Lake Hollywood within earshot of the intersection of Barham blvd. [sic] and Lake Hollywood Drive. At least once a day, if not more - every single day we hear the screeching of tires at that stop light. Thousands of people use that road daily to get to Burbank, Warner Brothers, Universal Studios and Toluca Lake. Even if there is a separate entrance for the Evolution Plan project (as I have been told has been proposed) the additional population of the area will certainly have an adverse affect - regardless of the additional jobs and revenue it may create.

Response to Comment No. 86-1

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

The Project would not result in an 80 percent increase in traffic on Barham Boulevard. As shown in Table 36 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project would generate a net total of 28,108 daily trips on a typical weekday, after the implementation of the Transportation Demand Management Program described in Project Design Feature B-1. The Project trips would not all travel along Barham Boulevard but would be routed throughout the Study Area. Specifically with regard to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, and Figure 59 of the Transportation Study attached as Appendix E-1 to the Draft EIR, the Project does not result in any significant and unavoidable impacts along Barham Boulevard. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along this corridor to a level below significance, based on Los Angeles Department of Transportation's significance criteria. In

addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. The transportation project design features and mitigation measures include, for example, a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor and a new public roadway, the “North-South Road,” which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. (See Mitigation Measure B-5 and Project Design Feature B-2 in Section IV.B.1, Traffic/Access – Traffic/Circulation).

Potential impacts to air quality associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR, and related technical report included as Appendix J to the Draft EIR, consistent with the South Coast Air Quality Management District’s California Environmental Quality Act (CEQA) Air Quality Handbook (CEQA Handbook). The Draft EIR provides a detailed description of the existing environment and air quality conditions in the South Coast Air Basin, including potential health effects associated with criteria pollutants (ozone, carbon monoxide, nitrogen dioxide, respirable particulate matter [PM₁₀], fine particulate matter [PM_{2.5}]), and toxic air contaminants, as discussed on pages 1434–1455 of the Draft EIR. Implementation of the proposed project design features and mitigation measures described on pages 1521–1523 of the Draft EIR would reduce the Project’s construction and operational emissions. However, even with implementation of the project design features and mitigation measures, Project emissions associated with construction and operation would exceed the South Coast Air Quality Management District’s thresholds of significance for certain regional daily emissions and local criteria pollutant concentrations, but not for toxic air contaminants during Project construction and operations, as summarized on pages 1523–1527 of the Draft EIR.

With regard to noise, the Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project’s operation. (Draft EIR, Section IV.C, Noise, pages 998–1024.) As noted on Tables 69 and 70 of the Draft EIR, the Project’s operational noise would result in less than significant impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances.

With regard to construction noise impacts, pages 998–1010 in Section IV.C, Noise, of the Draft EIR summarize the construction noise impacts under all potential construction scenarios, including construction in the Studio, Entertainment and Business Areas, construction in the Mixed-Use Residential Area assuming both single phase and multi-phase horizontal construction activities, and a composite construction scenario in which construction occurs throughout the Project Site at the same time. The proposed City and

County Specific Plans and the Draft EIR propose several noise reduction measures for general construction activities. The proposed City and County Specific Plans require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed.

The Project would implement Project Design Feature C-1 and Mitigation Measures C-1 through C-5, which would reduce the daytime noise levels attributable to the Project. However, depending on the receptor location and ambient noise levels at the time of construction, these activities could increase daytime noise levels at nearby noise-sensitive uses above the established threshold. This is considered a significant and unavoidable short-term impact when grading and construction activities occur near noise-sensitive uses. For nighttime construction, proposed mitigation measures would reduce impacts to a less than significant level, except when exterior nighttime construction, as allowed by the exceptions noted in Mitigation Measure C-2, occurs. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. It is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur are limited, and when they do occur, the extent of this significant impact would be limited in duration. Furthermore, as described on pages 1036–1037 in Section IV.C., Noise, of the Draft EIR, with the implementation of Mitigation Measure C-4, noise from Project-related hauling would be reduced to a less than significant level.

With regard to solid waste, Section IV.L.3, Utilities – Solid Waste (pages 1906–1925) of the Draft EIR concluded that the Project’s potential impacts related to construction solid waste would be less than significant with the incorporation of the project design features. However, due to the uncertainty of future capacity of landfills outside of the City (the City does not have operating landfills within the City), the Draft EIR conservatively assumes that the Project’s impacts related to solid waste during operations would remain significant and unavoidable after incorporation of the project design features.

Population impacts are discussed in Section IV.N.3, Employment, Housing, and Population – Population, of the Draft EIR. The Project would provide opportunities for a range of housing choices. As discussed on pages 2087–2090 of the Draft EIR, the Project

would respond to, but satisfy only a portion of, unmet population growth, rather than inducing population growth. The Project would help achieve the population growth forecast for the City of Los Angeles Subregion, and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled. The Project's population impacts would be beneficial rather than adverse, and less than significant. The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 86-2

In all honesty, I am not even sure how a project like this can even be considered, since it is so obviously in violation of the California Environmental Quality Act. Which, as I'm sure you know, basically states the following: "under the principle of CEQA, a proponent cannot create an impact without mitigating for it. In other words, a project must not contribute individually or cumulatively to the degradation of the California environment.

Response to Comment No. 86-2

As described in Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, in all environmental issue areas where significant impacts were identified in the Draft EIR to potentially occur, project design features and mitigation measures to reduce or eliminate those impacts also have been identified. All significant impacts that are reduced to a less than significant level via recommended project design features and mitigation measures are discussed in detail in Section IV, Environmental Impact Analysis, of the Draft EIR. In some cases, the project design features and mitigation measures would not be sufficient to completely eliminate the significant impacts. As such these impacts are considered significant and unavoidable. As described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. "The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided." (Public Resources Code Section 21002.1(a).) "Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).) In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or

substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA.

Comment No. 86-3

Please consider my voice and the voices of all my neighbors who feel the same way. WE DO NOT want this proposed project to become a reality.

Response to Comment No. 86-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 87

Raymond W. Aleman
10739 Valleyheart Dr.
Studio City, CA 91604
raymondaleman@att.net

[Note: A duplicate of the letter provided below was received on 1/28/11]

Comment No. 87-1

I am a concerned property owner living on the Island of Studio City for thirty-eight years.

I am writing you regarding File # ENV-2007-0254-EIR.

First, I want to inform you that I am not against logical progress or improvements made by the city. I was totally in favor of the Metro Station at Universal City because the city needed this system badly.....to get cars off the freeways and streets in order to improve the air quality.

Response to Comment No. 87-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 87-2

Second, to even think that more traffic can be imposed on Lankershim Blvd is totally illogical and a disservice to the whole community.

Response to Comment No. 87-2

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The comment is a general objection to any increase in traffic on Lankershim Blvd. Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential transportation impacts along the Lankershim Boulevard Corridor. An extensive series of project design features and mitigation measures have been identified to address the Project's traffic impacts. Specifically with regard to Lankershim Boulevard, Mitigation Measure B-6 includes various improvements along the Lankershim Boulevard corridor. While these measures would substantially reduce the Project's intersection impacts, significant and unavoidable impacts would remain at the following intersections

along Lankershim Boulevard: Lankershim Boulevard and Cahuenga Boulevard (during the morning peak hour), Lankershim Boulevard and Main Street (during the afternoon peak hour), Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (during the morning peak hour), and Lankershim Boulevard and Jimi Hendrix Drive (during the afternoon peak hour). The Project's mitigation program includes all feasible mitigation measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

Comment No. 87-3

Third, I am apposed [sic] to the change of rezoning of property opposite from Universal. By changing to property of LA County from LA City would allow taller structures that would adversely affect the island community.

Response to Comment No. 87-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

It is unclear to what "property opposite from Universal" the comment refers. To the extent the comment refers to the Project Site, the proposed Project includes amendments to the City and County General Plans as well as the Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass Community Plan and the Mulholland Scenic Parkway Specific Plan and proposes two Specific Plans: (1) the Universal Studios Specific Plan for the County portions of the Project Site; and (2) the Universal City Specific Plan for the City portions of the Project Site. The proposed Specific Plans would create new zoning regulations and establish land use standards that would replace existing zoning regulations and land use standards for the affected areas. The requested zone changes to the proposed Specific Plan zones would also establish pre-zoning, as required for the implementation of the proposed annexation/detachment actions. The Draft EIR discusses these issues extensively in Sections IV.A.1, Land Use – Land Use Plans/Zoning, and explains how the proposed Project would be consistent with existing plans and policies, and determines that with adoption of the requested discretionary actions, the Project's land use impacts would be less than significant.

Under the proposed Project, portions of the Project Site that are currently in the County of Los Angeles would be annexed into the City of Los Angeles, while other areas would be detached from the City of Los Angeles and returned to the jurisdiction of the County of Los Angeles. The proposed Specific Plans reflect the proposed annexation and detachment. The discussion within each environmental impact section of the Draft EIR

was conducted based on proposed jurisdictional boundaries (i.e., the proposed Project) and existing jurisdictional boundaries (i.e. No Annexation scenario). (Draft EIR, Section II, Project Description, pages 282–286.)

With regard to the western boundary of the Project Site that is near the Island community, as shown on Figure 12 on page 285 of the Draft EIR, there is only a small portion of the Project Site along Lankershim Boulevard at the northern boundary with the Los Angeles River Flood Control Channel that is proposed to be detached to the unincorporated County from the City. All potential building heights would be within the proposed Height Zones, which are outlined in Section II, Project Description, of the Draft EIR and would be regulated by either the proposed City or County Specific Plan depending upon the on-site area under review.

Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR provides an analysis of the proposed Project’s potential physical land use impacts based upon the allowable land uses, density, and maximum building heights that could occur along the Project Site boundaries. (Draft EIR, pages 552–553.) With respect to the Project’s compatibility and its consideration of the existing adjacent communities, Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, contains detailed evaluations of the Project’s potential to impact the surrounding neighborhoods. More specifically, the analysis includes discussions of potential Project impacts at the eastern, southern, western, and northern edges of the Project Site. As discussed on page 583 of the Draft EIR, the Island community is separated from the Project Site by the intervening higher density multi-family City View Lofts and Weddington Park (South) and the approximately 100-foot in width Lankershim Boulevard roadway. Project development along the Project Site’s western boundary would reflect existing on- and off-site development patterns. Therefore, the proposed Project would have a less than significant physical land use impact with respect to the Island community.

Comment Letter No. 88

Alicia and Tommy
mindanao44@aol.com

Comment No. 88-1

Please stop all these plans since it will only impact the horrendous daily traffic we already suffer through daily on Barham-Cahuenga [sic] Boulevard. Why don't your committee [sic] travel these roads daily and see for themselves. It's a parking lot when one lane is closed. There is just no way around it. PLEASE! PLEASE! PLEASE! STOP!

Response to Comment No. 88-1

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the Project's potential transportation impacts. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham Boulevard and Cahuenga Boulevard–East/West corridors. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along these corridors to a level below significance, based on Los Angeles Department of Transportation's significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard and Cahuenga Boulevard–East/West corridors generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 89

Alvaro Amador
5535 Carlton Way, Apt. 305
Los Angeles, CA 90028-6827

[Note: A duplicate of the letter provided below was received on 1/24/11]

Comment No. 89-1

I think that NBC Universal's Evolution Plan makes a lot of sense and it's something that I support primarily for two reasons. First, the jobs it will create. City officials need to do whatever they can to get this economy moving again and getting people back to work is the first step in the right direction.

The second reason the Evolution Plan makes so much sense is the new housing that will be created. There's a housing shortage in Los Angeles and this is just the kind of housing we need to be building – housing that's near public transportation.

I was pleased to learn from the EIR report that the Universal Plan will build new housing next to the existing residential community. I was also impressed that they will take into consideration existing view corridors. It looks like the project design regulations have thoughtfully considered the neighboring uses.

Response to Comment No. 89-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 90

Edith M. Anderson
14637 Magnolia Blvd., Apt. 2
Sherman Oaks, CA 91403

Comment No. 90-1

I am writing to express my support for the NBC Universal Evolution project.

The Draft EIR shows that NBC Universal is willing to make significant investments in transit improvements. Offering residents transit passes, and connecting the property to transit options such as the Metro, bus lines and new shuttles, will encourage and incentivize people off the roads and improve air quality and traffic in Southern California.

It appears that there are also extensive measures to control and limit air pollution during construction. Requiring contractors to use diesel particulate filters and comply with control measures like limiting truck idling and keeping all construction equipment in proper tune will certainly reduce AQ impacts during construction.

Response to Comment No. 90-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

With respect to diesel emissions during construction, Project Design Feature H-3 states that diesel-emitting construction equipment greater than 200 horsepower shall use diesel particulate filters having 85 percent removal efficiency based on California Air Resources Board verified technologies. The Project would also implement Project Design Features H-1 through H-6 and Mitigation Measures H-1, which would reduce air quality impacts to the extent feasible; however, significant and unavoidable air quality impacts would remain. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR.

Comment Letter No. 91

Gordon Antell
739 S. Griffith Park Dr.
Burbank, CA 91506

[Note: A duplicate of the letter provided below was received on 2/2/11]

Comment No. 91-1

I'm writing to comment on NBC Universal's Draft Environmental Impact Report (DEIR). First, let me say that I appreciate the opportunity to provide my input.

My biggest concern is utilities and how a project of this magnitude will impact them. I was most pleased to learn in the DEIR that the Evolution Plan will have no significant impact on water. I pleasantly [sic] surprised to learn that Universal is already a large user of recycled water and that it will expand its use of recycled water with this project. I was also happy to learn about all the water conservation features that are planned for the residential units.

In addition to those water conservation measures I was glad to read about the numerous design features that will reduce energy use as well as the new infrastructure that is planned. I would hope that the new DWP substation planned will not only meet the needs of the new residences but will also likely improve the reliability of electrical service in the area.

I couldn't hope to read the DEIR in its entirety, but from what I have reviewed this project is amazing. It's providing jobs, housing, it's near mass transit, promoting tourism and it's doing all this with our natural resources and the environment in mind.

Response to Comment No. 91-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 92

Denise Anthony
1326 Benedict Canyon Dr.
Los Angeles. CA 90210

[Note: A duplicate of the letter provided below was received on 2/3/11]

Comment No. 92-1

I'm excited about the new NBC Universal Evolution Plan and love all the benefits it will provide to our community.

I moved to this community because of its character and charm and I enjoyed being a neighbor of NBC Universal for several years. I've moved a bit further away, but I still own rental property in the area and have always found Universal to be a great neighbor.

I'm delighted that the project will bring much needed housing to the area. And I was pleased to learn through the Draft EIR that so many environmental and conservation measures were planned for the residential units.

Everything about this project is well planned and designed. People are tired of commuting and paying high gasoline prices. Local businesses can look forward to increased sales and the City can look forward to increased tax revenues. What could be better?

Response to Comment No. 92-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 93

Ryan Astamendi
3216 W. Valley Heart Dr.
Burbank, CA 91505-4739

Comment No. 93-1

The city's environmental impact report illustrates what a thoughtfully designed project NBC Universal is proposing. This type of development with its mix of uses, public amenities and traffic investment should be promoted and gladly has my support. Improvements to studio production facilities, CityWalk and the theme park, together with the new residential and commercial space, will generate business and create work.

I appreciate the studio's commitment to invest in the region given today's economic conditions. The reality is that Los Angeles has been in want of new investment and this plan could be the reinvigorating shot in the arm that our city needs.

Response to Comment No. 93-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 94

Charles Audia
P.O. Box 38517
Los Angeles CA 90038
sdel1011@yahoo.com

[Note: A duplicate of the letter provided below was received on 2/1/11]

Comment No. 94-1

I am opposed to the Evolution Plan for NBC Universal! I have lived in this [sic] for approximately 25 years and belong to the HKCC!

Response to Comment No. 94-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 94-2

We already have a tremendous problem with traffic without any development going on at Universal Studios! Traffic is worst now then [sic] ever before and the City, County has done nothing to relieve the problem that exist [sic] for over 10 years! The trouble with the amount of square footage is unrealistic given the only way in or out of los angeles [sic] is thru barham [sic] and or the 101 freeway! If you ever try and make it up barham [sic] in the mornings or evenings it could take up to 30 min to go 1 mile and that's just from the bottom of barham blvd.! [sic] I'm not opposed to the development just the scope and magnitude of the overall plan!

Response to Comment No. 94-2

The Project's potential traffic impacts were thoroughly analyzed as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR.

With respect to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable intersection impacts along Barham Boulevard. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along Barham Boulevard to a level below significance, based on the Los Angeles Department of Transportation significance criteria.

Specifically, the proposed third southbound through lane on Barham Boulevard, described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and the implementation of its proposed mitigation measures as compared to the Future without Project conditions.

Furthermore, the Project would be required to implement all of the project design features and mitigation measures, including freeway improvements required as part of the Project's approvals. The recommended mitigation measures include, for example, a new US 101 southbound on-ramp at Universal Studios Boulevard (see Mitigation Measure B-3 in Section IV.B.1 of the Draft EIR); US 101 interchange improvements at Universal Terrace Parkway (Campo de Cahuenga Way) (see Mitigation Measure B-4 in Section IV.B.1 of the Draft EIR); and specific intersection improvements at freeway ramp locations that have been identified in Section IV.B.1.5.(2) of the Draft EIR and Chapter V of the Transportation Study. In addition, the proposed North-South Road would provide the residential development with direct connections to the US 101 freeway (see Project Design Feature B-2). The commenter is also referred to Topical Response No. 6: Freeway Improvements (see Section III.C, Topical Responses, of this Final EIR) for further detail regarding freeway improvements.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 94-3

Universal need to put in before construction begins all the infrastructure ***before they begin any construction of their project!*** If they are doing any street improvement they should put up the money and build out that first! ***If they are depending on Federal/ County bonds they can forget it because the infrastructure will never be built! The State, County, Federal Government are broke*** and will not be able to provide relief that Universal is seeking! Universal needs to put of the money to builds the roads, bridges, widening of the street, ingress and egress out of there [sic] property first and foremost before construction begins!

Response to Comment No. 94-3

The comment states that the Project's mitigations should be implemented before the Project is allowed to begin construction. As noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR, similar to other developments in the City of Los Angeles, a detailed transportation mitigation phasing plan has been developed for the

Project using trips as thresholds that were estimated based on the proposed development in each phase. The Project's transportation mitigation phasing program has been designed such that the Project is required to implement all mitigation measures tied to each phase of development prior to moving onto the next development phase. As noted in the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

"Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT."

and

"Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT."

Consistent with the Los Angeles Department of Transportation Assessment Letter, the proposed City and County Specific Plans provide that prior to issuance of the approval for a Project under the Specific Plan, the Department of Transportation assign traffic improvements, if any, to the Project from the approved Traffic Mitigation Phasing Plan. Further, the proposed City Specific Plan requires that prior to the issuance of a building permit for a Project under the City Specific Plan, the Applicant shall guarantee, to the satisfaction of the Department of Transportation, the construction of any required traffic improvements for the Project (See Section 7.2 of the proposed Universal City Specific Plan included as Appendix A-1 of the Draft EIR). Similarly, the proposed County Specific Plan requires that prior to the issuance of a building permit for a Project, the Applicant provide documentation satisfactory to the County Regional Planning Director that the Applicant has guaranteed the construction of the required traffic improvements to the satisfaction of the City of Los Angeles Department of Transportation. (See Section 14 of the proposed Universal Studios Specific Plan included as Appendix A-2 of the Draft EIR).

The Project would be required to implement all of the transportation project design features and mitigation measures required as part of the Project's approvals. In addition to the Project transportation project design features and mitigation measures, the Project has proposed to fund the environmental documents for the proposed US 101 corridor regional improvements described in Appendix O of the Transportation Study (see Appendix E-1 of the Draft EIR). These environmental documents would assist Caltrans in getting the proposed improvements ready to start construction which is required for State and federal funding. However, as noted in Appendix O of the Transportation Study, the Project's traffic impact analysis does not account for any benefits from the proposed US 101 regional improvements. Therefore, the significant impacts noted in the Draft EIR do not account for

benefits resulting from the implementation of the regional improvements described in Appendix O of the Transportation Study. The commenter is also referred to Topical Response No. 6: Freeway Improvements (see Section III.C, Topical Responses, of this Final EIR) for further detail regarding freeway improvements.

Comment No. 94-4

! Universal is saying they will have a tram to move people from and to the metro stations as if that going to make a difference with traffic! That does nothing to traffic on the surface streets at all! At that meeting at Universal Hilton I don't know anyone or would guess that 98% of the people at the meeting drove! Metro stations basically are for the workers and thats [sic] it! I don't know anyone who is going to buy a 500K home or more that takes the metro! Thats [sic] wishful thinking!

Response to Comment No. 94-4

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The provision of the shuttle system to the Universal City Metro Red Line Station is intended to directly link the proposed Mixed-Use Residential Area homes to the Metro Station. Specifically, the shuttle would travel along the proposed North-South Road with stops at four to five locations and then via Universal Hollywood Drive to the Universal City Metro Red Line Station, with additional stops adjacent to the Theme Park and Universal CityWalk.

Additionally, the proposed Project includes a Transportation Demand Management Program to encourage use of transit by Project users, which is described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is also referred to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information.

Table K-1 in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), provides a summary of the characteristics and trip reduction percentages achieved by various Transportation Demand Management Programs and a comparison to the trip reduction estimates assumed for the Project. As shown in the table, the amount of credit assumed in the Project's trip generation for each of the Transportation Demand Management strategies is lower than those achieved by other developments. Therefore, the overall 11.4 percent Transportation Demand Management credit assumed by the Project represents a conservative estimate of the potential effectiveness of a Transportation Demand Management Program for a Transit-Oriented Development (TOD) located in the vicinity of a rail station. Based on the 2004 and 2006 studies of California TOD projects near rail stations, the average trip reduction is in the 19 percent to 22 percent

range. Thus, the analysis presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter V of the Transportation Study (see Appendix E-1 of the Draft EIR) represents a conservative approach.

Comment No. 94-5

You can't just give them *Carte [sic] blanche* to a project and spans 20 years! Things change rapidly and maybe 10 years from now you will regret the decision that allows them to build out this project! I don't believe anyone in the city has read this 20 thousand page report in detail and understand [sic] the scope and impact it will have on the overall community!

Response to Comment No. 94-5

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The development of the Project will be regulated by the proposed City and County Specific Plans, as applicable, and the applicable City and County codes. Further, the Project mitigation measures will be included in the approved Mitigation Monitoring and Reporting Program, which will provide for monitoring, implementation, and enforcement of all mitigation measures.

The City of Los Angeles Department of City Planning, as described in the Draft EIR, is the Lead Agency for the Draft EIR and for purposes of complying with CEQA. The County of Los Angeles serves as a Responsible Agency and, pursuant to a Memorandum of Understanding between the City and County, worked jointly with the City in the preparation and evaluation of the EIR. (Draft EIR, Section I, Introduction/Summary, pages 4 and 6.) The Draft EIR presents a comprehensive analysis and serves as an informational document to inform public agency decision-makers and the public of the potential significant environmental effects of the Project, identifies feasible mitigation measures that could reduce or avoid the Project's significant environmental effects, and identifies and analyzes alternatives to the Project, consistent with CEQA. (CEQA Guidelines Sections 15121(a) and 15362.) The Draft EIR was thoroughly reviewed by staff of the Los Angeles City Planning Department and the County of Los Angeles Regional Planning Department. Portions of the Draft EIR were also reviewed by other City and County departments, such as Libraries, Parks & Recreation, Public Works, Environmental Health, etc.

Comment Letter No. 95

Jerry August
5624 Fair Ave.
North Hollywood, CA 91601-1970

[Note: A duplicate of the letter provided below was received on 1/21/11]

Comment No. 95-1

I am impressed by Universal's mixed-use plan and like the ideas proposed, especially concerning the transportation improvements. With a project of this scale, I was pleased to learn about the various rideshare and carpool programs that will be employed to address traffic issued in the area. I also understand improvements will be made to the heavily traveled Lankershim Blvd., Barham Blvd. and forest Lawn Drive.

Response to Comment No. 95-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. With regard to the street improvements, Mitigation Measures B-5, B-6, and B-7 provide for improvements to the Barham Boulevard, Lankershim Boulevard, and Forest Lawn Drive corridors, respectively.

Comment No. 95-2

The new shuttles to Hollywood, Burbank and West Hollywood are a wonderful idea and a service I believe many in the community would like to use. Will these shuttles be available to the public? As a local resident, I would love to do my part of the environment.

Response to Comment No. 95-2

The Project shuttles would be accessible to the public. As provided in Mitigation Measure B-2, the local shuttle system shall provide enhanced transit service for Project residents, visitors, employees, and the surrounding community. The commenter is referred to Topical Response No. 5: Transit Mitigation (see Section III.C, Topical Responses, of this Final EIR).

Comment Letter No. 96

Steven Baer
4128 Hood Ave., Unit F
Burbank, CA 91505

Comment No. 96-1

Thank you for publishing the monumental Draft Environmental Impact Report, for the NBC/Universal Evolution Plan. And, thank you for providing me with an opportunity to review and comment on this report.

Response to Comment No. 96-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-2

MY GENERAL COMMENTS:

Significant and unavoidable impacts will occur as a result of this project--even after all of the proposed mitigation measures have been enacted. The impacts are identified in thousands of pages of analysis, charts, and maps. Air quality will be made unhealthy for my "sensitive receptor" neighbors and me. Circulation of cars, pedestrians, and bicyclists will be much more difficult and assuredly less safe. And yet, the conclusion of the analysis is that this project is consistent with the goals of regional development. How can this be?

Certainly, the community, the City, and the Region--benefit from additional jobs and tax revenue. But if the cost of that benefit is a net decline in the quality of life of the residents, is that a good bargain?

Unlike the numerous recent and proposed smaller projects in the area, this project (as well as the adjacent Metro Universal Project) is so vast and so ambitious, that it has triggered the "significant and unavoidable" designation. This Draft Environmental Impact Report shines a light on the reality that we have reached a "tipping point" of cumulative effects of recurring development. The issues are not limited to the people who live adjacent to this particular project. Everyone who resides in the Los Angeles region is impacted by the effects of accelerated increases in density development. "Regional Goals" must be adjusted to maintain a balance between "reasonable" economic development and quality of life. If additional mitigation measures cannot be identified and implemented, this project should not be allowed to be developed to the scale as proposed.

Response to Comment No. 96-2

Potential impacts associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR, and related technical report included as Appendix J to the Draft EIR, consistent with the South Coast Air Quality Management District's California Environmental Quality Act (CEQA) *Air Quality Handbook* (CEQA Handbook). The Draft EIR provides a detailed description of the existing environment and air quality conditions in the South Coast Air Basin, including potential health effects associated with criteria pollutants (ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, respirable particulate matter [PM₁₀], fine particulate matter [PM_{2.5}]), and toxic air contaminants, as discussed on pages 1434–1455 of the Draft EIR. Implementation of the proposed project design features and mitigation measures described on pages 1521–1523 of the Draft EIR would reduce the Project's construction and operational emissions. However, even with implementation of the project design features and mitigation measures, Project emissions associated with construction and operation would exceed the South Coast Air Quality Management District's thresholds of significance for certain regional daily emissions and local criteria pollutant concentrations, but not for toxic air contaminants, as summarized on pages 1523–1527 of the Draft EIR.

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts. While these measures would substantially reduce the Project's impacts, as discussed on pages 690–694 of the Draft EIR, with implementation of the project design features and identified mitigation measures, significant and unavoidable traffic impacts would remain. No additional feasible mitigation measures have been identified to reduce these impacts. The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

As described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. "The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided." (Public Resources Code Section 21002.1(a).) "Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may

still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).) In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-3

TRAFFIC ISSUES/MITIGATION:

MISSING CONNECTORS--

Some years ago, when I first heard of the proposed Universal projects--now Metro Universal and Evolution Plan--I concluded that the traffic impacts to this area would be horrendous. Then, as now, I believe that infrastructure improvements must precede these projects. And, the number one improvement would be completing two of the "missing connectors" to the 101/134 Freeway interchange:

Westbound SR 134 to Southbound US 101

Northbound US 101 to Eastbound SR 134

Without this improvement--no amount of re-striping, turn lanes, and signal improvements will be effective to counteract the massive increase of vehicular traffic. So--I strongly disagree with the analysis finding of Appendix O--Alternative Traffic Analysis/Regional Highway Improvements---that improving these connectors "were found not to be beneficial to mitigate Project traffic."

I hope that this mitigation measure will be reconsidered.

Response to Comment No. 96-3

The commenter states disagreement with the findings contained in Appendix O of the Transportation Study regarding the westbound SR 134 to southbound US 101 and northbound US 101 to eastbound SR 134 connectors. As stated on page O-1 to O-2 of Appendix O to the Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report (Gibson Transportation Consulting, Inc., and Raju Associates, Inc., March 2010) (see Appendix E-1 to the Draft EIR), the US 101-SR 134 connector ramps were analyzed in the Transportation Study to determine their overall effectiveness and were found not to be beneficial to mitigate Project traffic. In addition, these improvements would require the taking by eminent domain of a number of single

family homes and a church, which would represent potential significant secondary impacts. A more detailed discussion of the evaluation of the US 101–SR 134 connector ramps was provided in Appendix P of the Transportation Study, which provides the decision-makers and the public with all relevant data on geometric design considerations and issues, potential effectiveness as well as land-use and right-of-way impacts of the connectors. As explained in more detail in Appendix P to the Transportation Study, the traffic analysis conducted for both the morning and afternoon peak hours indicates that the connectors, with an associated auxiliary lane along the US 101, would be only modestly utilized and that appreciable benefit is not observed in alleviating traffic congestion on the arterial roadway system in the vicinity of the Project Site. In addition, many geometric design challenges exist and many residential, commercial and church properties would have to be removed in order to accommodate the connector facilities. The traffic analysis was reviewed and approved by the Los Angeles Department of Transportation (see the Los Angeles Department of Transportation’s Assessment Letter, attached as Appendix E-2 to the Draft EIR.)

With respect to timing of the traffic infrastructure improvements, as noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR, similar to other developments in the City of Los Angeles, a detailed transportation mitigation phasing plan has been developed for the Project using trips as thresholds that were estimated based on the proposed development in each phase. The Project’s transportation mitigation phasing program has been designed such that the Project is required to implement all mitigation measures tied to each phase of development prior to moving onto the next development phase. As noted in the City of Los Angeles Department of Transportation’s Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

Consistent with the Los Angeles Department of Transportation Assessment Letter, the proposed City and County Specific Plans provide that prior to issuance of the approval for a Project under the Specific Plan, the Department of Transportation assign traffic improvements, if any, to the Project from the approved Traffic Mitigation Phasing Plan. Further, the proposed City Specific Plan requires that prior to the issuance of a building permit for a Project under the City Specific Plan, the Applicant shall guarantee, to the

satisfaction of the Department of Transportation, the construction of any required traffic improvements for the Project (See Section 7.2 of the proposed Universal City Specific Plan included as Appendix A-1 of the Draft EIR). Similarly, the proposed County Specific Plan requires that prior to the issuance of a building permit for a Project, the Applicant provide documentation satisfactory to the County Regional Planning Director that the Applicant has guaranteed the construction of the required traffic improvements to the satisfaction of the City of Los Angeles Department of Transportation. (See Section 14 of the proposed Universal Studios Specific Plan included as Appendix A-2 of the Draft EIR).

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-4

BARHAM/FOREST LAWN PEDESTRIAN OVERPASS--

I read that a pedestrian overpass is likely for over Lankershim, between the Metro station and the Universal Studios. A pedestrian overpass is also needed near the intersection of Barham Blvd. and Forest Lawn Drive.

Response to Comment No. 96-4

The intersection of Barham Boulevard and Forest Lawn Drive currently has marked crosswalks across the north, east and west legs of the intersections, which would remain with the Project. The traffic signal green times provide sufficient time for pedestrians to cross this intersection. Therefore, a pedestrian overpass is not warranted at this intersection.

A pedestrian bridge across Lankershim Boulevard at its intersection with Universal Hollywood Drive/Campo de Cahuenga Way is not a recommended mitigation measure for the Project. As discussed on page 652 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the mitigation program for the original Universal City Metro Red Line Station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line Station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed Project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of Directors authorized the full budget to design and construct the bridge.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-5

RIVER ROAD--

I oppose opening up the “Muddy Waters” river road (Universal property adjacent to and south of the Los Angeles River) to vehicular traffic. I would, however, favor opening it up to pedestrian and bicycling traffic.

Response to Comment No. 96-5

As stated on pages 418–419 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City of Los Angeles. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District. As stated in the Draft EIR, the Applicant would cooperate with the County, City and other agencies, as necessary, to accommodate the future use of the County land for public use as contemplated by the County River Master Plan and to continue use, if allowed by the County, of a portion of River Road for studio access.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision makers prior to any action on the Project.

Comment No. 96-6

NOISE/DUST MITIGATION:

TREES--

I would favor the planting of tall trees between the project site, and the Los Angeles River.

Response to Comment No. 96-6

Section 6.E.1 of the proposed County Specific Plan provides that new buildings within the 625’ Height Zone located along the Los Angeles River Flood Control Channel shall incorporate appropriate visual treatment along the north-facing building plane. Visual treatment may include the installation of landscaping to visually buffer the building facade among other measures. Chapter 3: Design Plan of the proposed County Specific Plan provides that landscaping along the channel edge should consist of large-scale evergreen and deciduous trees. A conceptual planting palette is included in Chapter 5: Implementation of the proposed County Specific Plan. The proposed County Specific Plan is included as Appendix A-2 to the Draft EIR. The commenter is referred to Section IV.C,

Noise, and Section IV.H, Air Quality, of the Draft EIR, regarding potential noise and air quality impacts and proposed project design features and mitigation measures.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-7

ALTERNATIVE TO RESIDENTIAL DEVELOPMENT:

I sincerely support the goal of upgrading the production capabilities of NBC/Universal. I also support improvements and expansion of the theme park portion of their business--as long as it does not keep me awake at night.

However--I do not support the plan to develop a new residential community.

First--I do not believe the proponent's representation that a significant number of the residents (of the nearly 3,000 dwelling units that are proposed) will be employed by Universal. This is optimistic, with no foundation in commitment from the company.

Response to Comment No. 96-7

Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. (CEQA Guidelines Section 15126.6.) Section V, Alternatives to the Proposed Project, of the Draft EIR includes evaluations of several alternatives, including alternatives that do not include a residential component. The commenter is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR, for a discussion of Project alternatives. With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

Section IV.N.2, Employment, Housing and Population – Housing, of the Draft EIR discusses the housing characteristics of existing Project Site employees based on a 2008 Employee Survey. The Employee Survey includes data concerning employee mobility which indicates that approximately 6 percent (842 employees) of the approximately 13,800 current employees at the Project Site reported that they had moved to a nearer city closer to the Project Site within one year of taking their job at the Project Site. However, it is important to note that the environmental impact analyses of the Draft EIR do not assume that the proposed residential units will be occupied by employees on the Project Site.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-8

And to suggest that these residents will be connected to the Metro “transit node” on a regular basis--is also overly optimistic. There is a steep hill to climb/descend between the “village” and the Universal Metro station. Depending on a privately maintained “shuttle” seems a dubious remedy to this physical impediment. I believe that most of these residents will use automobiles to commute to and from work and shopping locations--away from the project site.

Response to Comment No. 96-8

The provision of the shuttle system, pursuant to Mitigation Measure B-2, is intended to directly link the Project’s Mixed-Use Residential Area to the Universal City Metro Red Line Station. The shuttle system would provide transport through the Project Site that would connect to the Universal City Metro Red Line Station and other publicly accessible parts of the Project Site (e.g., Universal CityWalk). The shuttle system is proposed to provide approximately 15-minute headways during the morning and afternoon peak hours and 30-minute headways during the off-peak hours.

It is currently anticipated that the shuttle system would be operated and maintained by the Applicant. However, the Applicant could contract with a private entity or an existing transit system to operate the shuttle. As set forth in Mitigation Measure B-2, the shuttle system shall be guaranteed for 20 years. After 20 years, depending on ridership, it is anticipated that the shuttle could be integrated into a public transportation system service.

The Applicant has proposed a comprehensive Transportation Demand Management program that provides significant transit incentives including, transit passes, local shuttle system, flex cars, etc. This Transportation Demand Management program would substantially increase the transit mode-split of patrons of the Project Site beyond those experienced at other locations in the City of Los Angeles. As noted in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), numerous studies across California and nationally, have found much higher trip reductions for residents and workers living near rail stations:

“TOD office workers were found to be more than 3.5 times as likely to commute by transit, an increase from the 2.7 times ratio found in the 1993 study. On average, transit was reported as the primary commute mode by 18.8% (11.5% rail and 7.3% bus) and 3.4% for bike/walk by station-area workers. The study also estimated mode share data for station-area residents. Residents living near transit stations were found to be five times

more likely to commute by transit compared to the average resident worker in the same city. On average, transit was reported as the primary commute mode for work trips by 26.5% (24.3% rail and 2.2% bus) and 1.9% for bike/walk by station-area residents. Transit was reported as the primary commute mode for non-work trips by 8.1% (5.3% rail and 2.9% bus) and 4.3% for bike/walk.

A recent study by Chatman (Transit-Oriented Development and Household Travel: A Study of California Cities, Daniel G. Chatman, 2006) included a detailed data collection effort and analysis of travel behavior in the San Diego and San Francisco-Oakland-San Jose metropolitan areas. A total of 727 station-area workers were surveyed in 2005. The reported average transit mode-split for station-area workers was 12.9% (8.3% rail and 4.6% bus) and 6.4% bike/walk. The study also surveyed 1,113 households in 2003-2004. The reported average transit mode-split for station-area residents was 14.1% (12.0% rail and 2.1% bus) and 9.0% bike/walk.”

Therefore, the transit trip reductions assumed in the traffic analysis presented in Section IV.B.1 of the Draft EIR present a conservative estimate. Additionally, as noted in the City of Los Angeles Department of Transportation’s Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Project’s trip generation would be monitored by the Los Angeles Department of Transportation, and the Project would be required to comply with the trip estimates and Transportation Demand Management credits noted in the Draft EIR as the Project’s Transportation Demand Management Program would be required to include:

“[A] periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals; non-compliance to the trip-reduction goals would lead to financial penalties or may require the implementation of physical transportation improvements.”

See also Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 96-9

I would prefer that Universal maintain the eastern portion of their property as a site for motion picture and television production. It is a unique resource. If, however, for business/economic necessity, the owner (GE or Comcast) wishes to give up one-third of their property, I believe there is a far better alternative land use, rather than selling it off to be developed as a residential community.

My suggestion would be to develop the property as the location of a foundation/library/learning center--dedicated to the historical legacy and future viability of the motion

picture/television industry. It is a wonderful site for such an institution, and would be a tribute to the business pioneers, creative artists, and technological wizards who have contributed so much to the vitality of Southern California. I also believe it could be a popular attraction for tourists.

Response to Comment No. 96-9

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office, and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and entertainment-related facilities at the Project Site in order for the Project Site to continue its historic role in the evolving entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.)

Pursuant to CEQA, the Draft EIR considered a reasonable range of potentially feasible alternatives to foster informed decision-making and public participation. CEQA does not require every conceivable alternative to a project to be assessed. (CEQA Guidelines 15126.6.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 96-10

CONCLUSION:

The Evolution Plan is evidence of a positive commitment by NBC/Universal-to the future of their business, and to the economic viability of the Los Angeles area. However, if the proposed mitigations cannot lower the negative impacts to health and quality of life--to a level of insignificance--then one of two courses must be followed: Either implement more effective mitigation measures, or scale the project down.

Again, thank you for the Draft Environmental Impact Report on this project. I believe it is an important document to include in the ongoing conversation about the future of our home--Southern California.

Response to Comment No. 96-10

Section IV, Environmental Impact Analysis, of the Draft EIR includes analyses of potential impacts under the Project. As discussed therein, the Project would incorporate all feasible mitigation measures. Regarding the remaining significant and unavoidable impacts, as described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.” (Public Resources Code Section 21002.1(a).) “Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).)

In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA.

The commenter is also referred to Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR). The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 97

Leo Bandini
4220 W. Toluca Lake Ln.
Burbank, CA 91505

Comment No. 97-1

I learned from the draft environmental impact report on the NBC Universal Evolution Plan that a number of steps are being taken to address traffic and parking. As a longtime resident in the area, I can't tell you how pleased I am that project planners are taking these issues seriously.

The guaranteed ride home program for commuters and a shuttle for residents are innovative ideas. I also like that the company is looking at flexible work schedules and telecommuting programs to help ease transportation issues.

NBC Universal has demonstrated that it is responsible in addressing traffic and parking and therefore, I support their Master Plan. I hope you will as well.

Response to Comment No. 97-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 98

Suzanne Bank
Creating Space for Passionate Living
www.suzannebank.com

[Note: A duplicate of the letter provided below was received on 2/1/11]

Comment No. 98-1

I am a native of Los Angeles. I am familiar with the evolution of Universal City and its relationship with the surrounding residential and commercial communities. In the very early days of Universal's Theme Park, I was one of the 'Ambassadeers' for the Beverly Hills Visitors & Convention Bureau who brought tourists to Universal. I spent a lot of time at Universal then and over the years I've taken my children and grandchildren there.

It's common knowledge that people have [sic] difficult time dealing with change, and with progress.

Only a few years ago communities surrounding what were [sic] to become "The Grove" [sic] were up in arms over plans for development. Those same residents, along with many other locals and tourists are now enjoying all the many wonderful things 'The Grove' offers.

I am excited about the plans your visionaries have for NBC Universal's site and I look forward to seeing it become a reality.

Response to Comment No. 98-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 99

Ann Mary Barkauskas
10616 Bloomfield St.
Toluca Lake, CA 91602-2707

Comment No. 99-1

I'm excited about the new NBC Universal Evolution Plan and love all the benefits it will provide to our community.

I moved to this community because of its character and charm and I enjoy being a neighbor of NBC Universal. We have a perfect opportunity to assist the company not only in improving its production facilities, but also providing needed housing that is located near transit -- an idea that is finally coming to fruition.

Everything about this project is well planned and designed. People are tired of commuting and paying high gasoline prices. Local businesses can look forward to increased sales and the City can look forward to increased tax revenues. What could be better?

Response to Comment No. 99-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 100

Patricia Barnett
4026 Denny Ave
Studio City, CA 91604
pattheeditor@mac.com

[Note: A duplicate of the letter provided below was received on 1/28/11]

Comment No. 100-1

I am writing to you once again to voice my concern over NBC/Universal's Evolution Plan and its probable impact on my neighborhood. I live in/on "The Island" in Studio City, 3 blocks away from Lankershim and the NBC/Universal lot. I have been in my home for about 11 years now, and one thing I know for sure is that the traffic noise level has steadily risen in the time that I have lived here. It is already sometimes difficult for me to sleep throughout the night, let alone enjoy a peaceful day, even with all my windows tightly closed.

I am worried that with this expansion, the traffic will increase tremendously, which will not only raise the noise level, but the smog level as well. Add to that the fact that there is only one way in and out of my neighborhood, and that is by entering Lankershim Boulevard at what will probably be its busiest intersection.

Response to Comment No. 100-1

Potential traffic noise impacts were analyzed in Section IV.C, Noise, of the Draft EIR. As discussed on pages 1019–1021 of the Draft EIR, a traffic noise model of the surround community area was constructed using the Federal Highway Administration's Traffic Noise model software to determine ambient noise increases due to increases in traffic levels. Based on the analysis, it was concluded that Project noise impacts from roadway sources would be less than significant.

With regard to emissions from vehicle use associated with the Project, potential impacts to air quality associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR and related technical report included as Appendix J to the Draft EIR, consistent with the SCAQMD's CEQA Handbook. As shown on pages 1468–1509, Tables 108–112, 124, 130–131, in Section IV.H, Air Quality, of the Draft EIR, the Project's air quality analysis accounts for emissions from vehicle use. The Project includes project design features and mitigation measures described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, that would reduce vehicle trips and vehicle miles traveled, which would reduce the Project's air pollution emissions. (Draft

EIR, page 1523.) For example, the Project would implement a Transportation Demand Management program that results in a decrease of daily vehicle trips, which effectively reduces traffic-related air pollutant emissions. (Draft EIR, page 619.) The Transportation Demand Management program would include several strategies. Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information.

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures. An extensive series of project design features and mitigation measures have been identified to address the Project's traffic impacts. Specifically, with regard to Lankershim Boulevard, Mitigation Measure B-6 includes various improvements along the Lankershim Boulevard corridor. While these measures would substantially reduce the Project's intersection impacts, significant and unavoidable impacts would remain at nine intersections, including Lankershim and Cahuenga Boulevard (morning peak hour); Lankershim Boulevard and Main Street (afternoon peak hour); Lankershim Boulevard and Jimi Hendrix Drive (afternoon peak hour); and Lankershim Boulevard & Campo de Cahuenga Way/Universal Hollywood Drive (morning peak hour). The Project's mitigation program includes all feasible mitigation measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance. It should be noted that with the proposed project design features and mitigation measures, impacts at the intersection of Valleyheart Drive/James Stewart Avenue and Lankershim Boulevard, which is the access point into the Island area, would be less than significant. (Draft EIR, Figure 86, page 935.)

Comment No. 100-2

Light pollution is also a concern--from billboards, more tall buildings, etc.

Response to Comment No. 100-2

Regarding lighting impacts, as discussed in Section IV.E.2, Light and Glare – Artificial Light, of the Draft EIR, Project signage within the Lankershim Edge Sign District would be visible to the west. However, the proposed City and County Specific Plans include lighting restrictions, including limiting the light from Electronic Message Signs and Illuminated Animated Signs and restricting the quantity and placement of such signs along Lankershim Boulevard.

As explained in more detail in Section IV.E.2, Light and Glare – Artificial Light, of the Draft EIR, and Appendix G, Lighting Technical Report, a technical study was performed to model both the impacts from Project lighting as well as illuminated signage. Based on this technical analysis, operational and signage lighting impacts were found to be less than significant, given the regulations proposed in the City and County Specific Plans, the existing lit environment, and the distance to certain off-site receptors. (see Draft EIR, pages 1277–1278.)

Comment No. 100-3

I understand that the Metro Universal Plan could bring even more tall buildings, adding more traffic and thus, more noise, air, and light pollution.

Response to Comment No. 100-3

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project, which is no longer proposed, was classified as a related project and, per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (Draft EIR, pages 269 and 383.) The commenter is referred to Sections IV.B.1, Traffic/Access – Traffic/Circulation, IV.C, Noise, IV.H, Air Quality, and Section IV.E.2, Light and Glare- Artificial Light, for the discussion of potential cumulative traffic, noise, air quality and artificial light impacts.

Comment No. 100-4

It is my wish that plans of this scale be seriously toned down for the sake of us tax-paying citizens already living here.

Response to Comment No. 100-4

Section V, Alternatives to the Proposed Project, of the Draft EIR includes evaluations of several alternatives to the Project, in accordance with the CEQA Guidelines, including project alternatives with reduced development. The commenter is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR, for further information. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 101

Jean T. Barrett
David Alan Gibb
jeantbarrett@aol.com
dagibb@aol.com

Comment No. 101-1

I have some questions and concerns about the NBC Universal “Evolution Plan” DEIR.

Response to Comment No. 101-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 101-2

I live just off Barham Blvd. in the Hollywood Manor, which is only accessible via Barham Blvd. Several times a day, Barham Blvd. is gridlocked with traffic. The traffic is at its worst during the morning and evening rush hours and when there are big crowds heading to Universal Studios. When the additional 30,000+ car trips per day are added to the area around Universal City:

- How will our elderly be able to receive emergency medical services and transport to hospitals if Barham is gridlocked?
- How will we be able to get out of our neighborhood in case of emergency such as earthquake or fire?

Response to Comment No. 101-2

The Project’s potential traffic impacts were thoroughly analyzed as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. With respect to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable intersection impacts along Barham Boulevard. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project’s impacts along Barham Boulevard to a level below significance, based on the LADOT significance criteria. Specifically, the proposed third southbound through lane on Barham Boulevard, described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access –

Traffic/Circulation, of the Draft EIR, mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. As shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and the implementation of its proposed mitigation measures as compared to the Future without Project conditions.

With regard to emergency services, the Draft EIR, on pages 1702–1703 in Section IV.K.1, Public Services – Fire Protection, concludes that while traffic congestion in the Project area may increase emergency vehicle response times, fire trucks would still be able to navigate congested traffic conditions through a number of standard operating procedures (e.g., using sirens to clear a path of travel or driving in the lanes of opposing traffic). Further, with implementation of the above-mentioned project design features and mitigation measures, traffic impacts on Barham Boulevard would be reduced to a less than significant level. Furthermore, under the automatic aid agreements currently in place, the County Fire Department and the Burbank Fire Department can respond with additional units to the Project area, as needed. For these reasons and with implementation of Mitigation Measures K.1-2 and K.1-5, which requires the expansion of fire fighting facilities and equipment, impacts to emergency response times during Project operations would be reduced to a less than significant level.

Comment No. 101-3

-- Many motorists will learn to avoid Barham by taking Lake Hollywood Drive, Tahoe Drive and Beachwood Canyon through to Hollywood. Have the impacts of this new traffic pattern to the multi-million-dollar neighborhoods in Beachwood Canyon and Lake Hollywood Estates been considered in the DEIR?

Response to Comment No. 101-3

As discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter VIII of the Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report (Gibson Transportation Consulting, Inc. and Raju Associates, Inc., March 2010) (the “Transportation Study”) a detailed analysis of the Project's potential neighborhood intrusion impacts on nearby residential neighborhoods was conducted. The methodology used in this analysis is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to LADOT criteria for neighborhood streets. Until the Project actually generates traffic, it is impossible to tell which local streets might feel the

effects of Project traffic (either direct impacts from Project traffic or indirect impacts resulting from Project traffic causing other traffic to “short-cut” through neighborhoods).

The LADOT methodology identifies those locations where the Project generates enough traffic to result in a significant impact if all (or enough) of the Project traffic left the arterial/collector street system and used the local streets within a neighborhood. Three conditions must be present for the impact to be potentially significant:

- a. There must be sufficient congestion on the arterial corridors to make motorists want to seek an alternate route;
- b. There must be sufficient Project traffic on the route to result in a significant impact if it were to divert to a local street; and
- c. There must be a street (or a combination of streets that provide a route) through the neighborhood that provides an alternate route.

As part of the neighborhood impact analysis for the Project, a detailed review was conducted of the streets noted in the comment. However, it was determined, in conjunction with LADOT, that the routes noted by the commenter did not represent a logical, parallel route to the arterial streets and, therefore, the volume of Project traffic that may leave the arterial/collector street system and use the local streets within a neighborhood is not anticipated to result in a significant impact. Also refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 101-4

If the project is approved, traffic on Barham heading toward the 101 Freeway will back up well into Burbank. I suspect that Warner Bros. won't be very happy when their studio audiences, staffers, visitors and stars can't get to the studio because traffic is backed up from Barham Blvd. to well beyond the studio entrance. How will the economic consequences to this major employer be mitigated?

Response to Comment No. 101-4

With regard to potential impacts associated with traffic on Barham Boulevard, as explained in Response to Comment No. 101-2, the Project does not result in any significant and unavoidable intersection impacts along the Barham Boulevard corridor, and, as shown in the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. Please see Response to Comment No. 101-2 for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 101-5

Why is the Evolution Plan DEIR being considered separately from the Metro/Universal DEIR? Clearly they are one project and should be planned and mitigated for as one project. Have the impacts of each been considered cumulatively?

Response to Comment No. 101-5

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and, per the CEQA Guidelines and addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR (Draft EIR, pages 269 and 383). The commenter is referred to Topical Response No. 3: Defining the Proposed Project, (see Section III.C, Topical Responses, of this Final EIR) for additional information regarding the Metro Universal project.

Comment No. 101-6

Why is the residential component of the Evolution Plan being built far from public transit? This is insanity, to place the ingress and egress for 3,000 homes at the foot of Barham Blvd. Barham will be impassible at most times of the day. The residences should go above the Metro Red Line station.

Response to Comment No. 101-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The Universal City Metro Red Line Station site referred to in the comment is not owned by the Applicant. The possibility of locating residential development on the west side of the Project Site along Lankershim Boulevard was considered as a potential alternative to the proposed Project. As concluded on pages 2158–2159 in Section V, Alternatives to the Proposed Project, of the Draft EIR, the substantial negative impacts associated with this alternative outweigh the benefits associated with creating a transit-oriented development on the west side of the Project Site. Specifically, this potential alternative would create a new significant impact with regard to land use compatibility while also worsening the Project's significant impacts. In addition, this alternative fails to meet a number of the basic objectives of the Project (e.g., to maintain and enhance the Project Site's role in the entertainment industry, to

create a fully integrated site, and to establish jurisdictional boundaries that reflect existing and planned on-site land use patterns). For these reasons, both individually and collectively, an alternative calling for residential development along Lankershim Boulevard was concluded to be infeasible.

The provision of the shuttle system, pursuant to Mitigation Measure B-2, is intended to directly link the Project's Mixed-Use Residential Area to the Universal City Metro Red Line Station. The shuttle system would provide transport through the Project Site that would connect to the Universal City Metro Red Line Station and other publicly accessible parts of the Project Site (e.g., Universal CityWalk). The shuttle system is proposed to provide approximately 15-minute headways during the morning and afternoon peak hours and 30-minute headways during the off-peak hours. The shuttle system would also provide connections from the Project Site to the Downtown Burbank Metrolink Station, Burbank Media District, and parts of Hollywood and West Hollywood. Additionally, the proposed Project includes a Transportation Demand Management Program to encourage use of transit by Project users. Please refer to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, and Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information.

Please refer to Response to Comment No. 101-2, above, for a discussion of the Barham Boulevard corridor.

Comment No. 101-7

We need major traffic modifications that take traffic off of Barham Blvd., not the proposed little country lane that will wind its way through the Universal back lot.

Response to Comment No. 101-7

See Response to Comment No. 101-2, above, for a discussion of the Barham Boulevard corridor. As discussed on page 662 in Section IV.B.I, Traffic/Access – Traffic/Circulation, of the Draft EIR, the proposed North-South Road within the Mixed-Use Residential Area would be a Modified Secondary Highway with four travel lanes along its length during peak hours that would alleviate traffic congestion along Barham Boulevard. The commenter is also referred to the Streetscape Plan included as Appendix No. 4 to the proposed City Specific Plan, which is Appendix A-1 to the Draft EIR.

Comment No. 101-8

The summary of the DEIR is 250+ pages long. Clearly the DEIR has been constructed so as to discourage any meaningful input from those who are not employed full-time in the field of urban planning.

Response to Comment No. 101-8

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which fully takes account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.)

With respect to public input regarding the Project, consistent with the requirements of CEQA, the Draft EIR was originally circulated for public review for a 61-day period, or 16 days more than the CEQA required 45-day review period. This 61-day comment period began on November 4, 2010, and ended on January 3, 2011. In response to requests to extend the review period, on November 18, 2010, the City of Los Angeles extended the comment period by an additional 32 days to February 4, 2011. Thus, the Draft EIR was circulated for a 93-day public review period, which is more than double the 45-day public review period required by CEQA Guidelines Section 15105 when a Draft EIR is submitted to the State Clearinghouse for review by State agencies. In addition, a public comment meeting was held on December 13, 2010. See Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR), for further information regarding the EIR.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 101-9

The NBC Universal "Evolution Plan" lacks actual planning and will turn the Cahuenga Pass/Barham Blvd. neighborhood into a traffic-choked nightmare. Send NBC Universal back to the drawing board and have them incorporate ideas from Communities United for Smart Growth, such as the road along the LA River.

Response to Comment No. 101-9

The potential transportation impacts of the Project are analyzed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the

Transportation Study, the Project does not result in any significant and unavoidable impacts along Barham Boulevard, Cahuenga Boulevard East or Cahuenga Boulevard West. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along these corridors to a level below significance, based on the LADOT significance criteria. Therefore, the proposed mitigation measures are sufficient to mitigate the Project's incremental impact along these streets.

The comments made by Communities United for Smart Growth are included as Comment Letter No. 39 to this Final EIR. The commenter is referred to Comment Letter No. 39 and responses thereto.

To the extent that the comment calls for the inclusion of a roadway facility (the "East-West Road") along the Los Angeles River Flood Control Channel adjacent to the Project Site, it should be noted that the Applicant does not own the majority of the existing roadway along the river. The bulk of the frontage is owned by the County of Los Angeles. In addition, as described in Section V.I, Alternatives to the Proposed Project, of the Draft EIR and Chapter XII of the Transportation Study, the addition of the East-West Road along the Los Angeles River Flood Control Channel would not improve traffic conditions at the analyzed intersections. The commenter is also referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 102

Brian Barrett-Marugg
bmarugg@hotmail.com

[Note: A duplicate of the letter provided below was received on 11/16/10]

Comment No. 102-1

Mitigation Measure B-5 in the NBC Universal Evolution Plan EIR, as illustrated in Figure 78, which would add one more lane for cars to Barham Boulevard, would create an unacceptable safety hazard for cyclists traveling between Hollywood and Griffith Park. Many cyclists use Barham Boulevard in conjunction with local streets in Lake Hollywood and Cahuenga Boulevard East to travel between the Hollywood Hills and Griffith Park. The lanes on Barham Boulevard are now wide enough in many areas that cars and bicycles can share the lanes. The proposed mitigation measure would reduce the curb lanes to as little as 11 feet, creating an unsafe condition for cyclists.

Response to Comment No. 102-1

The proposed Project mitigation for Barham Boulevard as described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. Field surveys conducted along the Barham Boulevard and Cahuenga Boulevard (West) corridors show that fewer than 12 bicyclists travel along Barham Boulevard (south of Forest Lawn Drive) and fewer than 4 bicyclists travel along Cahuenga Boulevard (West) (east of Barham Boulevard) during either the A.M. or P.M. peak hour, as compared to 4,500 automobiles on Barham Boulevard during the peak hour. (See Memorandum dated August 18, 2011, from Gibson Transportation Consulting, Inc., in Appendix FEIR-4 of this Final EIR.)

The City's 2010 Bicycle Plan was adopted in March 2011, after the release of the Draft EIR for the Project. The City's 2010 Bicycle Plan proposes a bicycle lane on Barham Boulevard (from Forest Lawn Drive to Cahuenga Boulevard). However, in Chapter 5, Implementation, of the 2010 Bicycle Plan, the plan acknowledges that only some proposed bicycle lanes were evaluated in the Mitigated Negative Declaration that was conducted simultaneously with preparation of the 2010 Bicycle Plan and that "many future bicycle lanes will require additional analysis (particularly impacts on traffic) pursuant to the California Environmental Quality Act (CEQA)." "As each bikeway that is identified as a future bicycle lane is prioritized in the Five-Year Implementation Strategy a preliminary analysis will be conducted to evaluate whether further environmental review will be

necessary.... In some cases the analysis may determine that the originally selected roadway is not well suited for a bicycle lane. In these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane.” (City of Los Angeles 2010 Bicycle Plan, pages 114–115.)

As acknowledged by the 2010 Bicycle Plan, implementation of the Bicycle Plan may require the decision-makers to prioritize varying Transportation Element policies. For example, the proposed bike lane on Barham Boulevard may require removal of existing travel lanes to accommodate the new bike lanes; i.e., the proposed bike lanes cannot be accommodated within existing right-of-way even in the absence of the Project’s transportation mitigation measures. Such roadway configuration changes on streets with high automobile traffic volumes would result in a significant impact on vehicular mode of travel.

Comment No. 102-2

While the proposed project would create bike lanes on its own internal “north-south” road, this road would not be accessible to cyclists coming from Hollywood unless they travel on unsafe portions of Cahuenga Boulevard, through the congested intersection of Cahuenga/Barham and then onto Buddy Holly Drive. No bicycle lanes exist on or are proposed for Buddy Holly Drive.

Response to Comment No. 102-2

The Project’s proposed on-site bicycle network consists of Class I and Class II facilities that would be designed in accordance with the standard definitions for these types of facilities. As stated on page 653 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the proposed on-site bicycle path system would be subject to the review and approval of the City Bureau of Engineering, Los Angeles Department of Transportation, and County of Los Angeles Department of Public Works for the portions of the bicycle facilities within their respective jurisdiction. This review process would ensure the development of safe bicycle facilities.

As noted in Response to Comment No. 102-1, above, implementation of the bicycle lane proposed in the City’s 2010 Bicycle Plan cannot be accommodated within the existing Barham Boulevard right-of-way even in the absence of the Project’s transportation mitigation measures. The City’s 2010 Bicycle Plan states that in some cases the originally selected roadway would not be well suited for a bicycle lane and that in these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor

without the inclusion of a bicycle lane on the originally selected roadway. (2010 Bicycle Plan, Chapter 5, page 115.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 102-3

This project should not be approved unless safe bicycle facilities are retained on Barham Boulevard or suitable alternatives are provided by creating safe, new bicycle facilities on Cahuenga Boulevard and Buddy Holly Drive between Lakeridge Place and the new “north-south” road.

Response to Comment No. 102-3

Please refer to Response to Comment Nos. 102-1 and 102-2, above. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 103

Anthony Batarse
11644 Chandler Blvd.
North Hollywood, CA 91601

[Note: A duplicate of the letter provided below was received on 1/31/11]

Comment No. 103-1

First, I'd like to thank the City and the Planning Department for the management and release of such a thorough document.

As someone who lives in the neighborhood, I have a great interest and stake in the NBC Universal Evolution Plan. If a project of this size is going to become part of the Los Angeles landscape I want it to be done responsibly, and with concern not just for the bottom line, but for those of us who are part of the community it will affect.

I must tell you that I am impressed by what's proposed. This project goes above and beyond, and has invested a great deal in transportation enhancements that include improvements to streets, signals, local freeways and freeway on-ramps, as well as connections to public transit. These changes won't happen without this project.

I want to see these transit improvements, the sooner the better.

Response to Comment No. 103-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 104

Tracy Baum
4956 Sunnyslope Ave.
Sherman Oaks, CA 91423

[Note: A duplicate of the letter provided below was received on 2/3/11]

Comment No. 104-1

My review of portions of the Draft Environmental Impact Report found that the Universal Plan is designed to include new housing. With more and more people moving to Los Angeles every year, the housing shortage will only continue to worsen.

It makes sense that this housing will be located next to an existing residential community and it will be compatible with adjacent neighbors. The fact that it's right next to public transit is an added bonus.

I believe that this is the direction for prosperous growth for Los Angeles. Building housing next to businesses and transit is an idea that works all over the country and it's time we make it work here in L.A.

Response to Comment No. 104-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 105

George Bekeffy
11910 Weddington St #301
Valley Village, CA 91607

[Note: A duplicate of the letter provided below was received on 1/28/11]

Comment No. 105-1

It is encouraging to see that part of NBC Universal's development plan is paying fees to the Los Angeles Unified School District. These fees will help our cash strapped district. They will also make sure that the needs of the people who come into the area are not met at the expense of the people already here.

Response to Comment No. 105-1

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As detailed in Mitigation Measure K.3-1, all applicable school fees would be paid to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area. With the implementation of the recommended mitigation measure, the impacts to school capacity levels and facilities would be reduced to a less than significant level.

Comment Letter No. 106

Newt Bellis
Victory Studios
10911 Riverside, #100
North Hollywood, CA 91602

[Note: A duplicate of the letter provided below was received on 1/26/11]

Comment No. 106-1

Whenever there's a new project on the horizon, people immediately talk about traffic and noise. I'm pleased that the NBC Universal Evolution Plan has made these non-issues.

According to the Draft Environmental Impact Report, the company is considering telecommuting and flexible work programs, and is implementing a guaranteed ride home program for commuters and a transit program for residents.

The report also notes the steps NBC is taking to reduce noise during construction.

As a nearby resident, I'm pleased the company is acting responsibly in these areas. I support their efforts and their expansion plans.

Response to Comment No. 106-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

To clarify, though potential impacts would be mitigated to the extent feasible, the Project would have some residual impacts. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, regarding the significant and unavoidable environmental impacts of the Project.

With respect to noise during construction, the Project would implement Project Design Feature C-1 and Mitigation Measures C-1 through C-5, which would reduce the daytime noise levels attributable to the Project. However, depending on the receptor location and ambient noise levels at the time of construction, these activities could increase daytime noise levels at nearby noise-sensitive uses above the established threshold. This is considered a significant and unavoidable short-term impact when grading and construction activities occur near noise-sensitive uses. Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when

exterior nighttime construction, as allowed by the exceptions noted in Mitigation Measure C-2, occurs. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. It is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur are limited, and when they do occur, the extent of this significant impact would be limited in duration. With the implementation of Mitigation Measure C-4, noise from Project-related hauling would be reduced to a less than significant level.

Comment Letter No. 107

Ermelinda Bendy
10861 Moorpark St., Unit 107
Toluca Lake, CA 91602-2246

Comment No. 107-1

The NBC Universal Evolution Plan is important to our community. Our city can't afford to lose this opportunity. If we don't allow this company to make a big time investment in our city by improving its property right now, we will be denying the residents of Los Angeles a new source of needed revenue.

I have reviewed the Draft Environmental Impact Report. All the important issues have been addressed. Mitigations are in place for every impact that has been identified. As an old saying goes, "He who hesitates is lost." Let's not lose this one.

Response to Comment No. 107-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, regarding the significant and unavoidable environmental impacts of the Project.

Comment Letter No. 108

Dalia Benitez
5658 Colfax Ave.
North Hollywood, CA 91601

Comment No. 108-1

I don't work in entertainment, but I can see how the industry would benefit from NBC Universal's Evolution Plan. With the project's new soundstages and production facilities, there will be more compelling reasons to keep production – and jobs -- here in Southern California.

I urge you to keep this in mind and move the project through the approval process quickly.

Response to Comment No. 108-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 109

Oliver Bennett
4427 Forman Ave.
Toluca Lake, CA 91602-2504

[Note: Three duplicates of the letter provided below were received on 2/3/11]

Comment No. 109-1

Key drivers of the Southern California economy are tourism and the entertainment industry, which is why I strongly support NBC Universal's Evolution Plan.

The idea of putting housing where jobs are located only makes sense as Los Angeles continues to grow and our roads get busier. I live in the area and work at Universal, and that's something that more people would be able to do with the additional housing that is planned.

Response to Comment No. 109-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 109-2

However one part of the plan I do not support is the Forman Ave extension, Alternative 9. This would significantly and negatively impact my quality of life, dumping major traffic on my doorstep.

Response to Comment No. 109-2

Alternative 9 (East-West Road with Forman Avenue Extension) was included in Section V, Alternatives to the Proposed Project, of the Draft EIR, to evaluate the Project's requested deletion of the East-West Road from the existing County Highway Plan. The commenter is referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), for further information.

Comment No. 109-3

As a member of the Toluca lake Homeowners Association, I know that some in my community have taken an opposing position regarding the Evolution Plan. But please

know that they certainly do not speak for all of us living In Toluca Lake. Personally, I think that smart growth could benefit everyone living in the area.

Response to Comment No. 109-3

The comment in support of the Project is noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 110

Fred Berger
5516 Tyrone Ave.
Sherman Oaks, CA 91401

[Note: A duplicate of the letter provided below was received on 1/19/11]

Comment No. 110-1

The NBC Universal Evolution Plan is important to our community. Our city can't afford to lose this opportunity. If we don't allow this company to make a big time investment in our city by improving its property right now, we will be denying the residents of Los Angeles a new source of needed revenue.

I have reviewed the Draft Environmental Impact Report. All the important issues have been addressed. Mitigations are in place for every impact that has been identified. As an old saying goes, "He who hesitates is lost." Let's not lose this one.

Response to Comment No. 110-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

To clarify, though potential impacts would be mitigated to the extent feasible, the Project would have some residual impacts. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, regarding the significant and unavoidable environmental impacts of the Project.

Comment Letter No. 111

Mr. & Mrs. Ronald A. Berges
10414 Woodbridge St.
Toluca Lake, CA 91602
berges@mindspring.com

Comment No. 111-1

Greetings. My wife and I have been residents of Toluca Lake for almost 40 years. We have major concerns and questions regarding the above project and the DEIR. This letter deals with some of those concerns as referenced above. Other areas of concern will be addressed in separate correspondence.

Response to Comment No. 111-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 111-2

Alternative Project #9. The DEIR presents the ludicrous idea of placing a secondary highway, running north/south, through the Lakeside golf course and joining Foreman Avenue. We can't believe that anyone would even envision such an idea as a "feasible alternative". Such a plan would DESTROY our residential community with increased traffic, noise and pollution. Universal might as well drop a bomb in the heart of Toluca Lake. **WE OPPOSE ALTERNATIVE PROJECT #9.**

Response to Comment No. 111-2

In terms of background on this issue, State law requires that every city and county adopt a general plan containing the following seven components or "elements": land use, circulation, housing, conservation, open-space, noise, and safety. (Government Code Sections 65300 et seq.) More specifically, Government Code Section 65302(b) states that a general plan shall include a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other local public utilities and facilities, all correlated with the land use element of the plan.

The County General Plan satisfies this latter Government Code requirement via the Transportation Element's policy maps, which are collectively referred to as the Los Angeles County Highway Plan ("County Highway Plan"). The County Highway Plan among other purposes identifies the location of existing and proposed roadway improvements. One of

the proposed roadway improvements shown on the County Highway Plan is a future major public highway (100 foot right-of-way) through the Project Site, referred to as the East-West Road, that connects Forest Lawn Drive/Lakeside Plaza Drive and Lankershim Boulevard/Bluffside Drive. (Draft EIR, Figure 226, page 2414.)

The County Highway Plan was adopted on November 25, 1980. As stated on page 416 of Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the County is currently in the process of updating the County General Plan including, but not limited to, an update to the County Highway Plan. A draft of the updated County Highway Plan is set forth as Figure 4.4 of the Draft Mobility Element. The Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension (see Figure 1 on page III-9). While the Draft County Highway Plan as proposed would delete the East-West Road with the Forman Avenue Extension, the officially adopted County Highway Plan as of this date is the County Highway Plan adopted in 1980. As such, one of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the existing County Highway Plan. Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation (see CEQA Guidelines 15126.6). Thus, as discussed in Section V, Alternatives to the Proposed Project, of the Draft EIR, the purpose of Alternative 9 is to evaluate the Project's requested action to delete the East-West Road from the existing County Highway Plan.

Pages 2424–2429 of Section V, Alternatives to the Proposed Project, of the Draft EIR, analyzes the environmental impacts of Alternative 9: East-West Road with the Forman Avenue Extension. As concluded on page 2429 of the Draft EIR, “Alternative 9 impacts with regard to traffic, air quality, noise, and historic resources would be greater than those that would occur under the proposed Project.” In addition, a number of residents within the Toluca Lake neighborhood that would be directly impacted by the implementation of this Alternative have also expressed concern that Alternative 9 would cause a notable disruption to the community beyond that analyzed in the Draft EIR. The commenter is referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 111-3

Request for Notice. We request to be notified of all future hearings on this matter so that we can attend and present our concerns in detail to the appropriate hearing panel.

Response to Comment No. 111-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The contact listed on the comment letter will be added to the mailing list for future public noticing as required under CEQA.

Comment No. 111-4

Thank you for your anticipated consideration of these questions and concerns, and for your anticipated response.

Response to Comment No. 111-4

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 112

Mr. & Mrs. Ronald A. Berges
10414 Woodbridge St.
Toluca Lake, CA 91602
berges@mindspring.com

Comment No. 112-1

Greetings. My wife and I have been residents of Toluca Lake for almost 40 years. We have major concerns and questions regarding the above project and the DEIR. This letter deals with some of those concerns as referenced above. Other areas of concern will be addressed in separate correspondence.

Response to Comment No. 112-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 112-2

Overbroad DEIR and Neglected Overlap with MTA Project. The proposed DEIR totally ignores the fact that Universal is involved with the MTA expansion plan. With both plans together, our community will be destroyed by increased traffic, noise, pollution, etc. The environmental impact of the COMBINED plans should be considered, rather than dealing with the issues on a piecemeal basis. **WE OBJECT TO THE FAILURE OF NBC UNIVERSAL TO DEAL FORTHRIGHTLY WITH THE TOTAL IMPACT OF THE PROJECTS.**

Response to Comment No. 112-2

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and, per the CEQA Guidelines and addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (Draft EIR, pages 269 and 383.) See also Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of the Final EIR).

Comment No. 112-3

Request for Notice. We request to be notified of all future hearings on this matter so that we can attend and present our concerns in detail to the appropriate hearing panel.

Response to Comment No. 112-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The contact listed on the comment letter will be added to the mailing list for future public noticing as required under CEQA.

Comment No. 112-4

Thank you for your anticipated consideration of these questions and concerns, and for your anticipated response.

Response to Comment No. 112-4

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 113

Mr. & Mrs. Ronald A. Berges
10414 Woodbridge St.
Toluca Lake, CA 91602
berges@mindspring.com

Comment No. 113-1

Greetings. My wife and I have been residents of Toluca Lake for almost 40 years. We have major concerns and questions regarding the above project and the DEIR. This letter deals with some of those concerns as referenced above. Other areas of concern will be addressed in separate correspondence.

Response to Comment No. 113-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 113-2

Incomplete Traffic Analysis. The proposed DEIR presents an incomplete picture and multiple misrepresentations concerning the impact of increased traffic on our community. Presently, the traffic on Lankershim, Riverside, and all surrounding streets is unbearable. With the increased traffic proposed by the plan, Toluca Lake will be in gridlock. The DEIR is misleading and false as to the impact of increased traffic on our community. **WE OPPOSE THESE OMISSIONS AND MISREPRESENTATIONS.**

Response to Comment No. 113-2

As noted in Section IV.B.1.2.c.(1) of the Draft EIR and Chapter III of the Transportation Study, the traffic analysis for the Project is based on a detailed travel demand forecasting model ("Universal City Transportation Model") that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base. The Study Area was determined based on consultation with the City of Los Angeles Department of Transportation, Caltrans, the County of Los Angeles Department of Public Works, and the City of Burbank Planning Department, and by reviewing the travel patterns and the potential impacts of Project traffic. The Study Area is approximately 50 square miles in area and is generally bounded by Burbank Boulevard in the community of North Hollywood and the City of Burbank on the north, Santa Monica

Boulevard in the City of West Hollywood and the community of Hollywood on the south, Forest Lawn Drive on the east, and Sepulveda Boulevard in the community of Sherman Oaks on the west, and includes all streets and neighborhoods within the Study Area, including within the community of Toluca Lake. The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for a detailed discussion of the potential traffic impacts of the Project and proposed project design features and mitigation measures.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 113-3

Request for Notice. We request to be notified of all future hearings on this matter so that we can attend and present our concerns in detail to the appropriate hearing panel.

Response to Comment No. 113-3

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The contact listed on the comment letter will be added to the mailing list for future public noticing as required under CEQA.

Comment No. 113-4

Thank you for your anticipated consideration of these questions and concerns, and for your anticipated response.

Response to Comment No. 113-4

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 114

Matt Besser
mbesser@sbcglobal.net

[Note: A duplicate of the letter provided below was received on 1/31/11]

Comment No. 114-1

I live off Lankershim right across from Universal City at 4038 Willow Crest in the Island.

In reference to the file no. ENV-2007-0254-EIR and the Universal Evolution Plan I'd like to complain that this project is too big. It's going to cause too much traffic and everybody that lives around here know [sic] it and we're not happy about it. NBC is biting off way more than it can chew. Universal City needs its own exit that the construction workers and tourists have to use. Already without this plan look at how tourists cross against the light and cause traffic on Lankershim. Our community was promised years ago that a walkway would be built over Lankershim to avoid the pedestrians from causing traffic or being in danger. This promise was never honored.

Response to Comment No. 114-1

The potential transportation impacts of the Project are analyzed in Section IV.B.1.5, Traffic/Access – Traffic/Circulation, of the Draft EIR. As described in Mitigation Measure B-41 in Section IV.B.1.5.i of the Draft EIR (Mitigation Measure B-44 in the Final EIR) and Chapter VII of the Transportation Study, construction traffic management plans including street closure information, detour plans, haul routes, and staging plans satisfactory to the affected jurisdictions, would be developed by the Project Applicant or its successor to the satisfaction of LADOT. The construction traffic management plans shall be based on the nature and timing of the specific construction and other projects in the vicinity of the Project Site and include numerous elements to ensure minimum impact on the street system and the surrounding community. It should also be noted that construction impacts are temporary impacts.

Regarding the referenced pedestrian walkway over Lankershim, the commenter is referred to page 652 of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The mitigation program for the original Universal City Metro Red Line Station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line Station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed Project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of

Directors authorized the full budget to design and construct the bridge. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 115

Gladis Betancurt
2100 N. Cahuenga Blvd.
Hollywood, CA 90068-2708

Comment No. 115-1

We all love open space and parks, particularly those of us who live in densely populated cities such as Los Angeles. So it's great that the NBC Universal project includes 35 acres of open space as part of the evolution plan.

This open space will include something for everyone, including walking and hiking trails, parks with play equipment and other facilities for kids and adults to enjoy, and a trailhead park overlooking the LA River Channel. And, funding will be provided to maintain the parks and open space. How often does a project applicant also provide maintenance funds along with the parks and open space? Probably not too often in this economy.

35 acres to recreate or just to enjoy being outdoors is a wonderful gift we should be happy to accept.

Response to Comment No. 115-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 116

Aimie Billon
aimierocks@gmail.com

[Note: A duplicate of the letter provided below was received on 1/20/11]

Comment No. 116-1

I've spent the last 3 years listening to the unmitigated, increasing noise coming from Universal Studios all the way down to Valley Spring Lane in Toluca Lake and I feel strongly that Universal must be stopped. Not only has the noise increased with every passing year but Universal has done nothing to fix the noise. We have a huge coalition of neighbors trying to make a difference, writing letters, attending meetings and all we ever hear is that they are "looking into it and will get back" to us. I can't imagine the amount of hours we've collectively put in with absolutely no change or accountability on their part. We've even had our neighbors pay for tickets to Universal and they were able to locate the source of the sounds and shows in mere hours, when Universal never seems to be able to. They are OUT OF CONTROL and I can't imagine why they should be allowed to compound the problem by expanding. Why would a company with no respect for the people who live in this area be allowed to take over the surrounding areas? I apologize for my tone, Sir, but I am dumbfounded as to why this situation has never been fixed and why it is about to get exponentially worse.

Universal Studios is the worst neighbor I've ever had. But, it's less of a neighbor and more of a tyrant.

Response to Comment No. 116-1

The Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation (see pages 998–1019 in Section IV.C, Noise, of the Draft EIR). As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise levels would result in less than significant impacts during both daytime and nighttime hours at all identified sensitive receptor locations. The commenter is referred to Section IV.C, Noise, of the Draft EIR, for a detailed discussion of the Project's potential noise impacts and proposed project design features and mitigation measures.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 117

Laura McCorkindale/ Aimie Billon (Assistant to Laura McCorkindale)
asst@bluebird-house.com

Comment No. 117-1

NOTES: I have collected all NBC Universal Evolution Plan Dier [sic] signatures from neighbors and individuals that will be affected by the project.

Response to Comment No. 117-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 118

Florence Blecher
3310 Adina Dr.
Los Angeles, CA 90068
fmblecher@gmail.com

Comment No. 118-1

Attached please find a pdf with my comments on the Evolution Plan.

Response to Comment No. 118-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 118-2

I'm writing as a 30-year property owner in the Cahuenga Pass, an architect and also a Directors' Guild of America member – yes, a bit of a mixed bag. I'm also past president of the Cahuenga Pass Property Owners' Association, past officer of the Ventura-Cahuenga Boulevard Corridor Specific Plan's Review Board, and a director of Communities United for Smart Growth. My Cahuenga Pass neighborhood will be significantly impacted by any development plans at Universal. The community went through this process in the late nineties with Universal's last development scheme and it seems that we're destined to tread those boards again.

My remarks here will be brief and largely in outline form. For more substantive comments, please refer to the submittals by the Cahuenga Pass Property Owners' Association, Communities United for Smart Growth, Coalition to Ban Billboard Blight, Campo de Cahuenga Historical Memorial Association, Friends of the Los Angeles River as well as the comments from the other adjacent neighborhood associations. I submit these informal comments to become part of the official record and part of the FEIR. Please consider remarks to be in need of responses even not in the form of a question.

Response to Comment No. 118-2

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

The comment refers to comments made by the Cahuenga Pass Property Owners' Association, Communities United for Smart Growth, Coalition to Ban Billboard Blight, Campo de Cahuenga Historical Memorial Association, and Friends of the Los Angeles River. Those comments are included in this Final EIR as Comment Letter Nos. 37, 39, 32 and 33, 38 and 43, respectively, in this Final EIR. The commenter is referred to the responses to the referenced comment letters also included within this Final EIR. With regard to comments from other neighborhood associations, all comments received on the Draft EIR are included in this Final EIR, along with responses to comments.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-3

Flawed Process: Considering the huge scale of the document, its pre-holiday release, the multi-jurisdictional issues and the years that it took to develop this proposal, the public has not been given a “fair shake” regarding its ability to respond. The comment period was too brief, the documents inconveniently organized – text separated from exhibits, etc. This has been a “dazzle ‘em with footwork” dance of insincere intimidation. Why have the City and County allowed this snow job to happen?

Response to Comment No. 118-3

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (See CEQA Guidelines Section 15147.)

With regard to the placement of text and exhibits, the Draft EIR provides a comprehensive analysis that is supported by numerous tables and figures to assist the reader in understanding the potential impacts of the proposed Project. Tables and graphics were placed where appropriate within each Section of the Draft EIR to promote readability.

Consistent with the requirements of CEQA, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was originally circulated for public

review for a 61-day period, or 16 days more than the CEQA required 45-day review period. This 61-day comment period began on November 4, 2010, and ended on January 3, 2011. In response to requests to extend the review period, on November 18, 2010, the City of Los Angeles extended the comment period by an additional 32 days to February 4, 2011. Thus, the Draft EIR was circulated for a 93-day public review period, which is more than double the 45-day public review period required by CEQA Guidelines Section 15105 when a Draft EIR is submitted to the State Clearinghouse for review by State agencies. In addition, a public comment meeting was held on December 13, 2010.

Consistent with CEQA requirements, public participation in the EIR preparation process also occurred during the scoping period for the EIR. In July 2007, the City filed and circulated for a 30-day public review period a Notice of Preparation that a Draft EIR was going to be prepared and to allow the public to provide input on the scope of the Draft EIR. In addition, a public scoping meeting was held on August 1, 2007. See also Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR).

Public hearings will also be held as part of both the City and County approval processes, which will provide an opportunity for members of the public to comment on the Project.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-4

Fraught with Misconceptions: There is a basic, underlying set of misconceptions in this proposal that make its foundation completely flawed. Contrary to the applicant's premise, this is not an urban neighborhood. This is not Times Square, downtown LA or even Hollywood & Highland. This is at best a suburban series of low rise, hilly neighborhoods often with narrow, winding streets that terminate in wild, scrubby canyons. This is not an urban grid of simple, rectilinear, parallel streets, but rather a flowing textile that adapts to the topography as needed. How can the City and County accept such faulty postulations?

Response to Comment No. 118-4

The U.S. Census Bureau defines an urban area as: "Core census block groups or blocks that have a population density of at least 1,000 people per square mile (386 per square kilometer) and surrounding census blocks that have an overall density of at least

500 people per square mile (193 per square kilometer).⁸⁶ The Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass Community Plan area had a population density of approximately 5,372 persons per square mile during the 2000 census, with an estimated density of approximately 5,855 persons per square mile in 2009.⁸⁷ The North Hollywood–Valley Village Community Plan area had a population density of approximately 12,783 persons per square mile during the 2000 census, with an estimated density of approximately 13,885 persons per square mile in 2009.⁸⁸ The Van Nuys–North Sherman Oaks Community Plan area had a population density of approximately 12,307 persons per square mile during the 2000 census, with an estimated density of approximately 12,891 persons per square mile in 2009.⁸⁹ Further, the individual census tracts within the Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass Community Plan area that are closest to the Project Site have population density levels that range from 2,674 to 14,089 persons per square mile.⁹⁰ The density in the Project area exceeds the population density used by the U.S. Census Bureau to define urban areas. For this reason, the term “urban” was used throughout the EIR as it refers to the Project area.

Comment No. 118-5

Sacrificing the Back Lot: To the world Hollywood = the Entertainment Business: Hollywood, ≠ High Rise Housing. For Universal to even suggest selling off the back lot to underwrite its primarily theme park development is at best disingenuous. The flight of film and television production from the area is a constant and correct complaint of our region. Along with the destruction of studio facilities like the back lot comes the reduction of highly paid, skilled jobs and the people who do them. To destroy the back lot to build unneeded high-rise residences is shortsighted. Why should economically beneficial high paying jobs be sacrificed to build unneeded housing?

⁸⁶ *Census 2000 Urban and Rural Classification. U.S. Census Bureau, Geography Division. Available at www.census.gov/geo/www/ua/ua_2k.html. Created April 30, 2002. Last revised December 3, 2009.*

⁸⁷ *Los Angeles Department of City Planning, Demographic Research Unit. City of Los Angeles, Local Population and Housing Profile, Sherman Oaks–Studio City Community Plan Area. May 2011.*

⁸⁸ *Los Angeles Department of City Planning, Demographic Research Unit. City of Los Angeles, Local Population and housing profile, N Hollywood–Valley Village Community Plan Area. May 2011.*

⁸⁹ *Los Angeles Department of City Planning, Demographic Research Unit. City of Los Angeles, Local Population and Housing Profile, Van Nuys Community Plan Area. May 2011.*

⁹⁰ *Los Angeles Department of City Planning, Demographic Research Unit. City of Los Angeles, Local Population and Housing Profile, Sherman Oaks–Studio City Community Plan Area. May 2012.*

Response to Comment No. 118-5

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (see Section II, Project Description, of the Draft EIR, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office, and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and entertainment-related facilities at the Project Site in order for the Project Site to continue its critical role in the evolving entertainment industry. (See Section II, Project Description, of the Draft EIR, pages 275–276.)

Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet (Draft EIR, Table 2 on page 280). Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs (Draft EIR, Section IV.N.1, Employment, Housing and Population – Employment, Table 186, page 2044, and Draft EIR Appendix P).

In addition, the Project would make an important contribution to expanding the regional housing supply at an infill location near existing jobs, community resources, and infrastructure. The Project would also be compatible with applicable City housing policies. (See Draft EIR, Section IV.N.2, Employment, Housing and Population – Housing, pages 2067–2077, and Draft EIR Appendix P.)

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is

included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-6

Additionally, the loss of the back lot will also destroy extant wildlife species and corridors.

Response to Comment No. 118-6

With regard to wildlife species and corridors, as noted in Section 3.1.2 in the Biological Site Assessment (Appendix K-1) and Section IV.I, Biota, of the Draft EIR, the Project Site has been extensively developed during the past 90 years, with only small pockets of undeveloped areas remaining. Within the Project Site, areas of remaining habitat occur as fragments embedded within areas that have been developed for decades. This condition results in very low biological functions. Further, as explained in more depth in the Draft EIR, the Project Site does not act as a true wildlife corridor, movement pathway, or linkage between larger habitat areas for terrestrial wildlife. Thus, although the Project would result in a loss of some of the relatively natural woodland, scrub and grassland habitats on-site, this would not result in a significant impact to wildlife migration or movement. (See Draft EIR, page 1590.)

Further, Section IV.I, Biota, of the Draft EIR (page 1545) explains that wildlife species occurring on the Project Site are generally those that have adapted to, and are tolerant of, human activities, and are common in urban areas. Some of these species thrive in urban environments, as they are opportunistic with dietary subsidies commonly associated with an urban setting, or find shelter under or within developed structures. Other wildlife may occur on-site in patches of remaining habitat which are remnants of their former population distribution. Thus, most of the common species found on and around the Project Site are highly adapted to the urban environment, while others are adapted to the urban edge and thrive at the urban edge due to dietary subsidies commonly associated with such settings. In the post-Project condition, it is expected that these species would continue to persist on the Project Site. It is also important to note that most of these species do not have any protected or special status and therefore, given the highly fragmented character of the site, impacts to these species would not be considered significant pursuant to CEQA.

For additional information regarding potential impacts to wildlife, please refer to Section IV.I, Biota, of the Draft EIR. As explained in detail in Section IV.I, Biota, of the Draft EIR, with implementation of the recommended mitigation measures, the proposed Project would have less than significant impacts on biological resources.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-7

Illogical, Inappropriate Land Use: If housing is to be built, it should be built in genuine proximity to the MTA Transit Hub, not two miles away from it on the far side of Universal's property, and not where jitneys will be needed to bring people to the hub. Universal claims to need more office and production facilities, yet proposes to have Thomas Partners build them by the MTA station, not conveniently on their own lot. This is simply twisted, backwards, unjustifiable reasoning. Why shouldn't the MTA fulfill its housing mandate and why shouldn't Universal satisfy its production demands on its own campus?

Response to Comment No. 118-7

The Universal City Metro Red Line Station site is not part of the Project Site. With regard to the Metro Universal project, the commenter is referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR). The possibility of locating residential development on the west side of the Project Site along Lankershim Boulevard was considered as a potential alternative to the proposed Project. As concluded on pages 2158–2159 in Section V, Alternatives to the Proposed Project, of the Draft EIR, the significant impacts associated with this alternative outweigh the benefits associated with creating a transit-oriented residential development on the west side of the Project Site. Specifically, this potential alternative would create a new significant impact with regard to land use compatibility while also worsening the Project's significant impacts. In addition, this alternative fails to meet a number of the basic objectives of the Project. For these reasons, both individually and collectively, an alternative calling for residential development along Lankershim Boulevard was concluded to be infeasible.

The provision of the shuttle system, pursuant to Mitigation Measure B-2, is intended to directly link the Project's Mixed-Use Residential Area to the Metro Station. The shuttle system would provide transport through the Project Site that would connect to the Universal City Metro Red Line Station and other publicly accessible parts of the Project Site (e.g., Universal CityWalk). The shuttle system is proposed to provide approximately 15-minute headways during the morning and afternoon peak hours and 30-minute headways during the off-peak hours. The shuttle system would also provide connections from the Project Site to the Downtown Burbank Metrolink Station, Burbank Media District, and parts of Hollywood and West Hollywood. Additionally, the proposed Project includes a Transportation Demand Management Program to encourage use of transit by Project users. See Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR.

With regard to the Project's studio-related objectives and proposed development, please refer to Response to Comment No. 118-5. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-8

Specific Plans, Entitlements & Bifurcation: For all intents and purposes, both the Metro/Universal and Evolution plans need to be considered together. The principal beneficiary is Universal. The principal user is Universal. The ownership of both has been Universal. The cumulative effect can be attributed to Universal. Bifurcation of the two projects should never have been allowed. If land use was to be appropriately allocated, i.e., residential on the MTA site and production on the Universal lot, there would be no need for two Evolution specific plans or any annexation/LAFCO proceedings. Universal wouldn't need open-ended entitlements to lure and profitably sell off to Thomas Partners or anyone else, but then it would have to wholly underwrite its own development costs. Why should the City and County allow this convoluted process to transpire?

Response to Comment No. 118-8

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and, per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (See pages 269 and 383 of the Draft EIR.) Additionally, refer to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR), for further information regarding the Metro Universal project.

As discussed in the Project Description of the Draft EIR, the Project Site is currently located in both an unincorporated area of the County of Los Angeles and in the City of Los Angeles. The proposed Project includes a proposal to annex approximately 76 acres of the Project Site from the County's jurisdiction into the City of Los Angeles, which would accommodate all of the proposed residential uses in the City of Los Angeles. The proposed Project would also involve detachment of approximately 32 acres of the Project Site from the City's jurisdiction into the County, for an overall net change of approximately 44 acres from the County to the City. Should the annexation process be completed, approximately 139 acres of the Project Site would be located within the City of Los Angeles, and the remaining approximately 252 acres of the Project Site would be located within the unincorporated area of Los Angeles County.

The proposed annexation/detachment actions would redraw jurisdictional boundary lines around uses and subareas in a way that promotes orderly and logical development, and the efficient delivery of public services, and avoids dividing such subareas, or individual buildings, across jurisdictional lines. The proposed annexation and detachment actions would be subject to review and approval by the Los Angeles County LAFCO, as noted in the Draft EIR (Project Description, pages 352–353). The proposed annexation and detachment actions do not include the MTA site referenced in the comment.

With regard to the proposed Specific Plans, because the Project Site is located in two separate jurisdictions under existing and proposed Project conditions, two separate Specific Plans are proposed for the Project. The proposed Universal City Specific Plan would govern those portions of the Project Site that would be located in the City, and the proposed Universal Studios Specific Plan would govern those portions of the Project Site that would be located in the County. The proposed Specific Plan areas do not include the MTA site referenced in the comment. The provisions of the proposed Specific Plans are discussed in Section II, Project Description, of the Draft EIR, and analyzed within Section IV, Environmental Impact Analysis, of the Draft EIR. In addition, complete copies of the proposed City Specific Plan and proposed County Specific Plan are included as Appendices A-1 and A-2 to the Draft EIR.

Comment No. 118-9

Faulty Traffic Analyses & Inadequate Neighborhood Protection Measures: I never in a million years thought that I'd ever end up complimenting Crane & Associates, but that time has come. When Crane examined cut-through traffic in the last iteration of Universal's development plans, at least they recognized that the neighborhoods surrounding Universal experience vast amounts of cut-through traffic. Their mitigation suggestions were pretty pitiful, but at least they acknowledged that the issue was real. Pat Gibson and his colleagues seem to only be able to deal with traffic analyses if it operates within a normal grid pattern, and that simply does not apply to our hillside communities. Mr. Gibson and his colleagues repeatedly deny that a problem could even exist if there is no simple parallel street available as an alternate route. Huh? This position represents a gross misunderstanding about the areas surrounding the Universal site. Not only that, but they seem incapable of dealing with variations on a street's names, i.e., Cahuenga, Cahuenga East and Cahuenga West, all of which function differently. Gibson Transportation has omitted streets from maps, drawn them incorrectly, disregarded existing neighborhoods, and made unsupportable claims and promises. They deliberately conducted traffic studies at unrepresentative times resulting in low level of service counts. If, as Mr. Gibson wrongly contends, there are no problems, then there is no need for solutions – wrong. As there incorrectly are no problems of neighborhood traffic intrusion, no genuine neighborhood

protection measures are offered. Can Universal's neighbors expect better, more accurate and representational traffic data and better solutions to be offered in the FEIR?

Response to Comment No. 118-9

With respect to potential impacts to residential streets from "cut-through" traffic, as discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR, a detailed analysis of the Project's potential impacts on nearby residential neighborhoods was conducted. The methodology used in this analysis is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to LADOT criteria for neighborhood streets. With the Project's Transportation Demand Management trip reductions and mitigation, five of the nine potentially impacted neighborhoods in the overall traffic study area would still be subject to potential impacts. Mitigation Measure B-42 would provide for the development of neighborhood traffic management plan(s) in the five potentially impacted neighborhoods.

It should be noted that, as discussed in the Draft EIR, a potentially significant neighborhood traffic intrusion impact on a particular residential neighborhood can only be determined after a project or portions of a project are completed and operating. Prior to a project becoming operational it is virtually impossible to quantify potential impacts. Once a project is operational, a neighborhood can be assessed to determine if any impacts are occurring, the nature of the impacts and whether those impacts can be addressed through a Neighborhood Traffic Management Plan. The Los Angeles Department of Transportation has developed a process over many years to assess whether impacts are occurring, the nature of the impacts and a range of traffic measures designed to address potentially significant impacts. (See Appendix T to the Transportation Study, attached as Appendix E-1 to the Draft EIR). The Los Angeles Department of Transportation process is an iterative process through which the impacted neighborhood is included in the process to help assess which traffic-calming options are preferred by the community at issue, to balance the relative desirability of the options, and ultimately to let the community itself make the decision whether to implement the traffic-calming measures. In some neighborhoods, the potential significant impact never materializes. In locations where a significant impact does occur, the community may decide to implement traffic-calming measures, including measures such as those referenced in the comment, that reduce the impact to below a level of significance and, in other neighborhoods, the measures themselves are considered to be undesirable and so the community prefers not to implement them and the neighborhood intrusion traffic remains significant and unmitigated.

Pursuant to Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR), the Applicant would provide funding up to \$500,000 for implementation of the City of Los Angeles Department of Transportation's Neighborhood Traffic Management Process included as Appendix T to the Transportation Study. The required funding was based on the number of residential streets that were candidates for a potential significant neighborhood intrusion impact by Project traffic and the Department of Transportation's experience in implementing Transportation Management Plans. Figure 82 on page 919 of the Draft EIR illustrates the location of neighborhoods eligible for funding. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR).

Regarding the distinction between Cahuenga Boulevard (West), Cahuenga Boulevard (East), Cahuenga Boulevard that extends north of Lankershim Boulevard, and Cahuenga Boulevard that extends into Hollywood, these streets have been clearly depicted in the maps presented in the Draft EIR (see for example Figures 42, 43B, and 43C on pages 819, 821, and 822, respectively) and the Transportation Study (see Appendix E-1 of the Draft EIR) and identified accordingly, where needed, and analyzed in the Draft EIR and the Transportation Study.

The maps presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, and the Transportation Study are for illustrative purposes only. As noted in Section IV.B.1.2.c.(2) of the Draft EIR and Chapter III of the Transportation Study (see Appendix E-1 of the Draft EIR), the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model (the "Universal City Transportation Model") that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base. As explained on page 603 of the Draft EIR:

The City's model network was modified to include the following:

- “1. Network detail (to add all directional ramps, collector streets in addition to the City's network of freeways, and major and minor arterials in the Study Area, and update link characteristics such as number of lanes, capacity, and speed parameters).
2. Traffic Analysis Zone system refinements to include more detail in the Study Area in order to obtain improved travel forecasts.
3. Updated network assignment features to simulate traffic patterns very close to actual traffic patterns observed in traffic counts.

These model modifications were included to offer more detailed and reliable future traffic forecasts in the Study Area. Existing conditions were simulated

using the model, and the results of the traffic flows were compared to existing traffic counts. The model parameters were calibrated within three percent of the existing traffic counts, in compliance with Los Angeles Department of Transportation standards. Detailed descriptions of the model development and calibration/validation processes are provided in Appendix H of the Transportation Study dated March 2010 included in Appendix E-1 of this Draft EIR.”

The Universal City Transportation Model was developed and calibrated/validated to the satisfaction of the Los Angeles Department of Transportation. Similar to analysis conducted with the Southern California Association of Governments’ regional model, the analysis accounts for the unique nature of the street system within and around the Study Area, and the traffic conditions on both the freeway and street networks. The traffic volumes were assigned to the intersections and streets after a thorough investigation of traffic patterns and in collaboration with the Los Angeles Department of Transportation and Caltrans. The commenter is referred to Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR) that provides a detailed description of the Universal City Transportation Model’s development and validation process.

With regard to traffic counts, as noted in Section IV.B.1 of the Draft EIR, the analysis presented in the Draft EIR and the Transportation Study (see Appendix E-1 of the Draft EIR) employs standard Los Angeles Department of Transportation policies and procedures that are used for all development proposals across the City of Los Angeles. According to Los Angeles Department of Transportation policy, the study utilized the “Critical Movement Analysis—Planning” method of intersection capacity calculation to analyze signalized intersections. As part of the Transportation Study for the Project, traffic counts were completed to measure the traffic flow levels during the morning and afternoon peak hours. In addition, at the direction of the Los Angeles Department of Transportation, observations were made of traffic flow in the field and on the City’s closed circuit television system, and the Level of Service at a number of intersections was downgraded based on the observed performance.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-10

Unsupportable Transportation Mitigation Measures & Promises: Mr. Gibson speaks of preparing shovel-ready drawings for supposed freeway improvement measures, yet nothing is offered should the funds to implement those improvements disappear or be postponed. If Caltrans or the Federal government elect to underwrite different projects, Universal gets off virtually Scot-free and the region has to endure Universal’s added traffic

without recourse. What guarantees will Universal offer regarding these freeway promises or in lieu mitigations?

Response to Comment No. 118-10

As noted in Appendix O of the Transportation Study (see Appendix E-1 of the Draft EIR), the Applicant has worked with Caltrans to identify the US 101 regional freeway improvements that would provide benefits to the regional transportation system. Since these US 101 corridor regional improvements currently do not have committed funding, the analysis presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR conservatively assumes that these regional improvements would not be in place in the year 2030. The Project has proposed to fund the environmental documents for the proposed US 101 Corridor regional improvements described in Appendix O of the Transportation Study (see Appendix E-1 of the Draft EIR). Refer to Caltrans' traffic assessment letter dated February 3, 2011, and Topical Response No. 6: Freeway Improvements (see Section III.C, Topical Responses, of this Final EIR), for additional detail.

This funding and documents would assist Caltrans in getting the proposed improvements ready for State and Federal funding. However, as noted in Appendix O of the Transportation Study, the Project's traffic impact analysis does not account for any benefits from the proposed US 101 regional improvements. Therefore, the significant traffic impacts noted in the Draft EIR do not account for benefits resulting from the implementation of the regional improvements described in Appendix O of the Transportation Study.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-11

Convoluting, Confusing Phasing: Allusions are made to phasing and traffic thresholds, yet attempting to find such phases defined is virtually impossible. Why aren't those phasing standards clear? What are the triggers? What verification is guaranteed? How will that phasing be monitored? Will there be community participation in that monitoring? Will the community be able to challenge the veracity?

Response to Comment No. 118-11

The Draft EIR discusses traffic mitigation phasing starting on page 687 of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. Traffic mitigation phasing is also addressed in Draft EIR Appendices E-1 (Appendix S to the Transportation Study) and E-2 (Los Angeles Department of Transportation Traffic Assessment). The commenter is referred to Tables 27 and 28 of the Transportation Study and the City of Los Angeles

Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR) that provide a detailed description of the proposed mitigation phasing plan. The commenter is also referred to Topical Response No. 8: Mitigation Monitoring and Phasing (see Section III.C, Topical Responses, of this Final EIR), for further information. Further, the required Project mitigation measures will be included in the Mitigation Monitoring and Reporting Program, which will provide for monitoring, implementation, and enforcement of all mitigation measures.

With regard to the implementation of the traffic mitigation measures related to construction and occupancy of the development, the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), states the following:

"[d] Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT."

and

"[g] Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT."

Consistent with the Los Angeles Department of Transportation's Assessment Letter, the proposed City and County Specific Plans provide that prior to issuance of the approval for a Project under the Specific Plan, the Department of Transportation assign traffic improvements, if any, to the Project from the approved Traffic Mitigation Phasing Plan. Further, the proposed City Specific Plan requires that prior to the issuance of a building permit for a Project under the City Specific Plan, the Applicant shall guarantee, to the satisfaction of the Department of Transportation, the construction of any required traffic improvements for the Project (See Section 7.2 of the proposed Universal City Specific Plan included as Appendix A-1 of the Draft EIR). Similarly, the proposed County Specific Plan requires that prior to the issuance of a building permit for a Project, the Applicant provide documentation satisfactory to the County Regional Planning Director that the Applicant has guaranteed the construction of the required traffic improvements to the satisfaction of the City of Los Angeles Department of Transportation. (See Section 14 of the proposed Universal Studios Specific Plan included as Appendix A-2 of the Draft EIR).

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-12

Underestimated Impact Analyses & Infrastructure Insufficiencies: A project of this enormity will have a huge impact on our air, water, energy, waste, sewage and other resources. The area is already suffering drought conditions and continues to need more and more landfills. We believe that these impacts are grossly understated in the DEIR and that inadequate solutions are offered. Why shouldn't Universal be responsible for satisfying those needs on their own? Why not allocate a portion of their site as their own landfill or why not incorporate solar or wind technologies on-site? Why are they only a LEED silver project and not platinum? What guarantees do surrounding communities have that they will continue to have adequate water and power resources into the future?

Response to Comment No. 118-12

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The comment claims that the Project's impacts have not been adequately disclosed but provides no information that substantiates this claim. The Project's potential air quality and utilities impacts, including potential impacts with regard to water, electricity and natural gas, solid waste, and wastewater, were thoroughly analyzed, as detailed in Sections IV.H, Air Quality; Section IV.L.1, Utilities – Sewer; Section IV.L.2, Utilities – Water; Section IV.L.3, Utilities – Solid Waste; Section IV.L.4, Utilities – Electricity; Section IV.L.5, Utilities – Natural Gas, of the Draft EIR and accompanying technical reports. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Regarding water supply, as discussed in Section IV.L.2, Utilities – Water, of the Draft EIR, in order to facilitate the Los Angeles Department of Water and Power (DWP)'s long-term supply of potable water available to serve the Project, the Applicant would enter into an agreement with the DWP to augment the water supply available to the DWP. Pursuant to the agreement, the Applicant would provide DWP with water rights in the Central and/or West Coast Basins, or other reliable supply sources agreed to by the DWP, to offset new potable water demand within the City portions of the Project Site and, upon a declaration by the DWP General Manager, new potable water demand within the County. In addition, the DWP would increase the amount of reliable recycled water supply available to serve the Project Site. With the inclusion of the project design features, including the agreement with DWP to augment the water supply available to DWP, impacts of the proposed Project on water supply would be less than significant.

As discussed on pages 1924–1925 in Section IV.L.3, Utilities – Solid Waste, of the Draft EIR, the implementation of the project design features (Project Design Features L.3-1 to L.3-5) for the proposed Project would ensure the Applicant's continued operation of

effective on-site waste management and recycling programs that would divert 65 percent of waste generated from regional landfills in accordance with the proposed City and County Specific Plans. Nonetheless, while the existing landfills serving the Project Site have adequate capacity to accommodate Project-related disposal needs, landfill capacity information does not extend to the year 2030. Due to the uncertainty in future availability and capacity of these landfills over the entire buildout period for the proposed Project, it is conservatively assumed that the Project's operational impacts to landfill capacity would remain significant and unavoidable. Given the regulatory requirements related to development and maintenance of a solid waste disposal facility, and the existing surrounding uses and City and County land use policies, it is not feasible to develop a solid waste disposal facility on the Project Site. Other than waste minimization and diversion, which are project design features, no other feasible mitigation measures have been identified to address this potential impact.

With regard to renewable energy, the Project would support renewable energy generation, such as solar, via Project Design Feature O-2. This project design feature requires residential land uses within the Mixed-Use Residential Area to purchase 20 percent green power, which would be achieved through the Project's participation in the Los Angeles Department of Water and Power's Green Power Program. In addition, pursuant to Project Design Feature L.2-3, the Project's water conservation features would include the use of recycled water for landscape irrigation and installation of the infrastructure to deliver and use recycled water.

With regard to LEED certification, the Project is not seeking LEED Silver certification. As explained in the Draft EIR, the Mixed-Use Residential Area would seek the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design Neighborhood Development (LEED-ND) certification. The Project was accepted into the LEED-ND pilot, which is now closed. As stated on page 473 of Section IV.A.1, Land Use – Land Use Plans/Zoning.

“The Applicant would seek to attain the LEED certification for Neighborhood Development; the LEED certification provides independent, third-party verification that a development's location and design meets accepted high standards for environmentally responsible, sustainable development.” (See also Table 192 on page 2073 of Section IV.N.2, Employment, Population, and Housing – Housing, of the Draft EIR.)

Further, as explained on page 479 of Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, Project development would occur in accordance with the applicable provisions of the City and County Green Building requirements, with some limited exceptions as set forth in the proposed City and County Specific Plans (i.e., for production activities, entertainment attractions, and sets/façades).

With regard to electricity, as explained in Section IV.L.4, Utilities – Electricity, of the Draft EIR, the Los Angeles Department of Water and Power has indicated that the existing electrical distribution system would need to be reinforced and a new distribution system would need to be installed for the Mixed-Use Residential Area. Pursuant to Project Design Feature L.4-3, the existing Los Angeles Department of Water and Power 34.5 kV system would be reinforced, and a new distribution system would be added. In addition to these improvements, additional electrical lines would be installed both on and off the Project Site. These electrical lines may be added to existing above-ground electrical poles or may be undergrounded. (See Section IV.L.4, Utilities – Electricity, of the Draft EIR, pages 1936–1938.) Thus, although implementation of the proposed Project would result in increased electrical consumption and demand, with implementation of the project design features, Project impacts with respect to electricity would be less than significant. (See page 1954 of the Draft EIR.)

In addition, as noted in the Draft EIR, the Project includes energy conservation measures outlined in the Draft EIR. (See Project Design Features L.4-4 through L.4-11 on pages 1953–1954 of Section IV.L.4, Utilities – Electricity, of the Draft EIR.) The projection of the proposed Project's electrical consumption is conservative in that it does not account for the Project's incorporation of the energy conservation measures, which would decrease the proposed Project's electrical consumption. (See pages 1935–1936 of the Draft EIR.)

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-13

Strain on Public Services – Police/Sheriff, Fire, Emergency Services & Schools: No high-rise construction should even be considered or entitlements granted until such time as all public services have been paid for, guaranteed in perpetuity, and/or constructed by Universal.

Response to Comment No. 118-13

The Draft EIR analyzes potential Project impacts to public services and identifies project design features and mitigation measures to reduce impacts to the extent feasible. See Section IV.K.1, Public Services – Fire Protection (pages 1694–1721); Section IV.K.2, Public Services – Police/Sheriff (pages 1729–1749); Section IV.K.3, Public Services – Schools (pages 1759–1769); Section IV.K.4, Public Services – Parks and Recreation (pages 1788–1807); and Section IV.K.5, Public Services – Libraries (pages 1818–1831), of the Draft EIR. The Draft EIR concluded that with the incorporation of the described project design features and recommended mitigation measures the Project's impacts would be less than significant with regard to all public services. These conclusions are reached

independent of any benefits that would accrue to the City and County General and Special Funds arising from the various taxes paid by the future users of the Project Site. The new tax revenues from development of the proposed Project could be used for the funding of expansion of City services and facilities.

With regard to police/sheriff services, as discussed on pages 1728–1729 of the Draft EIR, the Project Site currently houses a County Sheriff Substation. As further discussed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, the Applicant shall provide to the City of Los Angeles Police Department at no rent the non-exclusive use of desk space for two officers within a community serving facility in the Mixed-Use Residential Area. (Draft EIR, Mitigation Measure K.2-1.) The Applicant shall also provide a new facility of up to 16,000 square feet within the County portion of the Project Site, for the shared use of the County Sheriff’s Department, contract security, and corporate security for the Project Site. (Draft EIR, Mitigation Measure K.2-2.) Additionally, pursuant to Mitigation Measure K.2-3, the proposed Project shall provide extra private security services during important entertainment events (i.e., visits to the Project Site by state, national, or international dignitaries and red carpet events) at the Project Site. Further, as explained on page 1736 of the Draft EIR, the proposed Project would include design features that would include recommendations included in the City Police Department’s Design Out Crime Guidelines and may include an on-site security force, illuminating parking lots with artificial lighting, and the use of closed-circuit television monitoring and recording of on-site areas. Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, concludes that with the implementation of the identified project design features and mitigation measures, Project impacts on police and sheriff services would be reduced to less than significant levels.

As discussed in Section IV.K.1, Public Services – Fire Protection, of the Draft EIR, the City Fire Department has stated that the inclusion of multiple high-rise structures and multiple high-density residential units (i.e., four to six stories in height or greater) would require the expansion of existing fire fighting capabilities to serve the Mixed-Use Residential Area, specifically a City Fire Department truck company within one mile of the Project Site and a City Fire Department engine company within 0.75 mile of the Project Site. Since the City Fire Department has concluded that Fire Station 76 cannot physically house another response vehicle, as the Draft EIR explains on page 1701, construction of a new fire station would be required in order to service the proposed Project and to maintain service for adjoining uses. As such, Mitigation Measure K.1-2 is provided to ensure that the demands for fire services generated by the proposed Project are satisfactorily met. With implementation of Mitigation Measure K.1-2, all potentially significant impacts related to City Fire Department facilities would be reduced to acceptable levels. (Draft EIR, page 1701.) With regard to County Fire Department facilities, as discussed on pages 1704–1705 of the Draft EIR, at Project build-out, the County Fire Department would require expanded County fire fighting facilities, which may be a new fire station or remodeling of

the existing Fire Station 51 on the Project Site to accommodate additional equipment and staffing (Facility Improvements). Pursuant to Mitigation Measure K.1-5, the Applicant or its successor shall construct or cause to be constructed and furnish the Facility Improvements at no cost to the County as well as providing the quint (a fire service apparatus that serves the dual purpose of an engine and a ladder truck)⁹¹ and ancillary equipment for the quint, or similar equipment, at no cost to the County. After mitigation, no significant impacts with respect to fire protection would occur. Furthermore, as noted above and in the Draft EIR, Project development would generate substantial new tax revenues that could be used for funding of the potential expansion of fire services or new facilities within the Project Site.

With regard to schools, as explained in Section IV.K.3, Public Services – Schools, of the Draft EIR, LAUSD is authorized under State law to levy a fee on the construction of the Project's new residential units, commercial development and parking structures for the purpose of funding the construction or reconstruction of school facilities. LAUSD's current fee is \$3.87 per square foot of new residential floor area, \$0.47 per square foot of non-residential development, and \$0.09 per square foot of a parking structure. Therefore, requiring the mandatory payment of school fees in conformance with the Leroy F. Greene School Facilities Act of 1998, more commonly referred to as Senate Bill 50, would provide full and complete mitigation of school impacts for the purposes of CEQA. No additional mitigation is required. (Draft EIR, pages 1765–1767.)

Comment No. 118-14

The area currently experiences slow police response times from the North Hollywood LAPD station. The additional load from Universal's new guests and tenants will only exacerbate that. Will Universal underwrite the costs of more LAPD and LASD officers, equipment and support staff in perpetuity?

Response to Comment No. 118-14

The analysis and conclusions presented in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, were developed based on extensive consultations with the City Police and County Sheriff Departments as well as the Planning Departments of both the City and County. As explained on page 1735 of the Draft EIR, Project development could result in an increase in response time along sections of Campo de Cahuenga Way, Cahuenga Boulevard, and Lankershim Boulevard in the area of the Project Site. The

⁹¹ *According to the National Fire Protection Association, a quint is defined as a "fire apparatus with a permanently mounted fire pump, a water tank, a hose storage area, and aerial ladder or elevating platform with a complement of ground ladders."*

increase in response time could be avoided by the City Police Department using an alternate route. The proposed Project would add new on-site streets, particularly in the Mixed-Use Residential Area, thus creating additional alternative routes that the City Police Department and the County Sheriff's Department could utilize to respond to on-site calls for service. Additionally, any increase in traffic would not greatly affect emergency vehicles, since the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. As concluded in the Draft EIR, this impact is not considered significant since emergency response times would not be substantially affected, given that there is a significant traffic impact at limited locations and the availability of alternative routes, given the street pattern in the area surrounding the Project Site.

In addition, as explained on page 1736 of the Draft EIR, the proposed Project would include design features that would include recommendations included in the City Police Department's Design Out Crime Guidelines and may include an on-site security force, illuminating parking lots with artificial lighting, use of closed-circuit television monitoring and recording of on-site areas, maintaining security fencing along the Project Site's eastern edge to restrict public access, and way-finding lighting. Further, emergency access to the Project Site would be provided by the existing and proposed on-site street systems. City review of street widths, street lighting, and street signage would be based on an evaluation of requirements for the provision of emergency access and would ensure access is maintained.

The Applicant would provide the additional resources and improvements through implementation of the recommended mitigation measures set forth in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, which would reduce impacts with respect to police/sheriff services to less than significant levels. Refer also to Response to Comment No. 118-14. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-15

Will they pay the complete cost to build a new fire station and new elementary school and to pay to staff them?

Response to Comment No. 118-15

As the Draft EIR explains on page 1701 in Section IV.K.1, Public Services – Fire Protection, construction of a new fire station would be required in order to service the Mixed-Use Residential Area and to maintain service for adjoining uses. As such, Mitigation Measure K.1-2 is provided to ensure that the demands for fire services generated by the Mixed-Use Residential Area are satisfactorily met. With implementation of Mitigation

Measure K.1-2, all potentially significant impacts related to City Fire Department facilities would be reduced to acceptable levels. (Draft EIR, page 1701.) With regard to County Fire Department facilities, as discussed on pages 1704–1705 of the Draft EIR, at Project build-out, the County Fire Department would require expanded County fire fighting facilities, which may be a new fire station or remodeling of the existing Fire Station 51 on the Project Site to accommodate additional equipment and staffing (Facility Improvements). Pursuant to Mitigation Measure K.1-5, the Applicant or its successor shall construct or cause to be constructed and furnish the Facility Improvements at no cost to the County as well as providing the quint and ancillary equipment for the quint, or similar equipment, at no cost to the County. After mitigation, no significant impacts with respect to fire protection would occur. Furthermore, as noted in the Draft EIR, Project development would generate substantial new tax revenues that could be used for funding of the potential expansion of fire services or new facilities within the Project Site.

As detailed in Mitigation Measure K.3-1 in Section IV.K.3, Schools, of the Draft EIR, all applicable school fees would be paid to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area. With the implementation of the recommended mitigation measure, the impacts to school capacity levels and facilities would be reduced to a less than significant level.

Refer also to Response to Comment No. 118-13 above. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-16

Will they guarantee that the existing communities will not suffer delayed response times as a result of the increased population on their site?

Response to Comment No. 118-16

As explained on pages 1699–1700 in Section IV.K.1, Public Services – Fire Protection, the Draft EIR concludes that Project construction activities would have a less than significant impact with regard to fire emergency vehicle response times because construction impacts are temporary in nature and do not cause lasting effects; partial lane closures during construction, if required, would not greatly affect emergency vehicles since flaggers would be used to facilitate the traffic flow until construction is complete and emergency vehicle drivers have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic; and County Fire Department Fire Station 51, which includes an engine company and a paramedic squad, and is located on-site, would be available throughout the duration of Project construction as well as following the completion of construction. Further, for these reasons as well as the

ability to address emergency vehicle response issues via the Project's construction traffic management plan, it was concluded that Project construction would also have a less than significant impact upon emergency police response times (see pages 1732–1733 in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR).

With regard to Project operations, as explained on pages 1702–1703 in Section IV.K.1, Public Services – Fire Protection, the Draft EIR concludes that while traffic congestion in the Project area may increase emergency vehicle response times, fire trucks would still be able to navigate congested traffic conditions through a number of standard operating procedures, as noted above. Furthermore, under the automatic aid agreements currently in place, the County Fire Department and the Burbank Fire Department can respond with additional units to the Project area, as needed. For these reasons and with implementation of Mitigation Measure K.1-2, which requires the expansion of fire fighting facilities and equipment, impacts to emergency response times during Project operations would be reduced to a less than significant level. For these reasons as well as that the Project's significant traffic impacts occur at limited locations coupled with the availability of alternative routes given the street pattern in the area surrounding the Project Site, the Draft EIR concludes that the Project would also have a less than significant impact with respect to police/sheriff services (see page 1725 in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR). Also refer to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for additional information and Response to Comment No. 118-14.

Comment No. 118-17

Riverfront, Parks & Scenic Corridor Impacts: Universal claims that security concerns justify completely removing the LA Riverfront from public access. The excuse has always been that Steven Spielberg [sic] doesn't want scripts tossed over the fence although it's now veiled under the guise of 9/11 security concerns. Universal has always wanted the riverfront roadway easement removed/vacated. Once and for all, our elected officials need to stand up for the over-riding public good versus private gain. It's ludicrous to make bicyclists take an over the hill circuitous route when the LA River Bikeway Plan is very clear.

Response to Comment No. 118-17

As explained on pages 418–419 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City of Los Angeles. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County and the majority of the roadway is owned by the Los Angeles County Flood Control District.

The Project does not preclude a bike path along the Los Angeles River Flood Control Channel. As stated above, the majority of the land adjacent to the Los Angeles River Flood Control Channel is owned by the County. As stated in the Draft EIR, the Applicant would cooperate with the County, City, and other agencies as necessary to accommodate the future use of the County land for public use, as contemplated by the County River Master Plan, and to continue use, if allowed by the County, of a portion of River Road for studio access. In addition, the Project includes the pedestrian/bicycle connection through the Project Site to CityWalk, as contemplated by the County River Master Plan. This internal circulation is not proposed as a substitute for the trail along the river.

Further, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the river area, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public trail on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the internal bike path along the North-South Road.

The City's 2010 Bicycle Plan was adopted in March 2011, after the release of the Draft EIR for the Project. The City's 2010 Bicycle Plan is an update to the Bicycle Plan adopted by the City in 1996 and re-adopted in 2002 and 2007. As stated in the City's 2010 Bicycle Plan, "[i]t establishes long-range goals, objectives, and policies at a citywide level and contains a broad range of programs that constitute the steps the City intends to take in order to become a more bicycle-friendly Los Angeles." As discussed on page 517 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the Project would promote the goals and objectives of the Bicycle Plan by providing public access to the river, a variety of recreation opportunities and network of multi-use trails, and expanding open space. The proposed River Trailhead Park would also provide a connection, via Lakeside Plaza Drive, to the existing bicycle path to the east on Forest Lawn Drive. Therefore, the Project would not be inconsistent with the City's 2010 Bicycle Plan. Also, as discussed above, the Project does not preclude a bike path along the Los Angeles River Flood Control Channel.

Comment No. 118-18

- The Evolution Plan offers a 35 acre park, but rather than deeding the land to the City or County and guaranteeing it public access in perpetuity, leaves it under the auspices of their homeowners' association who could easily rescind that public right or plow it under at some future date. What guarantees does the public have that that park will remain accessible in perpetuity?

Response to Comment No. 118-18

As provided in Section 5 of the proposed City Specific Plan, and discussed in Section IV.K.4, Public Services – Parks and Recreation, of the Draft EIR, park or recreation space in an amount equal to 200 square feet per Dwelling Unit within the City Specific Plan area shall be provided to meet the recreation needs of residents. The required open space would not have to be dedicated to the City as publicly owned property. The property owners association would be responsible for the ownership and maintenance of the park and recreation space. As set forth in Section 5.F of the proposed City Specific Plan, the parks would be developed in general accordance with the Conceptual Parks and Open Space Plan, Figure 211 on page 1790 of the Draft EIR, and a phasing and implementation plan shall be developed prior to issuance of a building permit for a Project under the City Specific Plan.

As stated on page 1798 of Section IV.K.4, Public Services – Parks and Recreation, of the Draft EIR, following Project approval, the Applicant would be required to execute and record covenants pursuant to Section 5(a) of the proposed City Specific Plan that would bind any and all future owners of property in the subdivided residential area to require the park and recreational space required under the proposed City Specific Plan to be restricted for such uses accessible to the general public in perpetuity, and the City can enforce this requirement.

Comment No. 118-19

- Universal seems to rewrite the community plan when it comes to scenic corridors and view-sheds. It disregards the Mulholland Scenic Parkway Specific Plan. While it may not specifically be in the outer corridor of the Plan, they could certainly be more sensitive to that Plan in their manner of building. How can they be allowed to override existing in place community planning documents?

Response to Comment No. 118-19

As one of the requested entitlement actions, the Project proposes revising the boundaries of the Mulholland Scenic Parkway Specific Plan to remove a small portion of the southeastern-most tip of the Project Site. The area that is the subject of this request totals less than 2 acres (or approximately 0.5 percent of the 391-acre Project Site) and is proposed to be included within the proposed Universal City Specific Plan area in order to create unified and coherent regulations for all portions of the Project Site to be located within the City.

For informational purposes, the Mulholland Scenic Parkway Specific Plan area is divided into two areas—the Inner and Outer Corridors. The boundaries of these corridors

are determined via distance from the Mulholland Scenic Parkway right-of-way, with the outermost boundary of the Outer Corridor extending 0.5 mile outward from the Mulholland Drive right-of-way. Mulholland Drive reaches its eastern terminus in the Project area where it turns from a primarily east-west road to a north-south road as it connects with Cahuenga Boulevard. Based on these conditions, the strict application of the Outer Corridor boundary places the eight-lane Hollywood Freeway and areas on the north (far) side of the Freeway within the boundaries of the Mulholland Scenic Parkway Specific Plan (see Figure 28 on page 433 of the Draft EIR). As concluded on page 525 of the Draft EIR in Section, IV.A.1, Land Use – Land Use Plans/Zoning, since the context of the Project Site is dominated by the Hollywood Freeway and is not contiguous with other areas within the Mulholland Scenic Parkway Specific Plan Outer Corridor, land use impacts with respect to the intention of the Mulholland Scenic Parkway Specific Plan to preserve the visual quality of natural open space would be less than significant. The analysis goes on to further conclude that the proposed Project would not be inconsistent with existing Mulholland Scenic Parkway Specific Plan policies to preserve the existing residential character of areas along and adjoining the Mulholland Drive right-of-way, to protect all identified archaeological and paleontological resources, and to assure that land uses are compatible with the parkway environment. Therefore, the impact of the Project with respect to the Mulholland Scenic Parkway Specific Plan policies and regulations for the Outer Corridor are concluded in the Draft EIR to be less than significant.

Additionally, the proposed Project development would not be located on or proximal to any designated Prominent Ridge as identified and defined in the adopted Mulholland Scenic Parkway Specific Plan on maps 1B through 6B. As discussed on page 1087 in Section IV.D, Visual Qualities, of the Draft EIR, the primary view resources available from the Mulholland Ridge geographic area are panoramic views of the San Fernando Valley and Verdugo Mountains in the background. Since the Project would not result in the substantial view coverage of a prominent resource, Project impacts from the Mulholland Ridge geographic area would be less than significant.

Based on the analysis and conclusions presented above, the Draft EIR concludes that the deletion of the small portion of the Project Site from the boundaries of the Mulholland Scenic Parkway Specific Plan would be less than significant.

Comment No. 118-20

What Happens in Year 21?: Universal offers mitigations, but only for the 20-year construction span of the plan, but makes no promises or provisions for what happens in that 21st year. If Universal is the source of an adverse impact, then they should be responsible for mitigating that impact in perpetuity. What WILL happen in year 21?

Response to Comment No. 118-20

The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project's Mitigation Monitoring and Reporting Program. As required by the Los Angeles Department of Transportation, the Project would be required to implement all of the transportation project design features and mitigation measures required as part of the Project's approvals. The 20-year timeframe referenced in the comment appears to be in reference to Mitigation Measure B-2. To the extent the comment is referring to Mitigation Measure B-2, which provides that the shuttle system shall be guaranteed for 20 years, it is anticipated that after 20 years, depending on ridership, the shuttle could be integrated into a public transportation system service. Other transportation mitigation measures, such as the new southbound on-ramp to the 101 Freeway from Universal Studios Boulevard, pursuant to Mitigation Measure B-3, would not be limited in time to 20 years. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-21

Billboard Blight, Supergraphics, Excessive Signage, Removal from Mulholland Specific Plan: Again, this is NOT Times Square or the Las Vegas Strip. Universal may wish that this was, but wishing doesn't make it so. The amount of and types of signage requested are excessive and inappropriate. Digital animated electronic billboards have been proven to be safety hazards, distractions and annoyances especially in proximity to freeways. The City's Sign Code has been attempting to scale down the visual blight that LA's citizens have to endure. This proposal flouts that.

Response to Comment No. 118-21

The Project includes two proposed Specific Plans: (1) the Universal Studios Specific Plan; and (2) the Universal City Specific Plan. The proposed Specific Plans would supplement or replace certain existing zoning regulations and establish additional new land use and signage standards that would provide unified and coherent regulations for the County and City portions of the Project Site, respectively.

Potential impacts related to signage are discussed in multiple sections of the Draft EIR, specifically, Section IV.A.1, Land Use – Land Use Plans/Zoning; Section IV.A.2, Land Use – Physical Land Use; Section IV.D, Visual Qualities; and Section IV.E.2, Light and Glare – Artificial Light. Each of the analyses cited above independently concludes that Project impacts with regard to signage would be less than significant. In addition, one of the basic objectives established for the Project (see Section II, Project Description, of the Draft EIR) is to enhance the identity of the Project Site as an entertainment and media-

oriented commercial district. Contributing to the achievement of this objective is the creation of an architecturally distinct development that includes a creative signage program integral to the on-site entertainment and media uses which also enhances the visual profile of the Project Site as an entertainment and media center, as well as provides a visual gateway for the visitor experience. The commenter is referred to the sections of the Draft EIR cited above for the detailed analyses supporting each conclusion of a less than significant impact.

The proposed City Specific Plan would limit the light from Electronic Message signs from sunset to 2:00 A.M., and require that Electronic Message signage be turned off from 2:00 A.M. to 7:00 A.M. This limitation is more restrictive than the existing City of Los Angeles Municipal Code, which limits light trespass from signs to a maximum of 3 foot-candles above ambient lighting at all times of the day and night when the signage is illuminated. See LAMC Section 14.4.4.E.

With regard to traffic safety, as concluded in Topical Response No. 9: Signage and Traffic Safety (see Section III.C, Topical Responses, of this Final EIR), the proposed Specific Plans' signage regulations, which would allow Electronic Message Signs and Supergraphic signs in some areas, would not pose a significant traffic safety impact to freeway or street drivers given the proposed Specific Plans' limitations, the Project Site's relationship to adjacent streets and freeways, and the unique characteristics of motorists entering the Project Site and traveling on adjacent public street corridors.

Comment No. 118-22

Beyond that, Universal seeks to have the corner of Buddy Holly and Barham removed from the Mulholland Specific Plan to enable them to erect a 30' tall electronic billboard right in the face of our hillside residents. This is simply unacceptable. How can the City even consider allowing such an insult?

Response to Comment No. 118-22

Regarding the proposed modifications to the existing sign located near the intersection of Barham Boulevard and Buddy Holly Drive (the "Barham Sign"), there is an existing sign at this location that is approximately 1,000 square feet in sign area and 20 feet in height from grade. The area of the Barham Sign is included within the proposed Universal City Specific Plan. Pursuant to the proposed City Specific Plan, the existing sign could be modified to be an animated, banner, billboard, electronic message, mounted pole, or pillar sign, 1,000 square feet of sign area at a maximum height of 30 feet above grade. The proposed City Specific Plan would limit the light from Electronic Message signs to no more than 3 foot-candles from sunset to 10:00 P.M. and no more than 2 foot-candles from 10:00 P.M. to 2:00 A.M., as measured at the property line of the nearest residential zoned

property outside of the Project Site. The proposed City Specific Plan also would require that illuminated signage be turned off from 2:00 A.M. to 7:00 A.M. As discussed in Section IV.E.1, Light and Glare – Artificial Light, pages 1260–1277 of the Draft EIR, the Draft EIR analyzed the potential impact of artificial light from the Project, including from signage, and concluded that impacts would be less than significant due to the regulations proposed in the City and County Specific Plans.

As discussed on pages 1086–1087 of Section IV.D, Visual Qualities, of the Draft EIR, with regard to visual character, from the Mulholland Ridge area (i.e., the portion of the Cahuenga Pass East area north of Mulholland Drive), the Project Site blends into the larger urban landscape. As such, no substantial changes to contrast would occur from this area, as new structures and the placement of signage would blend in with existing development on the Project Site. Similarly, substantial changes to prominence would not be anticipated, since this area would continue to look down on the Project Site. While some Project structures or signs may be slightly more visible from this area and, subsequently, cover more of the available viewshed, there would not be any substantial changes to prominence as viewed from the Mulholland Ridge area. In addition, because of the wide field of view available from this location over and across the Project Site, no substantial changes in coverage would occur with development of the proposed Project. For these reasons, impacts to visual character from the Mulholland Ridge area would be less than significant. The commenter is referred to Response to Comment No. 118-19 regarding the Mulholland Scenic Parkway Specific Plan.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 118-23

I could go on for many more pages about many more issues, but the CUSG, CPPOA and other documents cited on page one state my concerns much more comprehensively. The Evolution Plan is flawed in concept, documentation and analysis. Many sections need to be reconsidered, re-imagined or eliminated. I hope that the applicant and the various city and county agencies will take a long, hard, less self-serving look and come back to all of us with a more considerate, more appropriate proposal. In lieu of that, what has currently been presented is unacceptable.

Response to Comment No. 118-23

The concluding comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Regarding the commenter's reference to other comments submitted regarding the Draft EIR, please refer to Response to Comment No. 118-2.

Comment Letter No. 119

Caron Bolton
caron.bolton@fox.com

[Note: A duplicate of the letter provided below was received on 1/28/11]

Comment No. 119-1

I am writing as a concerned North Weddington 'Island' resident about the plans for Universal evolution. My concern mainly lies in the traffic horror that my neighborhood faces with the upcoming development. I'm also very concerned about having any part of the North Wedding [sic] park affected which is an oasis that many Los Angeles residents come to enjoy.

The impact to traffic along Lankershim seems unacceptable. I'm basing this on the impact to the traffic when the post office was torn down and the apartments were built at the corner of Lankershim and James Stewart blvd. [sic] Lankershim is a major thoroughfare for not just the residents of the Island and Toluca Lake area. There are cars coming from the North Hollywood area, off the 134 to access the 101 just to name a few. I don't see that a traffic mitigation plan has been put into place before the development begins. Please show the residents upfront that these traffic concerns are being addressed prior to the development and construction that will affect so much of this area.

Response to Comment No. 119-1

The comment raises a general concern regarding traffic on Lankershim Blvd. Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential transportation impacts along the Lankershim Boulevard corridor. An extensive series of project design features and mitigation measures have been identified to address the Project's traffic impacts. Specifically with regard to Lankershim Boulevard, Mitigation Measure B-6 includes various improvements along the Lankershim Boulevard corridor. While these measures would substantially reduce the Project's intersection impacts, significant and unavoidable impacts would remain at the following intersections along Lankershim Boulevard: Lankershim Boulevard and Cahuenga Boulevard (during the morning peak hour), Lankershim Boulevard and Main Street (during the afternoon peak hour), Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (during the morning peak hour), and Lankershim Boulevard and Jimi Hendrix Drive (during the afternoon peak hour). The Project's mitigation program includes all feasible mitigation measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible

mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

With respect to timing of the traffic infrastructure improvements, as stated in Section II, Project Description, of the Draft EIR, the timing of actual Project development would be in response to market conditions. The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project's mitigation monitoring and reporting program. With regard to traffic mitigation phasing, under the traffic mitigation sub-phasing plan, the Project has been preliminarily divided into four development phases with traffic mitigations tied to each phase. The timing and sequencing of each of the proposed developments in the sub-phases are approximate. The primary focus of this sub-phasing plan analysis is to provide a plan that requires the implementation of transportation improvements in tandem with the traffic impacts of the development. As noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR on pages 687–689 and Chapter V of the Transportation Study, the Project's transportation mitigation sub-phasing plan has been developed using trips as thresholds. The trip generation of development of each phase would be monitored by the City of Los Angeles Department of Transportation. As noted in the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 120

Chris Bowman
7115½ Hazeltine Ave.
Van Nuys, CA 91405

Comment No. 120-1

I applaud the City of Los Angeles, as well as the County, for the thorough analysis of the Evolution Plan by a world-class team of experts in their fields. I believe that the City's Draft EIR gives all of us who are interested in the Evolution Plan a clear picture of what it will ultimately mean to the City and County of Los Angeles.

The DEIR is an impressive piece of evidence, proving that this is a good project for Los Angeles. It will bring desperately needed jobs and transportation improvements, and will be a powerful symbol that the entertainment industry is still Los Angeles' number one asset, committed to the City's future.

Please approve the project, so more people can go back to work.

Response to Comment No. 120-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 121

Antoinette Brusca
3375 Troy Drive
Los Angeles, CA 90068
amenzila@yahoo.com

Comment No. 121-1

Thank you so much. I hope this does not go through. We see enough road rage on Barham, particularly at the entrance of Universal at Forest Lawn heading toward Barham. There is a right turn only lane that people completely disregard and cut off those who are trying to wait patiently in the other two lanes.

Response to Comment No. 121-1

The Project's potential transportation impacts were thoroughly analyzed as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. With respect to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable intersection impacts along Barham Boulevard. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along Barham Boulevard to a level below significance, based on the LADOT significance criteria. Specifically, the proposed third southbound through lane on Barham Boulevard, described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. The separate right-turn lane approaching the intersection at Forest Lawn Drive referenced in the comment would be maintained and extended south to Child Care Road, which would improve the existing condition. In addition, the Project's proposed improvements include the re-striping of Forest Lawn Drive to allow the right turn from Barham Boulevard to be a free-flow right-turn lane (i.e., vehicles turning right onto Forest Lawn Drive from Barham Boulevard would have their own dedicated receiving lane to turn into on Forest Lawn Drive without having to stop). Further, as noted in Section IV.B.1.5.b.(2)(a) of the Draft EIR and Chapter IV of the Transportation Study (see Appendix E-1 of the Draft EIR), the Project is proposing a new public roadway, "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. As shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard

corridor generally improve with the Project and the implementation of its proposed mitigation measures as compared to the Future without Project conditions.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 122

Antoinette Brusca
3375 Troy Drive
Los Angeles, CA 90068
amenzila@yahoo.com

[Note: A duplicate of the letter provided below was received on 2/1/11]

Comment No. 122-1

I am writing to inform you that my family and I are clearly opposed to NBC Universal Development of the Back Lot. We live in the Hollywood Manor and have a tremendously difficult time getting back home after work. It can literally take over 30 minutes to get beyond one block. Barham Blvd. and Cahuenga Blvd. are completely backlogged and so is the highway exit from 101S onto Cahuenga--which causes traffic and poses a danger on the highway. Anyone who experiences this for one day would understand that this plan would be a complete disaster for this area in Los Angeles. There are surely other areas that need development in Los Angeles and would not be impacted negatively.

Our community will not stand for this development. We will not allow the corporation to over populate our community purely for financial profit at the cost of our long standing residents.

Just think...How would you feel if this was happening in your neighborhood or backyard? How would you feel if your commute to get home was extremely difficult and a company was coming in to make it even more stressful and increase your time in the car further?

Did I mention, the air quality is already atrocious?

Maybe the city should think of how to alleviate traffic on Barham and Cahuenga before they even considered allowing someone to propose something like this. That is how our city leaders should plan. Then perhaps you would have community residents content with their current situation and open to new developments.

I apologize for sounding harsh, but I am completely against this development and am standing by my neighbors and community.

Response to Comment No. 122-1

The comment refers to the traffic conditions along Barham Boulevard and Cahuenga Boulevard. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and

unavoidable impacts along the Barham Boulevard and Cahuenga Boulevard (East) and (West) corridors. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along these corridors to a level below significance, based on the LADOT significance criteria. Therefore, the proposed mitigation measures are sufficient to mitigate the Project's incremental impact along these streets. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard and Cahuenga Boulevard (East) and (West) corridors generally improve with the Project and the implementation of its proposed mitigation measures as compared to the Future without Project conditions.

Potential impacts to air quality associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR, and related technical report included as Appendix J to the Draft EIR, consistent with the South Coast Air Quality Management District's California Environmental Quality Act (CEQA) *Air Quality Handbook* (CEQA Handbook). The Draft EIR provides a detailed description of the existing environment and air quality conditions in the South Coast Air Basin, including potential health effects associated with criteria pollutants (ozone, carbon monoxide, nitrogen dioxide, respirable particulate matter [PM₁₀], fine particulate matter [PM_{2.5}]), and toxic air contaminants, as discussed on pages 1434–1455 of the Draft EIR. Implementation of the proposed project design features and mitigation measures described on pages 1521–1523 of the Draft EIR would reduce the Project's construction and operational emissions. However, even with implementation of the project design features and mitigation measures, Project emissions associated with construction and operation would exceed the South Coast Air Quality Management District's thresholds of significance for certain regional daily emissions and local criteria pollutant concentrations, but not for toxic air contaminants, as summarized on pages 1523–1527 of the Draft EIR.

The comments are noted and have been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 123

Darryl Burbank
346 W. Providencia Ave.
Burbank, CA 91506

Comment No. 123-1

I am writing to express my support for the NBC Universal Evolution project.

The Draft EIR shows that NBC Universal is willing to make significant investments in transit improvements. Offering residents transit passes, and connecting the property to transit options such as the Metro, bus lines and new shuttles, will begin to get people off the roads and improve air quality and traffic in Southern California.

It appears that there are also extensive measures to control and limit air pollution during construction. Requiring contractors to use diesel particulate filters and comply with control measures like limiting truck idling and keeping all construction equipment in proper tune will certainly reduce AQ impacts during construction.

Response to Comment No. 123-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. With respect to diesel emissions during construction, Project Design Feature H-3 states that diesel-emitting construction equipment greater than 200 horsepower shall use diesel particulate filters having 85 percent removal efficiency based on California Air Resources Board verified technologies. The Project would also implement Project Design Features H-1 through H-6 and Mitigation Measure H-1, which would reduce air quality impacts to the extent feasible; however, significant and unavoidable air quality impacts would remain. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR.

Comment Letter No. 124

Benjamin Burdick
4056 Cartwright Ave.
Studio City, CA 91604
benburdick@aol.com

[Note: A duplicate of the letter provided below was received on 1/31/11]

Comment No. 124-1

My name is Benjamin Burdick and I live at 4056 Cartwright Avenue, Studio City, 91604, which is commonly referred to as “The Island” area.

I am writing to express my strong objections to the proposed addition of nearly three thousand new condos on the Universal lot, as well as the proposed Metro Universal Plan.

It does not take years of studies, nor higher degrees to understand the massive impact that these proposals will have on the areas surrounding Universal. Indeed, one need only stand in one of the Universal office windows facing north between eight and nine in the morning to see cars choking both Lankershim and Cahuenga from the river all the way to Riverside Drive. There is no way to mitigate worsened traffic congestion when the proposed plans are this large in scope.

The city has the opportunity to say no to unnecessary growth, and yes to responsible stewardship. Please fully consider the impacts on the area and its residents, not just the short term economic gains.

Response to Comment No. 124-1

The potential transportation impacts of the Project were analyzed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project’s traffic impacts. While these measures would substantially reduce the Project’s intersection impacts, significant and unavoidable impacts would remain at nine intersections, including Cahuenga Boulevard and Riverside Drive (both peak hours); Cahuenga Boulevard and Moorpark Street (both peak hours); Lankershim Boulevard and Cahuenga Boulevard (morning peak hour); Lankershim Boulevard and Main Street (afternoon peak hour); Lankershim Boulevard and Jimi Hendrix Drive (afternoon peak hour), and Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (morning peak hour). The Project’s mitigation program includes all feasible mitigation measures to reduce the Project’s impact at these intersections to a level below significance; however, due to

physical constraints and/or existing buildings, no feasible mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

Section V, Alternatives to the Proposed Project , of the Draft EIR includes evaluations of several alternatives to the Project, in accordance with the CEQA Guidelines, including project alternatives with reduced development. As discussed in the Draft EIR, these alternatives would generate significant traffic-related impacts. The commentor is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR for further information .

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and, per the CEQA Guidelines, and addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (Draft EIR, pages 269 and 383.) The commentor is also referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR) for additional information regarding the Metro Universal project.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 125

John Burns
5003 Tilden Ave., #2033
Sherman Oaks, CA 91423

Comment No. 125-1

NBC Universal's Draft EIR shows a major investment in the entertainment industry in Los Angeles. More and more I hear about people traveling to other parts of the country for production work. Los Angeles is the entertainment capital of the world, but if we don't do something to keep those entertainment jobs here, we will soon lose that title.

The new soundstages and post-production facilities will keep Universal the largest working studio in the world. These are great jobs for the region. Well paying jobs that do much to bolster the economy.

I can't imagine why this project wouldn't be endorsed by all.

Response to Comment No. 125-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 126

Kevin Burton
kevbarto@gmail.com

Comment No. 126-1

Many cyclists use Barham Boulevard in conjunction with Cahuenga Boulevard East and local streets in Lake Hollywood to travel between the Hollywood Hills and Griffith Park. The lanes on Barham Boulevard are now wide enough in many areas to allow cars and bicycles to share the lanes, but Mitigation Measure B-5 in the NBC Universal Evolution Plan EIR (p. 669 and Fig. 78, p. 910) would add one more automobile lane to Barham Boulevard and reduce the curb lanes to as little as 11 feet. This will create an unsafe condition for cyclists traveling between Hollywood and Griffith Park.

Response to Comment No. 126-1

The proposed Project mitigation for Barham Boulevard as described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. Field surveys conducted along the Barham Boulevard and Cahuenga Boulevard (West) corridors show that fewer than 12 bicyclists travel along Barham Boulevard (south of Forest Lawn Drive) and fewer than 4 bicyclists travel along Cahuenga Boulevard (West) (east of Barham Boulevard) during either the A.M. or P.M. peak hour, as compared to 4,500 automobiles on Barham Boulevard during the peak hour. (See Memorandum dated August 18, 2011, from Gibson Transportation Consulting, Inc., in Appendix FEIR-4 of this Final EIR.)

The City's 2010 Bicycle Plan was adopted in March 2011, after the release of the Draft EIR for the Project. The City's 2010 Bicycle Plan proposes a bicycle lane on Barham Boulevard (from Forest Lawn Drive to Cahuenga Boulevard). However, in Chapter 5, Implementation, of the 2010 Bicycle Plan, the plan acknowledges that only some proposed bicycle lanes were evaluated in the Mitigated Negative Declaration that was conducted simultaneously with preparation of the 2010 Bicycle Plan and that "many future bicycle lanes will require additional analysis (particularly impacts on traffic) pursuant to the California Environmental Quality Act (CEQA)." "As each bikeway that is identified as a future bicycle lane is prioritized in the Five-Year Implementation Strategy a preliminary analysis will be conducted to evaluate whether further environmental review will be necessary.... In some cases the analysis may determine that the originally selected roadway is not well suited for a bicycle lane. In these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered

that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane.” (City of Los Angeles 2010 Bicycle Plan, pages 114–115.)

As acknowledged by the 2010 Bicycle Plan, implementation of the Bicycle Plan may require the decision-makers to prioritize varying Transportation Element policies. For example, the proposed bike lane on Barham Boulevard may require removal of existing travel lanes to accommodate the new bike lanes; i.e., the proposed bike lanes cannot be accommodated within existing right-of-way even in the absence of the Project’s transportation mitigation measures. Such roadway configuration changes on streets with high automobile traffic volumes would result in a significant impact on vehicular mode of travel.

Comment No. 126-2

These proposals in the EIR conflict with the upcoming LA Bicycle Plan ([http://www.labikeplan.org/public involvement](http://www.labikeplan.org/public%20involvement)), and specifically with its 5-year funding plan (see attached; <http://www.labikeplan.org/fiveyear>) which will provide for bicycle lanes on Barham Blvd. Since the project will “conflict with adopted policies, plans or programs regarding bicycle facilities, or otherwise decrease the performance or safety of such facilities”, it will create an impact under the California Environmental Quality Act (CEQA) (see <http://www.dot.ca.gov/ser/downloads/cega/CEQAchecklist.doc>). Therefore the draft EIR should be revised to take into account these planned bicycle facilities.

Response to Comment No. 126-2

Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR notes that at the time of preparation of the Draft EIR, the City was updating the Bicycle Plan, which is part of the Transportation Element. As discussed on pages 512–516 of the Draft EIR, the Project would not be inconsistent with the policies of the City of Los Angeles General Plan Transportation Element.

The City’s 2010 Bicycle Plan was adopted in March 2011, after the release of the Draft EIR for the Project. The City’s 2010 Bicycle Plan is an update to the Bicycle Plan adopted by the City in 1996 and re-adopted in 2002 and 2007. As stated in the City’s 2010 Bicycle Plan, “[i]t establishes long-range goals, objectives, and policies at a citywide level and contains a broad range of programs that constitute the steps the City intends to take in order to become a more bicycle-friendly Los Angeles.” In Chapter 5, Implementation, of the City’s 2010 Bicycle Plan, the plan acknowledges that only some of the proposed bicycle lanes were evaluated in the Mitigated Negative Declaration that was conducted simultaneously with preparation of the Los Angeles Bicycle Plan and that “many future bicycle lanes will require additional analysis (particularly impacts on traffic) pursuant to the California Environmental Quality Act (CEQA).” “As each bikeway that is identified as a

future bicycle lane is prioritized in the Five-year Implementation Strategy a preliminary analysis will be conducted to evaluate whether further environmental review will be necessary. In some cases the analysis may determine that the originally selected roadway is not well suited for a bicycle lane. In these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane.” (City of Los Angeles 2010 Bicycle Plan, pages 114–115.)

The proposed Project transportation mitigation measures generally would not prevent the implementation of the City’s 2010 Bicycle Plan, but may require the decision-makers to prioritize varying Transportation Element policies applicable to the Project. For example, the proposed bike lane on Barham Boulevard may require removal of existing travel lanes to accommodate the new bike lanes; i.e., the proposed bike lanes cannot be accommodated within existing right-of-way even in the absence of the Project’s transportation mitigation measures. Such roadway configuration changes on streets with high automobile traffic volumes would result in a significant impact on vehicular mode of travel.

The City’s 2010 Bicycle Plan states that in some cases the originally selected roadway may not be well suited for a bicycle lane and that in these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane on the originally selected roadway. (2010 Bicycle Plan, Chapter 5, page 115.)

As discussed on page 517 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the Project would promote the goals and objectives of the City’s 2010 Bicycle Plan by providing public access to the river, a variety of recreation opportunities and network of multi-use trails, and expanding open space. The proposed Trailhead Park would also provide a connection, via Lakeside Plaza Drive, to the existing bicycle path to the east on Forest Lawn Drive. Therefore, the Project would not be inconsistent with the Los Angeles Bicycle Plan.

Comment No. 126-3

While the proposed project would create bike paths on a new internal “north-south” road (Fig. 74, p. 906), travel to and from Hollywood would require cyclists to travel on unsafe portions of Buddy Holly Drive and through the congested intersection of Cahuenga/Barham. This impact could be mitigated by adding bicycle lanes to Cahuenga Blvd. East and Buddy Holly Drive between Hollycrest Dr. and the new north-south road.

Response to Comment No. 126-3

The Project's proposed on-site bicycle network consists of Class I and Class II facilities that would be designed in accordance with the standard definitions for these types of facilities. As discussed on pages 652–653 of the Draft EIR, the Project would introduce new bike lanes along the proposed North-South Road, various smaller roadways within the Mixed-Use Residential Area, and the realigned Universal Hollywood Drive passing south of Universal CityWalk. As set forth in the Project's proposed Streetscape Plan, Appendix A-4 to the proposed City Specific Plan (see Appendix A-1 of the Draft EIR), the Project's streetscape design incorporates Class II bicycle lanes on both sides of Lakeside Plaza Drive which connect to the Class II bicycle lanes on the North-South Road. An off-street Class I bicycle path would connect the southerly end of the North-South Road to the Class II bicycle lanes along Universal Hollywood Drive through to Lankershim Boulevard, also with a connection to CityWalk. Connecting to this system of Class I and Class II bicycle facilities would be additional Class II bicycle lanes along the various smaller roadways proposed within the Mixed-Use Residential Area. It is important to also note that the on-site bicycle system could be accessed via Cahuenga Boulevard to Universal Studios Boulevard. As stated on page 653 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the proposed on-site bicycle path system would be subject to the review and approval of the City Bureau of Engineering, Los Angeles Department of Transportation, and County of Los Angeles Department of Public Works for the portions of the bicycle facilities within their respective jurisdiction. This review process would ensure the development of safe bicycle facilities.

As noted in Response to Comment No. 126-1, above, implementation of the bicycle lane proposed in the City's 2010 Bicycle Plan cannot be accommodated within the existing Barham Boulevard right-of-way even in the absence of the Project's transportation mitigation measures. The City's 2010 Bicycle Plan states that in some cases the originally selected roadway may not be well suited for a bicycle lane and that in these cases an alternative roadway within the same general corridor may be considered or alternative solutions may be considered that would facilitate bicycle activity on the designated corridor without the inclusion of a bicycle lane on the originally selected roadway. (2010 Bicycle Plan, Chapter 5, page 115.)

See also Response to Comment Nos. 126-1 and 126-2, above.

Comment No. 126-4

The EIR refers to these proposed bicycle facilities as either "paths" or "lanes", which traditionally mean Class I or Class II bicycle lanes, respectively. The EIR should be made consistent in this regard, and specify Class II lanes (not "paths") in the text if that is the intent (e.g., see Fig. 81 B, p. 917).

Response to Comment No. 126-4

The Project's proposed on-site bicycle network consists of Class I and Class II facilities that would be designed in accordance with the standard definitions for these types of facilities. Specifically, Class I facilities are bicycle paths which are physically separated from vehicular travel, whereas Class II facilities are marked lanes on streets. As set forth in the Project's proposed Streetscape Plan, Appendix A-4 to the proposed City Specific Plan (see Appendix A-1 of the Draft EIR), the Project's streetscape design incorporates Class II bicycle lanes on both sides of Lakeside Plaza Drive which connect to the Class II bicycle lanes on the proposed North-South Road. An off-street Class I bicycle path would connect the southerly end of the North-South Road to the Class II bicycle lanes along Universal Hollywood Drive through to Lankershim Boulevard, also with a connection to CityWalk. Connecting to this system of Class I and Class II bicycle facilities would be additional Class II bicycle lanes along the various smaller roadways proposed within the Mixed-Use Residential Area.

Comment No. 126-5

This project should not be approved unless it incorporates plans for bicycle safety on Barham Blvd., or a suitable alternative route is provided by creating safe bicycle facilities from Cahuenga Blvd. East to the new "north-south" road.

Response to Comment No. 126-5

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Please also refer to Response to Comment Nos. 126-1, 126-2, 126-3, and 126-4, above.

Comment Letter No. 127

Mark Camp
10901 Whipple St., Apt. 212
North Hollywood, CA 91602-3210

Comment No. 127-1

I am impressed by Universal's mixed-use plan and like the ideas proposed, especially concerning the transportation improvements. With a project of this scale, I was pleased to learn about the various rideshare and carpool programs that will be employed to address traffic issues in the area. I also understand improvements will be made to the heavily-traveled Lankershim Blvd., Barham Blvd. and Forest Lawn Drive. The new shuttles to Hollywood, Burbank and West Hollywood are a wonderful idea and a service I believe many in the community would like to use. Will these shuttles be available to the public? As a local resident, I would love to do my part for the environment.

Response to Comment No. 127-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The Project shuttles would be accessible to the public. As provided in Mitigation Measure B-2, the local shuttle system shall provide enhanced transit service for Project residents, visitors, employees, and the surrounding community.

Comment Letter No. 128

James Carmicle
1440 N. Alta Vista Blvd., Apt. 105
Los Angeles, CA 90046

Comment No. 128-1

As we all know, nothing stays the same. In order to maintain its title as the world's largest working studio, NBC Universal must continually upgrade its motion picture and television production facilities to meet the current needs of the entertainment industry.

I'm in favor of the Evolution Plan being proposed by the company and think the Draft Environmental Impact Report demonstrates that the Plan is one that will work for all involved. Not only will it allow NBC Universal to upgrade its production facilities, but it also allows the company to make maximum use of its property with the inclusion of a residential community.

I'm grateful that Universal Studios is located in Los Angeles. We should do everything we can to help them maintain their role as a great attraction and economic engine for our region.

Response to Comment No. 128-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 129

Martha Carr
HKCC
3331 Blair Dr.
Los Angeles, CA 90068

[Note: A duplicate of the letter provided below was received on 1/27/11]

Comment No. 129-1

I am writing to express my deepest concern about the proposed development at NBC/Universal. I live on the Southwest end of the Hollywood Manor behind Universal's property (their property adjoins ours at our back fence.) Please see appendix # 1 of where we live (Figure 13 of the Conceptual Plan, Page 288):

Our home is in the small white area on the Southwest side between the two green patches that are inside the residential boundary of the Hollywood Manor (those are homes owned by Universal.) Our house sits where the proposed road inside Universal property touches the black boundary line. As you see, we are totally exposed to the new development with absolutely no mitigations to protect our home from the impacts of the residential, street and production development proposed for this area.

Like others, I have serious concerns about the impacts on traffic, noise, etc [sic] associated with this project, but I am trusting that others have commented on those issues. I am limiting my comments today to several issues that directly impact the Hollywood Manor, my specific home and those directly adjacent to Universal on Blair Dr. First of all, as you see from the overview map (appendix 1) we will look directly onto the residential buildings that are to overtake the green-scape area behind our house. This green-space is already defined as the an [sic] entitled buffer zone according to the Conditional Use Permit of the early 90's [sic] to mitigate noise and visual impacts from development at Universal. This green-scape was already agreed upon as the minimum amount of space necessary to buffer homes in the Hollywood Manor from activities at Universal and mitigate against developmental encroachments by Universal into our neighborhood. It is functionally being eliminated by the proposed residential development.

Response to Comment No. 129-1

The land use relationship of the Project to the Hollywood Manor neighborhood is addressed in Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR. As concluded therein, as the Project Site is located to the west of the Hollywood Manor area, and Project development would be next to, but would not occur within this area, the

proposed Project would not disrupt, divide or isolate this or any other area or location. Furthermore, the Draft EIR concludes that the Project would not substantially or adversely change the existing land use relationship between the Project Site and the Hollywood Manor area. The Project would develop on-site residential uses next to off-site residential uses and establish a buffer between on- and off-site residential uses. The establishment of the buffer and the placement of residential uses serve to promote land use compatibility. In addition, the proposed City Specific Plan includes a number of design standards to enhance land use compatibilities in this area. For these reasons, Project development would not adversely change the land use relationship with the Hollywood Manor area and the Draft EIR concludes that physical land use impacts with regard to the Hollywood Manor would be less than significant.

The comment references Appendix 1 to the comment, which is a copy of Figure 13, the Conceptual Plan, from page 288 in Section II, Project Description of the Draft EIR, with annotations added by the commenter identifying the location of the commenter's residence in the Hollywood Manor. The comment appears to specifically refer to the area of the Project Site at the southern point of Open Space District No. 1, where Open Space District No. 1 ends. As shown on Figure 10 on page 281 of the Draft EIR, at the southern end of Open Space District No. 1, the property line is contiguous with a proposed roadway. The proposed roadway is in the area of an existing fire road. Immediately south of the point at which the property line abuts the roadway, there is no open space designation between Open Space District No. 1 and Open Space District No. 2; however, a 20-foot setback with a 10-foot landscape buffer within the setback is required, as indicated on Figure 15 on page 295 of the Draft EIR.

It is assumed that the Conditional Use Permit referenced in the comment is a reference to County Conditional Use Permit 90074, which applies to a portion of the existing backlot and restricts certain uses within specified areas within the backlot covered by the CUP. To clarify, the entire CUP area is not considered a buffer zone under the CUP. The most restricted area within the CUP is Area 4, an approximately 30 to 100-foot wide area along the eastern property boundary that is restricted to a fire road – security road with adjacent landscaping. Beyond Area 4, varying levels of motion picture and television production, and accessory uses, are permitted.

With regard to views, Section IV.D, Visual Qualities, of the Draft EIR, contains detailed discussion as well as visual simulations of views depicted in Figures 110 and 111 from the Hollywood Manor area. As analyzed on page 1081 of the Draft EIR, available views toward the Project Site from the Hollywood Manor area can be grouped into three general categories. The first category includes approximately 25 residences located near the southern tip of the Hollywood Manor geographic area. Due to the presence of heavy vegetation and intervening existing residences, these locations have a limited view of the

southeastern corner of the Project Site in a southerly direction, which occurs in the form of narrow distinct view corridors. The second category includes approximately 40 homes, which have potential intermittent views across the Project Site in a westerly direction. A segment of Blair Drive and about 12 of these 40 homes have direct lines of sight toward the Project Site (see Figure 110 on page 1120 of the Draft EIR). These homes for the most part share a common property line with the Project Site and are located between the Blair Drive roadway and the Project Site. The last category is the approximately 15 homes near the northern portion of the Hollywood Manor geographic area with north to northwesterly views over the Project Site.

As analyzed on pages 1081–1084 in Section IV.D, Visual Qualities, of the Draft EIR, since structures proposed under the Project would replace the current perspective of relatively underdeveloped space with intermittent views of new development, a potential change in contrast and prominence could occur, although generally the effects would be irregular because of the setback, the influence of vegetation within the Hollywood Manor area itself and topography. As shown in Figure 110 on page 1120 of the Draft EIR, new development would have the potential to encompass a large portion of the available field of view for the roughly 12 homes and the segment of Blair Drive roadway vantage point within this small portion of the overall Hollywood Manor area. However, the background views of the broader San Fernando Valley and Verdugo Mountains would remain, thereby minimizing the effect on coverage. Given the available field of views, the proposed Project would not create a substantial impact to coverage, as the elements that contribute to the visual character of the area (landscaping and long-range views) would not be substantially adversely affected by Project development. Thus, as the Draft EIR concludes, Project impacts to visual character from the Hollywood Manor geographic area would be less than significant since not all three impact criteria would be significantly impacted.

With regard to views, as discussed on page 1084 of the Draft EIR, for the homes with available sight lines across the Project Site, views encompass portions of the Cahuenga Pass West area, the Verdugo Mountains, and San Fernando Valley, all of which are considered valued visual resources. Although views of these resources may be broad, many of these view locations experience view blockage by existing on- and off-site vegetation as well as topography. As explained in the Draft EIR, Project development and signage within the South Back Lot Visual Quality Area could occupy portions of the available viewshed from these locations. However, as shown in Figure 110 on page 1120, with Project development, the large majority of the viewshed that includes the long-range views of the San Fernando Valley and the Verdugo Mountains is retained. Viewing angles from these residences with westerly views of the Project Site and across the Project Site towards the Cahuenga Pass West neighborhoods vary somewhat and the possibility exists that a greater impact than that shown in Figure 110 could occur from one or more of these homes. However, since the Project would not result in the substantial view coverage of a

prominent view resource, the Draft EIR concludes that Project impacts with regard to the Hollywood Manor geographic area would be less than significant.

With regard to traffic and noise, the Project's potential traffic and noise impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation, and Section IV.C, Noise, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-2

The DEIR has absolutely no photos or descriptions showing the impacts of the development on the homes located in the southwest area of the Manor. They functionally have eliminated the need to review or consider mitigations that would maintain the quality of life for those of us who live on this side of the neighborhood. I am therefore enclosing two photos of our present view from our upstairs windows overlooking NBC/Universal.



What you see here is our view looking Northwest. Our backyard is in the foreground, then Universal's fence (under the power lines) a few Eucalyptus trees that are cut back every year so as not to interfere with the power lines (this is as high as they are allowed to get), the security road, the green-space where production often occurs and then

a thick growth of trees planted on a berm which hides the “Z” drive behind it. These trees, which have only come into full maturity in the last couple of years, were put into place as part of the Conditional Use Permit of the 1990’s to screen the parking lot and the large parking structure behind it. The berm was established to mitigate sound from the newly exposed 101 freeway and from the noise of cars on the “Z” drive itself. I believe it was to reduce noise by 5DB’s [sic] (I do not have the CUP in front of me.)



Looking more directly north from our upstairs window: What you are seeing here is again the row of Eucalyptus at the boundary of our property, the security road, the green-scape beyond and the continuation of the stand of trees planted as part of the CUP. On the far right is the white and black Citibank building located in Toluca Lake.

Your drawing indicates that all of these beautifully mature trees are gone, the berm flattened and instead of looking at what is now a park like area, our view will be of Park La Brea type apartment buildings with small streets to service them behind and between. Do you really think doing this has no impact?

Response to Comment No. 129-2

The photographs included in the analysis of visual quality impacts in the Draft EIR are representative photographs and are not intended to document every possible view of the Project Site. As explained in Section IV.D, Visual Qualities, of the Draft EIR, due to the

large size of the Project Site, and variability of on- and off-site topography, the Project Site can be seen from many existing vantage points. Maps of the surrounding area and field observations were used to select vantage points for further analysis of potential visual quality impacts. For purposes of the analysis, the vantage points from which the Project Site can be observed were grouped into 15 geographic areas that share common characteristics with regard to the distance from the Project, angle of view, and valued visual resources accessible from the location. Each of the 15 geographic areas was checked through a field survey and photographs were taken that depict a sample view of the Project Site and surrounding areas that is available from each geographic area. The Draft EIR notes that "...because of the large number of possible visual perspectives of the Project Site, it is not feasible to document each potential location that could experience visual character or view impacts from the Project.... While the locations selected for the visual simulations are representative of the respective geographic areas, they do not reflect every possible individual view perspective within each geographic area." From the Hollywood Manor area, two photographs and photo simulations were included that reflect the differing view lines of the Hollywood Manor area, one that with direct lines of sight towards the Project Site and one with interrupted view lines through shrubs and trees.

The topography of the area along the eastern portion of the Project Site in the area of the referenced portion of Hollywood Manor would be modified per the Project's grading plan to allow for the development proposed within this area of the Mixed-Use Residential Area. The implementation of the proposed grading plan would also result in the removal of trees in this area. As concluded in Sections IV.F, Geotechnical, and IV.I, Biota, of the Draft EIR, impacts associated with the proposed on-site changes described above would result in less than significant impacts with the implementation of the proposed project design features and mitigation measures. Potential Project impacts on the Hollywood Manor neighborhood were thoroughly addressed in the Draft EIR, including, among others, Section IV.A.2, Land Use – Physical Land Use; Section IV.C, Noise; and Section IV.D, Visual Qualities. The commenter is referred to these sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Please also refer to Response to Comment No. 129-1 for additional information regarding the visual qualities analysis in the Draft EIR, including views from the Hollywood Manor area, and the land use relationship of the Project to the Hollywood Manor neighborhood.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-3

What does Universal plan to do with these trees? There is no discussion in the DEIR of the preservation or transplantation of these mature trees to accommodate development as an option.

Response to Comment No. 129-3

All mature trees on the Project Site were identified and the potential for removal discussed in the Project's tree survey report. (Draft EIR, Appendix K-2, NBC Universal Evolution Plan Tree Report.) As discussed in Section 3.3.2 of the NBC Universal Evolution Plan Tree Report there are a total of 47 species of non-native trees within the proposed City area of the Project Site. These non-native trees include several species of pines, palms, and eucalyptus, as well as many other ornamental species. As stated in Section 3.4.1 of the Tree Report, all of the non-native trees in the City area may be impacted due to grading required for development. The proposed City Specific Plan includes Protected Tree regulations that incorporate flexibility in the tree replacement approach such that a combination of sizes and protected tree species would be planted. As explained on page 19 of the NBC Universal Evolution Plan Tree Report, the proposed protected tree mitigation would provide for site-appropriate trees according to a site-sensitive native landscape and would be superior to one that simply responded to arbitrary replacement ratios. The proposed Project plantings would include site appropriate plants most suited to the arid Southern California climate. The placement of the replacement native trees into a landscape that incorporates the similar climate-adapted Southern California heritage landscape will serve to enhance the long-term survival of all the native plantings and will also enhance the wildlife values of those trees (See Section 3.5.5 of the NBC Universal Evolution Plan Tree Report).

As discussed on pages 1585–1588 of Section IV.I, Biota, of the Draft EIR, the analysis of impacts on protected trees represents a conservative analysis, and project design features and mitigation measures have been developed assuming the maximum potential tree impact numbers. The actual tree impact numbers may be lower than anticipated, once final grading plans are developed. In addition, as noted above, the proposed Specific Plan regulations incorporate flexibility in the tree replacement approach, such that a combination of sizes and protected species would be planted, resulting in a more natural habitat approach to tree replacement and replacing the overall habitat value of the trees removed.

Comment No. 129-4

What about reflections and glare off the rooftops into our homes from the sun hitting the apartment buildings? We have had problems before with sets in this area whose

reflections became problematic and Universal had to make modifications, so it is something to be taken seriously.

Response to Comment No. 129-4

Potential glare impacts associated with the Project are analyzed in Section IV.E.3, Light and Glare – Glare, of the Draft EIR. The Draft EIR identifies the Hollywood Manor residential area east of and adjacent to the Project Site as a glare-sensitive receptor. (Draft EIR, page 1280.) As explained on page 1283 of the Draft EIR, the average existing ground elevation within the Back Lot Area of the Project Site varies substantially but is generally below that of the Hollywood Manor residential area. The existing Back Lot Area is partially developed with low-rise outdoor movie sets, storage areas, office/production buildings, and the mid-rise Lakeside Plaza building. These structures do not provide substantially reflective surfaces, signage, or thematic elements. As explained in the Draft EIR on page 1283, reflective materials related to film sets and related production activities may also occasionally be present within the Back Lot Area, but this is a sporadic and temporary occurrence. The Draft EIR also notes that occasional nighttime filming which can feature the use of temporary lighting and related production activities within the Back Lot Area may create nighttime glare that is visible from locations within the Hollywood Manor residential area for temporary durations, depending on the exact location of the filming or production work and intervening topography. The intervening distance from potential sources of nighttime glare within the Studio, Business and Entertainment Areas and the Hollywood Manor residential area reduces levels of nighttime glare experienced at these locations to minimal levels. As such, as explained in the Draft EIR, the Hollywood Manor residential area is not subject to regular daytime or nighttime glare from existing uses within the Back Lot Area.

As explained in the Draft EIR, subject to the provisions of the proposed City Specific Plan, new mid- and high-rise buildings, as well as signage and thematic elements, could be developed within portions of the Mixed-Use Residential Area that could be highly visible from some locations within the Hollywood Manor residential area. Nonetheless, the proposed City Specific Plan prohibits the use of mirrored glass or highly reflective materials. Therefore, future development in the Mixed-Use Residential Area would not have the potential to generate a substantial amount of additional daytime glare impacting the Hollywood Manor residential area and impacts would be less than significant.

Comment No. 129-5

As you can see, this development will have a huge environmental impact on us, during construction and after, which will fundamentally change (not for the better) our quality of life as well as that of the deer, owls and other wildlife that frequently inhabit this area. There are hawk and owl families, for example, that return yearly to breed in these trees.

Response to Comment No. 129-5

Section IV.I, Biota, of the Draft EIR (page 1545) explains that wildlife species occurring on the Project Site are generally those that have adapted to, and are tolerant of, human activities, and are common in urban areas. Some of these species thrive in urban environments, as they are opportunistic with dietary subsidies commonly associated with an urban setting, or find shelter under or within developed structures. Other wildlife may occur on-site in patches of remaining habitat which are remnants of their former population distribution. Thus, most of the common species found on the Project Site are highly adapted to the urban environment, while others are adapted to the urban edge and thrive at the urban edge due to dietary subsidies commonly associated with such settings. In the post-Project condition, it is expected that all of these species would continue to persist on the Project Site. It is also important to note that most of these species do not have any protected or special status and therefore, given the highly fragmented character of the site, impacts to these species would not be considered significant pursuant to CEQA.

The Draft EIR has included Mitigation Measure I-3 to avoid impacting nesting birds, including migratory birds and raptors. Mitigation Measure I-3 includes a detailed program for ensuring that there is no conflict with the Migratory Bird Treaty Act and that there would be no violation of this law. Under Mitigation Measure I-3, removal of trees or other vegetation would occur either outside of the migratory bird nesting season, such that there is no “take” of a bird (includes adults, fledglings, nestlings, or eggs) or nest during the nesting season or, after detailed surveys (as set forth in Mitigation Measure I-3) demonstrate that nesting birds are not present and would not be harmed. Implementation of Mitigation Measure I-3 would reduce potential impacts to nesting birds to less than significant.

Quality of life is not an environmental topic addressed as a subject category under CEQA. Environmental issues set forth under CEQA, such as traffic, land use, air quality, etc., are addressed throughout the Draft EIR by subject category. The commenter is referred to Section IV, Environmental Impact Analysis, of the Draft EIR for detailed discussion of potential environmental impacts of the Project and proposed project design features and mitigation measures.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-6

In addition, there is now a proposed connecting road, which is suggested as a way to alleviate traffic congestion on Barham Blvd. But what this means is that thousands of cars per day will now be utilizing this connecting road exposing those of us on the ridge to

additional traffic noise and pollution. There will be noise from cars rushing over that road, trucks rumbling, horns blaring during peak traffic times, and increased air pollution from car exhaust. What mitigations are in place to address this? This noise and pollution is [sic] unacceptable for those of us living along Blair Dr.

The removal of the berm will have an enormous impact, which is minimized in the DEIR. Originally touted in the CUP as reducing freeway noise by a significant amount, in this DEIR it says removing it will make little difference in noise levels. Which is it? I can personally attest to the difference the berm has made because there was a period of time when the mountain was cut down between our homes and the freeway, prior to the construction of the berm, when we had to put up with significant freeway traffic noise. It makes no sense that Universal would remove this berm and not be required to build something instead, like an additional, larger berm and/or sound wall running the entire length of the new road to mitigate this connecting road. Why would standards of mitigation be reduced from those previously agreed upon?

Response to Comment No. 129-6

As discussed on page 1020 of Section IV.C, Noise, of the Draft EIR, the Conceptual Plan for the Mixed-Use Residential Area sets forth an internal circulation system that includes a new North-South Road and interior circulation streets to accommodate traffic flow related to the proposed Project. The Draft EIR analyzed the Hollywood Manor noise receptor area to predict the potential noise impact of the proposed North-South Road and the parallel Interior Road at the closest existing off-site residences. The results of this analysis indicated potential traffic noise increases attributable to the proposed North-South Road and the parallel Interior Road with forecasted levels of traffic would result in a less than 2 decibels noise increase at the closest Hollywood Manor locations (R30, R31, & R32) on Blair Drive. “Because an increase of 3 decibels or less in the ambient noise level is not discernable [sic] to the average ear, the increases in noise from Project traffic at the receptor locations within the Hollywood Manor area would not be noticeable when added to the existing noise levels, regardless of the existing ambient noise levels at the receptor locations.” (Draft EIR, page 1020.) Accordingly, as concluded in the Draft EIR, the new proposed roadway would result in less than significant traffic noise impacts at the Hollywood Manor area.

Potential impacts to air quality associated with Project construction and operational emissions, including traffic-related emissions, are analyzed in Section IV.H, Air Quality, of the Draft EIR and related technical report included as Appendix J to the Draft EIR, consistent with the South Coast Air Quality Management District’s California Environmental Quality Act (CEQA) Air Quality Handbook (CEQA Handbook). The Project includes project design features and recommends mitigation measures described in Section IV.B.1,

Traffic/Access – Traffic/Circulation, of the Draft EIR, that would reduce vehicle trips and vehicle miles traveled, which would reduce the Project's air pollution emissions, as summarized on page 1523 of the Draft EIR. For example, the Project would implement a Transportation Demand Management program that results in a decrease of daily vehicle trips, which effectively reduces traffic-related air pollutant emissions. Please see Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for additional information.

To analyze the impact of Project vehicle emissions on ambient air quality consistent with the South Coast Air Quality Management District CEQA Handbook, the Draft EIR evaluates localized concentrations of carbon monoxide at certain congested intersections, as discussed beginning at pages 1462 and 1495 of the Draft EIR. Areas where ambient concentrations of carbon monoxide exceed national and/or state standards are termed carbon monoxide "hotspots," as discussed on page 1454 of the Draft EIR. The South Coast Air Quality Management District has determined that carbon monoxide hotspots from traffic congestion can cause localized impacts to sensitive receptors. (See CEQA Handbook, page 9-9.) As discussed on page 1499 of the Draft EIR, carbon monoxide concentrations associated with the Project would not exceed state or federal standards. As a result, the Project would not cause local carbon monoxide hotspots, and local carbon monoxide impacts would be less than significant. Further, as discussed on page 1520 of the Draft EIR, cumulative carbon monoxide concentrations at the study intersections in 2030 would not exceed the respective national or state ambient air quality standards, based on projected future traffic volumes that take into account emissions from the proposed Project, future ambient growth, and cumulative growth in the Project area. Therefore, cumulative carbon monoxide hotspots would be less than significant.

In addition, the Project puts future residents and workers in close proximity to places of employment and services. This has the dual benefit of reducing vehicle trips and vehicle miles traveled from a regional standpoint. As a transit-oriented development, the Project would have greater access to public transportation, which would also reduce the amount of vehicle trips and miles traveled from a regional standpoint, compared to a similar development not centrally located or proximate to transit. The benefits of infill, transit-oriented development have been widely recognized as a critical step to reducing vehicle-related emissions by reducing vehicle trips and miles traveled, including by the California legislature with the passage of Senate Bill 375,⁹² the SB 375 Regional Transportation

⁹² *Senate Bill 375 (SB 375, Steinberg, Statutes of 2008), chaptered September 30, 2008.*

Advisory Committee,⁹³ and the California Air Pollution Control Officer's Association,⁹⁴ among others. Thus, the Project would have lower emissions from a regional standpoint relative to other, more peripherally located development projects.

Lastly, the Draft EIR considers guidance related to locating sensitive receptors near freeways and major roadways. As discussed on pages 1442 and 1443 of the Draft EIR, the California Air Resources Board published the Air Quality and Land Use Handbook on April 28, 2005 (the CARB Handbook), to serve as a general guide for considering health effects associated with siting sensitive receptors proximate to certain sources of toxic air contaminants. As discussed on page 1442 of the Draft EIR, the CARB Handbook is only an advisory document and is not binding on any lead agency. The CARB Handbook advises that setback buffers or additional analysis may be appropriate when siting sensitive receptors within 500 feet of a freeway or urban roads with 100,000 vehicles/day, as discussed on page 1443 of the Draft EIR and page 104 of the Air Quality Technical Report, Appendix J-1 of the Draft EIR. Although the CARB Handbook does not address analyzing traffic impacts to offsite sensitive receptors, traffic on the proposed North-South Road would not warrant additional analysis under the CARB Handbook, even if it were applicable to off-site residents because vehicle trips on the North-South Road are expected to be well below 100,000 vehicles/day.

With regard to the berm, to clarify, the berm referenced in the comment is not the same berm that was addressed in the referenced CUP. The CUP references a 6-foot berm, as shown in Figure 14 on page 2774 of the Final EIR, that separates the eastern boundary of the Project Site from the Hollywood Manor area, and is located close to HMR-3 and HMR-4 on Figure 93 on page 973 in Section IV.C, Noise, of the Draft EIR, within the proposed Mixed-Use Residential Area. The berm discussed on page 1024 of the Draft EIR is an approximately 100-foot berm located on the southeastern corner of the Project Site, just south of HMR-1 and HMR-10 on Figure 93 on page 973 of the Draft EIR. Contrary to the assertion in the comment, the removal of the berm would not have a significant noise impact on residences in the Hollywood Manor Area. As discussed on page 983 in Section IV.C, Noise, of the Draft EIR, the LimA Noise Model used in the impacts analysis included building structures, terrain, and sound sources. In order to accurately represent surrounding conditions, a three-dimensional replica of the Project Site

⁹³ *SB 375 Regional Targets Advisory Committee Report, September 29, 2009—Final RTAC Report*, www.arb.ca.gov/cc/sb375/rtac/report/092909/finalreport.pdf.

⁹⁴ *California Air Pollution Control Officer's Association. August 2010. Quantifying Greenhouse Gas Mitigation Measures*, www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.



Berm Referenced in CUP 90074

Berm Analyzed in Noise Technical Report



Source: Rios Clementi Hale Studios, 2011.

was entered into the software, which included proposed changes to the Project Site topography that could occur as a result of the Project. Thus, the calculation of the Project's operational noise impacts took into consideration the changes in topography. As discussed on page 1015 of the Draft EIR, the noise model confirmed that the impacts from the Project's operational noise would be less than significant.

As discussed on page 1024 of Section IV.C, Noise, of the Draft EIR, existing noise levels at the top of the existing 100-foot berm in the southeastern portion of the Project Site, which has a direct line of sight to the 101 Freeway, were measured to be a Community Noise Equivalent Level of 71.5 dBA. The noise levels at an existing receptor location (R26, shown on Figure 94 on page 1002 of the Draft EIR) in Hollywood Manor would have a slight noise increase as a result of increased traffic under future conditions, but the removal of the berm would have no effect on freeway noise levels as the berm provides a barrier effect from roadway noise to the south and southeast but provides no barrier (i.e., has no attenuation) to roadway noise from the west and southwest. As the noise exposure from the west (from the US 101 Hollywood Freeway) dictates the traffic noise impact at this receptor location, lowering the on-site grade in this area of the Project Site would have no adverse impact at this receptor.

Comment No. 129-7

If mitigating it to the point of nullifying all impacts is considered too costly, why would you not require this road be built along what is already designated as a road along the Los Angeles River? And why has that been removed from the map as a road? Moving one or two buildings that currently obstruct that option must be considered and weighed against devastating our neighborhood!

Response to Comment No. 129-7

The comment appears to suggest the inclusion of a roadway facility (the "East-West Road") along the Los Angeles River Flood Control Channel adjacent to the Project Site. The Applicant does not own most of the land adjacent to the river. The bulk of the frontage is owned by County of Los Angeles. The East-West Road is shown on the County's Highway Plan as a major public highway (100-foot right-of-way), and as discussed in the Draft EIR, no funding has been allocated for the East-West Road and no right-of-way has been dedicated for its construction. In addition, as described in Section V.I, Alternatives to the Proposed Project, of the Draft EIR and Chapter XII of the Transportation Study, the East-West Road along the Los Angeles River Flood Control Channel does not improve traffic conditions at the analyzed intersections, (Draft EIR, Section V.I, Tables 281 and 284), and the East-West Road Alternatives would also result in increased impacts to air quality, noise, and historic resources as compared to the Project.

Further, as stated on page 416 of Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the County is currently in the process of updating the County General Plan including, but not limited to, an update to the County Highway Plan. The Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension. While the Draft County Highway Plan as proposed would delete the East-West Road with the Forman Avenue Extension, the officially adopted County Highway Plan as of this date is the County Highway Plan adopted in 1980. As such, the Project requests the deletion of the East-West Road from the existing County Highway Plan, and the alternatives analysis presented in the Draft EIR evaluates the requested deletion. The commenter is also referred to Topical Response No. 10: East-West Road Alternatives (see Section IIIC, Topical Responses, of this Final EIR), for information related to these alternatives.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-8

At least consider moving the road north of the current berm and trees and adding ample mitigations.

If you are thinking that the apartment buildings will themselves function to block this increased noise, without a solid barrier let me show you how this will not provide any protection. The map indicates that there are proposed connecting roads in front, behind and between all the residential units. In addition, because of the way our homes are situated, some of us may be looking over the tops of the proposed buildings depending on their height. Sound travels up and through open spaces and the way the roads are laid out, there will be no protection from visual and sound pollution. In fact, if you look carefully at appendix #1, you will see that our home is directly exposed to one of the roads that will funnel noise right toward our home so that ALL sound coming from the apartments, the new road and the 101 will be channeled through that open space with NOTHING to mitigate it. Every one of those connecting roads adjacent to the Manor will funnel noise into the neighborhood.

Response to Comment No. 129-8

As described in Section IV.C, Noise, of the Draft EIR and in Response to Comment No. 129-6, the potential impact of noise on the Hollywood Manor from the Project, including internal roadways, was analyzed and determined to result in a less than significant noise impact. Please refer to Response to Comment No. 129-6 regarding such analysis, as well as noise issues related to the berm referenced in the comment.

With regard to views from the Hollywood Manor area, as explained in Response to Comment No. 129-2, Section IV.D, Visual Qualities, of the Draft EIR, contains detailed discussion as well as visual simulations of views depicted in Figures 110 and 111 from the Hollywood Manor area. Please refer to Response to Comment No. 129-2, above.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-9

On another note, these side streets themselves will now bear traffic, trash trucks, moving vehicles etc [sic] that will increase noise at all hours of the day and night. (Vehicles, except emergency and production vehicles are currently restricted in the backlot area from 11 PM to 7 AM).

Response to Comment No. 129-9

As discussed on page 1020 of Section IV.C, Noise, of the Draft EIR, and in Response to Comment No. 129-6, the Draft EIR analyzed the potential noise impacts of the Mixed-Use Residential Area's proposed North-South Road and the parallel interior road at the closest existing off-site residences. These two roads would have a higher traffic volume than the connecting internal side streets, and thus the North-South Road and the parallel interior road were determined to be the primary potential on-site contributing traffic noise sources for purposes of the analysis. Potential traffic noise from the Mixed-Use Residential Area's other internal roadways would be less than the traffic noise produced on the North-South Road and the parallel interior road given the lower traffic volumes. As concluded in the Draft EIR, the North-South Road and the parallel interior road would result in less than significant impacts at the Hollywood Manor area; therefore, the connecting roads are anticipated to also result in less than significant impacts. Please refer to Response to Comment No. 129-6.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-10

Let me also point out that because noise rises, two people standing in the green-space below us having a normal conversation can be clearly heard from our house. Imagine what hundreds of people playing music or talking loudly or sitting outside or opening and closing garages will do to our relatively peaceful surroundings! I see no mitigations for that except NOT building them in this area in the first place!

Response to Comment No. 129-10

As discussed on pages 986–987 of the Draft EIR, new major on-site noise sources were evaluated in Section IV.C, Noise, of the Draft EIR. As discussed in the Draft EIR, the model specifically took into consideration the development of the eastern portion of the Project Site (the Mixed-Use Residential Area) into a mixed-use development with 2,937 residential units and 180,000 square feet of community-serving commercial uses. The noise sources in the acoustic model for the Mixed-Use Residential Area of the Project included a conservative assumption of various potential noise sources, including, for example, HVAC and mechanical equipment for each building, the addition of a new LADWP electrical substation, and recreational areas. The noise analysis also evaluated potential roadway noise. (Draft EIR, page 993.) As described on pages 994–97 of the Draft EIR, the Project includes various project design features to minimize noise during Project construction and operation. For example, in addition to compliance with the City of Los Angeles Municipal Code noise regulations, sound sources within the proposed City Specific Plan area may not exceed an L₅₀ of 50 dBA or L_{max} of 70 dBA, or the ambient noise level if greater, during the day and an L₅₀ of 45 dBA or L_{max} of 65 dBA, or the ambient noise level if greater, during the nighttime. In addition, other than emergency address systems, no outdoor amplified sound associated with retail uses, community-serving uses, and sound systems for common areas of residential uses shall be permitted in the Mixed-Use Residential Area. As detailed in Section IV.C, Noise, of the Draft EIR, with implementation of the proposed City and County Specific Plans, Project operational and roadway noise impacts at off-site receptors would be less than significant.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-11

The fact is, the entire project is way too big and the community cannot handle a residential community of this size. With 2,937 residences up here, where are you going to park the 5,874 cars (assuming about a two car [sic] family in each unit?) [sic]

Response to Comment No. 129-11

As explained in Section IV.B.2, Traffic/Access – Parking, of the Draft EIR, with the exception of restaurants and fitness facilities, the proposed City Specific Plan requirements provide for equal or more parking than that required by the Los Angeles Municipal Code for all of the proposed land uses under the proposed City Specific Plan. As explained on page 951 of the Draft EIR, the employees, visitors, and residents that would use the restaurants and fitness facility associated with the Project would already be parked at the Project Site. For these reasons, a lower parking ratio than that set forth in the Los Angeles Municipal

Code is appropriate for on-site restaurants and fitness facility located within the Mixed-Use Residential Area. Based upon the parking demand analyses discussed on pages 953–954 of the Draft EIR, the Project would provide sufficient parking to meet the demand requirements of all of the proposed Specific Plan land uses, and Project impacts related to parking under the proposed City Specific Plan would be less than significant.

Comment No. 129-12

The whole thing needs to be scaled back! There are other areas of Universal where the grade or cliffs provide far more inherent protection from these impacts than this little area right behind our home. Why not keep this area for it's [sic] original purpose – to act as a buffer zone and for production use? There is a fairly high rate of outdoor production that takes place in the green-scape on this end of the lot and it can continue to be utilized for that purpose. With the need for more production space, why destroy the back-lot area that is currently used for production on a regular basis?

Why not leave this green buffer-zone, berm, trees etc [sic] as is and build any proposed units in less impactful areas such as on the hillside slope adjacent to Buddy Holly Dr [sic] facing over the 101 freeway (which actually would buffer our neighborhood from more of the 101 freeway noise) or on the hillside facing north at Forest Lawn (above the childcare center) where multiple use makes sense. Access will be easier for the residents in those areas too. Keeping the berm and the trees and green area will also protect us from the proposed expansion of the production development to be built near the open 1-B parking lot.

Response to Comment No. 129-12

Please refer to Response to Comment No. 129-1 regarding the Draft EIR's analysis of potential physical land use impacts and conclusion that physical land use impacts with regard to the Hollywood Manor would be less than significant.

With regard to the portion of the comment regarding the use of the Back Lot, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

Alternatives analyzed in Section V, Alternatives to the Proposed Project, of the Draft EIR, included substantial reductions in development compared to the proposed Project. The commenter is referred to Section V of the Draft EIR for additional information.

The possibility of locating residential development on the west side of the Project Site along Lankershim Boulevard was considered as a potential alternative to the proposed Project. As concluded on pages 2158–2159 in Section V, Alternatives to the Proposed Project, of the Draft EIR, the significant impacts associated with this alternative outweigh the benefits associated with creating a transit-oriented residential development on the west side of the Project Site. Specifically, this potential alternative would create a new significant impact with regard to land use compatibility while also worsening the Project's significant impacts. In addition, this alternative fails to meet a number of the basic objectives of the Project. For these reasons, both individually and collectively, an alternative calling for residential development along Lankershim Boulevard was concluded to be infeasible.

Comment No. 129-13

We can hear garbage trucks clanging around in the wee hours of the morning, as well as the sweepers that clean the parking structures a [sic] 5AM (and those are relatively far away!) That just gives you an idea of how easily sound carries up this hill. Weather patterns also play a huge role in the way sound carries. The construction noise itself will be relentless and ongoing!

Response to Comment No. 129-13

As discussed in Response to Comment Nos. 129-6, 129-9, and 129-10, Project operations and associated traffic noise would result in less than significant noise impacts to the Hollywood Manor area. Please refer to Response to Comment Nos. 129-6, 129-9, and 129-10, above.

With regard to construction noise impacts, pages 998–1010 in Section IV.C., Noise, of the Draft EIR summarize the construction noise impacts under all potential construction scenarios, including construction in the Studio, Entertainment and Business Areas, construction in the Mixed-Use Residential Area assuming both single phase and multi-phase horizontal construction activities, and a composite construction scenario in which construction occurs throughout the Project Site at the same time. The proposed City and County Specific Plans and the Draft EIR propose several noise reduction measures for general construction activities. The proposed City and County Specific Plans require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 of the Draft EIR, when Project construction occurs within 500 feet of

an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed.

The Project would implement Project Design Feature C-1 and Mitigation Measures C-1 through C-5, which would reduce the daytime noise levels attributable to the Project. However, depending on the receptor location and ambient noise levels at the time of construction, these activities could increase daytime noise levels at nearby noise-sensitive uses above the established threshold. This is considered a significant and unavoidable short-term impact when grading and construction activities occur near noise-sensitive uses. For nighttime construction, proposed mitigation measures would reduce impacts to a less than significant level, except when exterior nighttime construction, as allowed by the exceptions noted in Mitigation Measure C-2, occurs. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. It is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur are limited, and when they do occur, the extent of this significant impact would be limited in duration.

Comment No. 129-14

In closing, I would like to point out a questionable portrayal of a view from Blair Dr [sic] in the DEIR. If you look at Appendix 2 (Figure 111 page 1121) you will see a photo taken from Blair Dr [sic] midway between our corner and the Northern section. It seems to imply that everything is screened by heavy foliage and that there will be no impact in views from that perspective. (See the before and after rendition.) However, what it fails to mention is that the homes in that area are on the OTHER side of those trees (below them with a direct view of Universal and nothing between) and across the street the homes are up ABOVE the tree line and thus also see everything! If you are standing on the street then, yes, that is the current view. The current photos are completely misleading and give the impression that the impacts are minimal to homeowners in that area! That is just misrepresentation.

Response to Comment No. 129-14

As explained in Response to Comment No. 129-2, the photographs included in the analysis of visual quality impacts in the Draft EIR are representative photographs and are not intended to document every possible view of the Project Site. As explained in Section IV.D, Visual Qualities, of the Draft EIR, due to the large size of the Project Site, and variability of on- and off-site topography, the Project Site can be seen from many existing vantage points. Maps of the surrounding area and field observations were used to select vantage points for further analysis of potential visual quality impacts. For purposes of the analysis, the vantage points from which the Project Site can be observed were grouped

into 15 geographic areas that share common characteristics with regard to the distance from the Project, angle of view, and valued visual resources accessible from the location. Each of the 15 geographic areas was checked through a field survey and photographs were taken that depict a sample view of the Project Site and surrounding areas that is available from each geographic area. The Draft EIR notes that "...because of the large number of possible visual perspectives of the Project Site, it is not feasible to document each potential location that could experience visual character or view impacts from the Project... While the locations selected for the visual simulations are representative of the respective geographic areas, they do not reflect every possible individual view perspective within each geographic area." (Section IV.D, Visual Qualities, of the Draft EIR, page 1072.) From the Hollywood Manor area, two photographs and photo simulations were included that reflect the differing view lines of the Hollywood Manor area, one that with direct lines of sight towards the Project Site and one with interrupted view lines through shrubs and trees.

The comment refers to a copy of Figure 111 of the Draft EIR, from page 1121 of Section IV.D, Visual Resources. The copy of Figure 111 attached to the comment as Appendix 2 includes a notation regarding the location of houses. As described above, Figure 111 is not intended to represent all views of the Project Site from the area. Figure 110 also provides view simulations of another point from the Hollywood Manor neighborhood, consistent with the view recommended by the commenter.

Comment No. 129-15

I trust that you will take these matters seriously and address them. The broader traffic issues alone warrant a reduction in all areas of the proposed three separate developments. I would like to remind you that our only way in and out of the Manor is via Barham Blvd. How can you assure us that access to our neighborhood won't get any more difficult than it already is? In light of this, it makes no sense to allow any development to proceed until all traffic improvements and mitigations are in place and demonstrate they can support the additional traffic and flow that will result from this expansion.

Response to Comment No. 129-15

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential environmental impacts from traffic and as discussed therein, the Project would incorporate all feasible mitigation measures including measures addressing potential impacts to the Barham Boulevard corridor. As described in Mitigation Measure B-5 in Section IV.B.1 of the Draft EIR, the Project is proposing a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor. In addition, as described in Section IV.B.1 of the Draft EIR, the Project is proposing a new public roadway, the "North-South Road," which would be built within the Mixed-Use Residential Area parallel to Barham Boulevard. As shown in Figure 86 in Section IV.B.1, Traffic/

Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable intersection impacts along the Barham Boulevard corridor. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along the Barham Boulevard corridor to a level below significance based on LADOT significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions.

With respect to timing of the traffic infrastructure improvements, as noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR, similar to other developments in the City of Los Angeles, a detailed transportation mitigation phasing plan has been developed for the Project using trips as thresholds that were estimated based on the proposed development in each phase. The Project's transportation mitigation phasing program has been designed such that the Project is required to implement all mitigation measures tied to each phase of development prior to moving onto the next development phase. As noted in the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

Consistent with the Los Angeles Department of Transportation Assessment Letter, the proposed City and County Specific Plans provide that prior to issuance of the approval for a Project under the Specific Plan, the Department of Transportation assign traffic improvements, if any, to the Project from the approved Traffic Mitigation Phasing Plan. Further, the proposed City Specific Plan requires that prior to the issuance of a building permit for a Project under the City Specific Plan, the Applicant shall guarantee, to the satisfaction of the Department of Transportation, the construction of any required traffic improvements for the Project (Draft EIR, Appendix A-1, Section 7.2 of the proposed Universal City Specific Plan.) Similarly, the proposed County Specific Plan requires that prior to the issuance of a building permit for a Project, the Applicant provide documentation

satisfactory to the County Regional Planning Director that the Applicant has guaranteed the construction of the required traffic improvements to the satisfaction of the City of Los Angeles Department of Transportation. (Draft EIR, Appendix A-2, Section 14 of the proposed Universal Studios Specific Plan.)

Please see Response to Comment No. 129-12, above, regarding alternatives analyzed in the Draft EIR.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-16

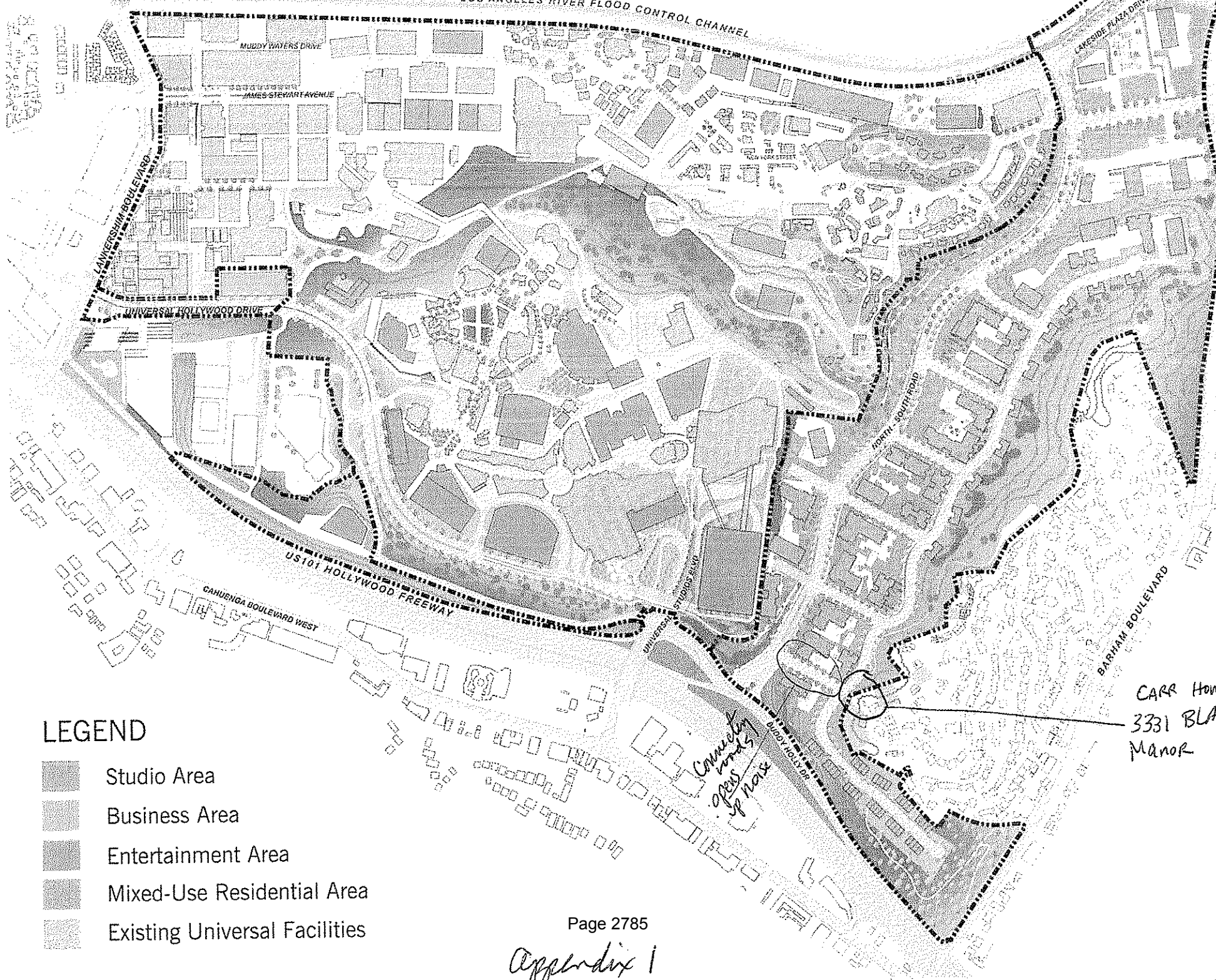
I hope you will enforce a re-consideration of all the issues I described above.

Response to Comment No. 129-16

The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As explained in Topical Response No. 2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of this Final EIR), the Project does not meet any of the CEQA criteria for recirculation.

Comment No. 129-17

See next page



LEGEND

- Studio Area
- Business Area
- Entertainment Area
- Mixed-Use Residential Area
- Existing Universal Facilities

CARR Home
3331 BLAIR DR
MANOR

Response to Comment No. 129-17

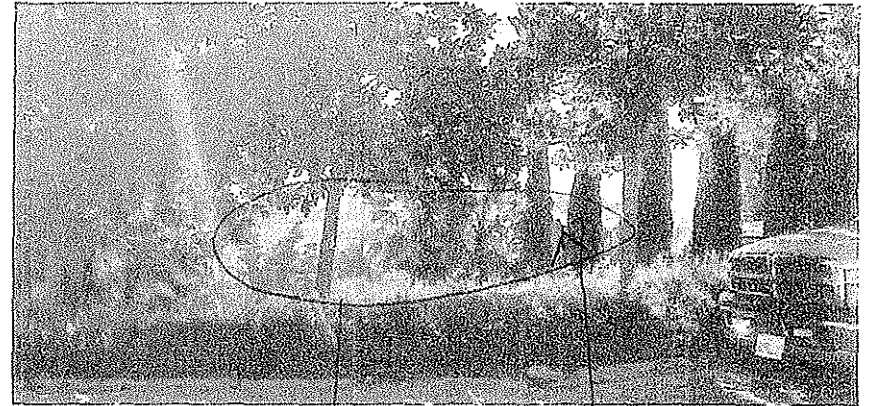
The comment consists of a copy of Figure 13, the Conceptual Plan, from page 288 in Section II, Project Description, of the Draft EIR, with annotations added by the commenter identifying the location of the commenter's residence in the Hollywood Manor. Appendix 1 was also referenced in Comment No. 129-1. As such, please refer to Response to Comment No. 129-1, above, for additional information. The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 129-18

See next page



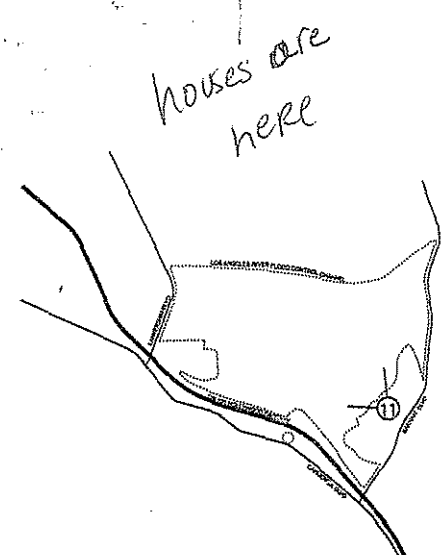
EXISTING



CONCEPTUAL PLAN



CONCEPTUAL PLAN WITH SIGNAGE



Note: Project building designs are conceptual and represent one possible design option.

Source: Ron Oroment High 5/10/01 2/00



Figure 111
Hollywood Manor

Appendix 2

Response to Comment No. 129-18

This comment consists of a copy of Figure 111 from Section IV.D, Visual Qualities, of the Draft EIR, with annotations added by the commenter regarding the location of houses. Appendix 2 was also referenced in Comment No. 129-14. As such, please refer to Response to Comment No. 129-14, above, for additional information. The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 130

Richard Carr, Psy.D.
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Los Angeles, CA 90068
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4001 Alameda Ave., Ste. 205
Burbank, CA 91505

[Note: A duplicate of the letter provided below was received on 1/30/11]

Comment No. 130-1

As a homeowner and resident on Blair Drive, adjacent to the southeastern portion of NBC's Universal's [sic] proposed development, please include and consider my comments and questions in your review of the DEIR referenced above. Please excuse my referring to NBC's Universal in this letter as Universal. I do so to reflect the many owners whose choices have re-defined the lot, its functioning and the community's experiences of Universal over the years. Their contributions are all relevant to the discussion of impacts at hand. In my community, residents frequently own their houses far longer than it takes for Universal to change its controlling ownership. This reasonably invites speculation about how the next controlling interest will remodel Universal's property, and a fear based upon the idea that a house that's remodeled by every new owner is in jeopardy of losing its original and intrinsic character. The point here is that while recognized legally as a person, corporations (particularly those with shifting ownerships) don't experience the long-term effects of their actions the way flesh and blood people do.

I certainly don't envy the responsibility you and other public officials bear in deciding the fate of this project. The Cahuenga Pass area has historically been a sensitive one for development due to limitations of traffic flow from the city portion of LA to the valley portion and vice versa, and also due to the hills and weather patterns in the Pass itself that intensify noise and pollution impacts upon its inhabitants. As a region it is not comparable with areas of the valley or city without hills that funnel the wind and noise and concentrate pollution. These differences need to be considered most specifically at the level of the proposed project. Deferring responsibility for these differences through comparisons to functional growth projections for other regions of the city and valley made by other governmental agencies does not reflect an understanding of the terrain and the community to which this DEIR refers. How does the DEIR address increasing population density impacts on people living in hilly canyon regions like the Cahuenga Pass (historically called Black Horse Canyon, but that's another story)?

Response to Comment No. 130-1

With regard to potential impacts to surrounding neighborhoods, Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR provides an analysis of the proposed Project’s potential physical land use impacts based upon the allowable land uses, density, and maximum building heights that could occur along the Project Site boundaries. (Draft EIR, pages 552–553.) More specifically, the analysis includes discussions of potential Project impacts along the eastern, southern, western, and northern edges of the Project Site. It should be noted that project design features to reduce potential physical land use impacts have been incorporated into the proposed City and County Specific Plans and the proposed Project would result in less than significant physical land use impacts at all locations analyzed.

Contrary to the comment’s suggestion that analysis has been deferred, an analysis of Project impacts with regard to traffic, air quality and noise has been evaluated at the Project-level, as required by CEQA and as presented in Sections IV.B.1, Traffic/Access – Traffic/Circulation, IV.H, Air Quality, and IV.C, Noise, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Comment No. 130-2

It seems obvious that the review period for this very large DEIR does not allow time for a reasoned and full review by homeowners, such as myself. Universal’s efforts to clearly inform the public have also been more vague and generalized than overtures made in the past that would carry out this neighborly responsibility. The time needed to fully read and comprehend a document of this length far exceeds the time allowed for public comment – a very disappointing aspect in such a monumental process. I believe the length and scope of the DEIR is daunting and beyond my and probably most citizens ability to fully assess for its scope, content and impacts without the help of professionally trained advisors. I applaud all of us that are attempting under these unreasonable constraints to do so. As a result, the outcome rests on your and other public officials’ shoulders. Your diligence will significantly impact the trust in public processes to prevent decisions that end up negatively impacting not only the neighboring communities but also NBC Universal’s (or should it be called Comcast Universal at this point) ability to actively contribute as a business to the quality of life in its environs. Of course, hindsight or “Monday morning quarterbacking” will allow all of us to assess at our leisure (whatever that term may mean in the future) the scope and impact of this project. That is all of us with the caveat that the controlling ownership of Universal doesn’t escape such reflection of consequences to Los Angeles by selling their controlling interest and leaving the problem to another “legal personage” as has happened several times in its recent past. Again, I don’t envy you the responsibility

you bear to the city and its inhabitants. Having been a resident in the adjacent city of Hollywood since 1963 and being married to a woman who has grown up in Hollywood, I would have liked to contribute to the decision-making process in a more considered way. In my opinion human history is fertilized with fast decisions in complex processes that have led to negative outcomes. Hopefully you will not let this be the case as you facilitate Cahuenga Pass' future functioning for this city's present and future population.

Response to Comment No. 130-2

In July 2007, the City filed and circulated for a 30-day public review period a Notice of Preparation that a Draft EIR was going to be prepared and to allow the public to provide input on the scope of the Draft EIR. In addition, a public scoping meeting was held on August 1, 2007. Based on public comments and an Initial Study of the Project's potential environmental issues, the Draft EIR analyzed 15 potential environmental impact areas.

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.) Thus, the decision-makers and the public need not review the entirety of the Draft EIR and supporting documents to allow for informed decision-making. The Draft EIR is thorough and well-organized. The public need not retain experts to review its content.

Consistent with the requirements of CEQA, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was originally circulated for public review for a 61-day period, or 16 days more than the CEQA required 45-day review period. This 61-day comment period began on November 4, 2010, and ended on January 3, 2011. In response to requests to extend the review period, on November 18, 2010, the City of Los Angeles extended the comment period by an additional 32 days to February 4, 2011. Thus, the Draft EIR was circulated for a 93-day public review period, which is more than double the 45-day public review period required by CEQA Guidelines Section 15105 when a Draft EIR is submitted to the State Clearinghouse for review by State agencies.

Comment No. 130-3

With that said, I will mostly leave the impacts of population density and its traffic considerations to others. Though putting an additional 2,937 dwellings, 500 hotel rooms and 2,004,952 square feet of commercial development (approximately 50% more commercial development for Universal) into an already overly congested area with an increasing percentage of freeway accidents and congestion than I believe is typical in LA's freeway system seems to speak for itself.

To the current decision makers at Universal it clearly speaks a different message. The conservative suggestion posed by the DEIR is that adding the daily impacts of around 10,000 additional people (plus whatever additional people these new businesses draw as customers) to the existing daily impacts will not significantly degrade the quality of life in this region and as a consequence the city it serves. That's a lot to comprehend and trust. Particularly, knowing that despite rhetoric and having met all of the planning requirements, time will tell and city dwellers will experience what local government has permitted — long after the current planners at Universal have departed, which it seems may be soon.

Response to Comment No. 130-3

Traffic impacts associated with the proposed Project are discussed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, and population impacts are discussed in Section IV.N.3, Employment, Housing and Population – Population, of the Draft EIR. With regard to population density, as discussed on page 2090 in Section IV.N.3, Employment, Housing and Population – Population, the Project would respond to, but satisfy only a portion of, unmet population growth, rather than inducing population growth, and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion and improve air quality through the reduction of vehicle miles traveled. Therefore, the Project's population impacts would be beneficial rather than adverse and less than significant.

Refer also to Response to Comment No. 130-1 regarding the physical land use analysis presented in the Draft EIR, which found that physical land use impacts would be less than significant.

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

Comment No. 130-4

Universal's increasing expansion has historically caused surrounding homeowners in the neighboring communities to fight to reduce, buffer or challenge Universal's right to continue or add to their activities. In the backlot area, Conditional Use Permits (1495 in 1980 & 90074 in 1991) have limited the zoned commercial uses that are permitted and attempted to define what might be sufficient for both the residences and for Universal to effectively co-exist.

Before the present CUP (90074) was decided upon by County Regional Planning, I headed a negotiation committee for my local homeowner's organization, The Hollywood Knolls Community Club (HKCC). We met with Universal and established several areas of concern in the negotiations: light and sound intrusions, traffic impacts, aesthetic considerations, usage considerations (i.e. time constraints), oversight of violations, security, etc. Mutual solutions to impacts portended by their newly proposed backlot activities were worked out and approved by Universal's owners from that time period. We, the HKCC and Universal Inc., in 1991 collaboratively presented and gained passage of County Regional Planning CUP 90074. To this day it effectively and amicably governs and limits backlot usages permitted by zoning. That negotiation established that residents could collaboratively join with Universal's professional consultants and decision makers to reduce adverse impacts and find agreeable outcomes for both parties. The concerns informing that process and reflected in CUP 90074 still apply and should all be addressed in the DEIR's proposed solutions to impacts upon the region it governs.

Response to Comment No. 130-4

Section IV.A, Land Use, discusses the land use impacts, both with relation to physical land use and land use plans, of the proposed Project, including the requested Specific Plans. As discussed in the Draft EIR, the proposed Project includes, among other actions, two proposed Specific Plans: (1) the Universal Studios Specific Plan for the County portions of the Project Site; and (2) the Universal City Specific Plan for the City portions of the Project Site. The proposed Specific Plans would supplement or replace certain existing zoning regulations and establish additional new land use standards that would supplement or replace existing zoning regulations and land use standards for the affected areas and provide unified and coherent regulations for the County and City portions of the Project Site, respectively. The requested zone changes to the proposed Specific Plan zones would also establish pre-zoning, as required for the implementation of the proposed annexation/detachment actions. The Draft EIR discusses these issues in Sections IV.A.1 and IV.A.2 and explains how the proposed Project would be consistent with existing plans and policies, and impacts are concluded to be less than significant.

With regard to the environmental issues referenced in the comment, potential Project impacts on the Hollywood Manor neighborhood and Hollywood Knolls area were thoroughly addressed throughout the Draft EIR, including, among others, Section IV.A.2, Land Use – Physical Land Use; Section IV.B.1, Traffic/Access – Traffic/Circulation; Section IV.C, Noise; Section IV.D, Visual Qualities; Section IV.E.1, Light and Glare – Natural Light; Section IV.E.2, Light and Glare – Artificial Light; and Section IV.E.3, Light and Glare – Glare. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Comment No. 130-5

I think that local impacts, such as those regulated by the CUPs, have been overlooked, perhaps due to the complexity and scope of this project. Let me focus on the kinds of concerns that impact my home and neighborhood as examples of what might not have been addressed sufficiently in the DEIR. My comments will focus specifically on the portion of the DEIR that addresses the Blair Drive adjacent area of the proposed project. That's where my 31 years of living adjacent to Universal's backlot and negotiating successfully with them in the past may best contribute to analyses of what the proposed future seems to locally portend.

Response to Comment No. 130-5

The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis of the Draft EIR are provided and responded to below.

Comment No. 130-6

Sound transmission is a delicate issue in the southeastern portion of the project. The adjacent homes are slightly elevated above the backlot; therefore residents easily hear slightly raised voices (construction workers, set builders or security guards talking) as well as vehicle and other sounds. With hard-surfaced 5-10 story buildings (dwellings &/or commercial) in that space sound will undoubtedly bounce and travel upwards towards the homes, creating similar acoustic effects to those heard in a narrow canyon or ravine. The DEIR contends that the sound will not amplify as it is "channeling" between the buildings towards the homes (see pp. 1023-4). To my knowledge sound is additive and sound waves both amplify and cancel each other out in the process of mixing. I invite you to visit a busy kindergarten room or local restaurant where all of the parties may be speaking, not shouting, yet the combined effect is of an uncomfortably loud noise as intrusive as shouting. Indeed, even accepting the unlikely possibility of non-additive sound concentration as it passes through a narrowed passageway, the DEIR acknowledges that

the subjective impact could be as high as a 20db change in awareness over a very short distance (in line with the break between the buildings and in the sound shadow of the building). Unfortunately, human senses don't operate objectively according to only the physics of sound alone, we experience relative changes in environmental factors. A small noise late at night can be more intrusive than a much louder noise during the day due to expectations and a long history of evolution that has given us arousal structures in the brain that uncontrollably and arbitrarily engage stress responses that raise blood pressure, heart rate and hypertensive alertness. Increased stress is a very significant quality of life issue that all of us react to unconsciously with health burdens called allostatic loads (with more time I would give you scientific research to support this statement [see the work of Robert Sapolsky of Stanford or Bruce McEwen of Rockefeller University in NYC], though Universal's experts should easily recognize the concept — unfortunately time again is superfluous to the public process here). Imagine one area of a person's house and property subject to the "channeling" area and another to the building shadow effect. The impact, particularly if the split was experienced within a living room or bedroom would be very stressful — potentially causing chronic stress, which contributes significantly to negative health consequences over time. Add the density of people proposed in the Mixed Use areas and it would seem that sound buffers are critically needed reduce tensions and stressors from the unexpected sharing of music, parties, construction noises or even do-it-yourself projects. Sound buffering mitigations seem cleverly dismissed in an unrealistic way in the DEIR based upon an assumption of no sound amplification and human senses responding to arbitrary sound readings by sensors placed not where we live but where we don't live. Where are the sound measurements that explore sound transmission in the backlot/backyard environment that's proposed for transformation? The sound measures provided (measurements at the street level in front of homes) do not reflect nor do justice to defining this problem.

One large battle historically between the neighbors and Universal led to covering of the Amphitheater at Universal so that the dispersed sound from the performances wouldn't compete with conversations in the neighborhood or at the dinner table. Sound intrusions improved greatly by that concession, giving Universal and the HKCC neighborhoods of the Hollywood Manor and the Hollywood Knolls much more freedom to enjoy each other and/or profit from the change. Yet to this day certain weather conditions bring music from Universal's venues audibly into the community causing some neighbor's distress and ill feelings towards Universal's activities.

What looks good on paper and in concept has often proven to be far less functional in practice for both Universal and the neighboring communities. Note Universal's 1B grassy parking lot from CUP 90074 that conceptually seemed like an excellent compromise, yet became so functionally problematic it isn't used for parking. It makes sense to go slowly and uncover issues before dramatically changing a sensitive environment. It's better than

having prolonged battles fending off or correcting planning mistakes that could have been remedied.

Response to Comment No. 130-6

The Draft EIR, Section IV.C, Noise, provides a comprehensive analysis of all of the Project's potential noise impacts. As noted on page 971 of the Draft EIR, the noise environment surrounding the Project Site is defined by a variety of noise sources, including Hollywood Freeway traffic, local street traffic, existing activities throughout the Project Site area, and occasional aircraft overflights. Reflecting the diversity of conditions found around the Project Site, the noise analysis, which was prepared by an environmental noise expert, addressed a broad range of potential locations, including analysis of 12 different receptor areas which included 47 receptor locations. (Draft EIR, page 971.) The 12 areas represent the diversity of conditions found around the Project Site and include areas from which community members have raised concerns regarding noise from the Project Site, such as Toluca Estates, Toluca Lake, Lakeside Golf Club, Cahuenga Pass and Hollywood Manor. The noise monitoring locations were selected by the environmental noise expert to obtain a range of potential noise environments from each receptor location and to reflect a wide variety of conditions. In the Hollywood Manor area, the noise study included 10 receptor locations (see Figure 93, HMR-1 through HMR-10).

The purpose of the monitoring was to measure ambient noise levels existing around the Project Site in order to compare the proposed Project sound levels to the ambient conditions. Table 56 on page 976 of the Draft EIR presents the lowest measured existing ambient hourly L_{50} and L_{max} values for each of the 47 locations within the 12 receptor areas. The increase in sound levels as compared to the existing ambient conditions and code limits was then evaluated. In order to have the most conservative analysis, the future Project sound levels were compared to the lowest existing ambient levels, as this comparison would indicate the greatest potential impact. The City Planning Department, County Department of Regional Planning, and County Department of Public Health reviewed and approved of the methodology of the noise study.

As described in Section IV.C, Noise, of the Draft EIR, the primary noise model used to calculate future Project noise levels was the LimA Noise Model, which allows for the inclusion of building structures, terrain, and sound sources, and uses the calculation methods documented in International Standard ISO 9613-1 to calculate noise at defined receptor locations. So that the LimA noise modeling software accurately represented the surrounding conditions, a three-dimensional replica of the Project Site was entered into the software. The terrain of the area, including the surrounding neighborhoods, was entered and based on data from the US Geological Survey. The heights and locations of the major buildings on and around the Project Site were entered based on field observations and

aerial photographs. Only major buildings which are between sources and receptor areas were entered into the model.

The noise sources included in the LimA model for the Mixed-Use Residential Area portion of the Project includes a series of conservative assumptions regarding the operating characteristics of noise sources such as heating, ventilation, and air conditioning and mechanical equipment for each building, a new City of Los Angeles Department of Water and Power electrical substation as well as other potential noise sources, as identified in the proposed City Specific Plan. In addition, and in order to be conservative, several potential activities and uses that are non-regulated noise sources have been included in the analysis. Such non-regulated sources include potential rooftop pools, and selected areas of public recreation (i.e., basketball courts, foot paths, a small open amphitheater, and public use greenbelt areas) that might be located within the Mixed-Use Residential Area. Table 69 on page 1016 of the Draft EIR compares the modeled L_{50} noise levels attributable to all Project sources at all 47 receptor locations—including within the Hollywood Manor and Hollywood Knolls—to the thresholds used for this analysis. Table 70 on page 1017 of the Draft EIR presents a similar comparison for the L_{max} noise levels compared to the prescribed L_{max} threshold.

The results of this modeling of Project noise sources, as shown in Tables 69 and 70 of the Draft EIR, indicate that the new Project sound sources, including the Mixed-Use Residential Area development, would be in compliance with the thresholds used in this analysis at all 47 receptor locations during the corresponding hours, including at the receptor locations at Hollywood Manor and Hollywood Knolls. As on-site Project sources would not generate noise levels that exceed the established significance criteria, impacts from on-site Project sources would be less than significant.

As noted in the comment, the potential for a “channeling effect” from the placement of buildings in the proposed Mixed-Use Residential Area perpendicular to the new North-South Road or the 101 Freeway was also analyzed. As explained on pages 1023–1024 in the Draft EIR, independent research indicates that depending on the type of sound source, the channeling effect is really a perceived change in sound level resulting from being fully protected by an effective sound barrier (the building) and the difference in sound level (increase) when the sound barrier effect is reduced or removed (at the street opening).⁹⁵

⁹⁵ See Jain Kang “Sound propagation in street canyons: Comparison between diffusely and geometrically reflecting boundaries,” *The Journal of the Acoustical Society of America*. March, 2000; see also Frances Weiner, Charles Malme and Creighton Gogos “Sound Propagation in Urban Areas,” *The Journal of the Acoustical Society of America*. April 1965; see also Huw Davies, “Multiple-reflection diffuse-scattering model for noise propagation in streets,” *Journal of the Acoustical Society of America*. August 1978; see also Richard Lyon “Role of multiple reflections and reverberation in urban noise propagation,” *Journal of the Acoustical Society of America*. March, 1974.

To clarify regarding the 20 decibels referenced in the comment, as explained on page 1024 of the Draft EIR, this difference can range from a few decibels to as many as 20 decibels, depending on the distance from the building (barrier effect) and the distance from the sound source. As the Draft EIR goes on to explain, the existing research cited above indicates that there is no amplification resulting from this effect; in other words, there is no actual increase in noise levels from the placement of buildings, only a potential change in perception depending upon the location of the receptor. As the proposed new interior roadway system (without the benefit of barriers) results in a noise impact that would be less than significant, the “channeling effect,” which does not increase noise levels, also would be less than significant.

As explained in the Draft EIR, on-site construction activities have the potential to result in significant impacts during daytime and nighttime hours within the Hollywood Knolls and Hollywood Manor areas. The mitigation measures recommended in Section IV.C, Noise, of the Draft EIR would reduce the daytime noise levels associated with grading and construction activities attributable to the Project to some extent. However, depending on the receptor and ambient noise levels at the time of construction, these activities could continue to increase the daytime noise levels at nearby noise-sensitive uses above the established threshold. This would be considered a significant and unavoidable short-term impact when grading and construction activities associated with the Project occur near noise sensitive uses.

However, it is important to note that the proposed City Specific Plan, the proposed County Specific Plan, and the Draft EIR propose several noise reduction measures for general construction activities. The proposed County Specific Plan and proposed City Specific Plan require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed (Mitigation Measure C-1). Mitigation Measure C-2 also limits the time and days during which construction can take place. The construction mitigation measures would “reduce the daytime noise levels associated with grading and construction activities attributable to the Project [but] depending on the receptor and ambient noise levels at the time of construction these activities could continue to increase the daytime noise levels at nearby noise-sensitive uses above the established threshold. Mitigation measures proposed for nighttime construction

would reduce impacts to a less than significant level, except when exterior nighttime construction as allowed by the Exceptions noted in Mitigation Measures C-2 occurs.” (Draft EIR, page 1036.) The exceptions to the prohibition on nighttime construction are limited to narrow activities that are either necessary from a safety perspective, or which would not result in excessive nighttime noise. It is important to note that while a significant impact could result under those limited circumstances, the likelihood that these circumstances would actually occur is limited, and if they do occur, the extent of the impact would be limited in duration.

Quality of life is not an environmental topic addressed as a subject category under CEQA. Environmental issues set forth under CEQA, such as traffic, land use, air quality, etc., are addressed throughout the Draft EIR by subject category. The commenter is referred to Section IV, Environmental Impact Analysis, of the Draft EIR for detailed discussion of potential environmental impacts of the Project. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project and proposed project design features and mitigation measures.

Comment No. 130-7

The DEIR indicates roads behind and between the buildings suggesting traffic access to the back (Blair Dr. side) of the buildings is proposed in Planning Subarea 6 (Figure 18, p. 310). Presently, studio security vehicles driving along the gravel & dirt fire road adjacent to the Universal’s back fence have been sufficiently noisy to awaken us in the early morning (a relative sense). A sudden change in ambient sound level can be more disturbing at times than the absolute noise levels attained. These impacts need to be considered. Consequently, what mitigations are offered regarding the use of this road for still noisier traffic (delivery trucks with back up alarms, motorcycles, cars with modified or noisy exhausts, etc [sic])? Have time restrictions on usage, silent backup alarms, or other measures been considered?

The 50’ open space with 10’ of landscaping proposed in DEIR Open Space Area 1 is an ineffective mitigation relative to sound intrusions. Trees - particularly one row, which is all the 10 feet of required landscaping would allow, will not buffer sound. I found no sound walls or berms proposed in the DEIR that address the back road’s (adjacent to the backlot’s southeastern fence) potential sound problems. In the case of my home, even the tree buffer doesn’t apply as setback considerations appear to end midway along the back fence separating Universal’s backlot from my backyard (see Figure 13, p. 288; Figure 15, p. 295 & Figure 41, p. 563)

Response to Comment No. 130-7

As discussed on page 1020 of Section IV.C, Noise, of the Draft EIR, the Conceptual Plan for the Mixed-Use Residential Area sets forth an internal circulation system that includes a new North-South Road and interior circulation streets to accommodate traffic flow related to the proposed Project. The Draft EIR analyzed the Hollywood Manor noise receptor area to predict the potential noise impact of the proposed North-South Road and the parallel Interior Road at the closest existing off-site residences. The results of this analysis indicated potential traffic noise increases attributable to the proposed North-South Road and the parallel Interior Road with forecasted levels of traffic would result in a less than 2 decibels noise increase at the closest Hollywood Manor locations (R30, R31, & R32) on Blair Drive. “Because an increase of 3 decibels or less in the ambient noise level is not discernable [sic] to the average ear, the increases in noise from Project traffic at the receptor locations within the Hollywood Manor area would not be noticeable when added to the existing noise levels, regardless of the existing ambient noise levels at the receptor locations.” (Draft EIR, page 1020.) Accordingly, as concluded in the Draft EIR, the new proposed roadway would result in less than significant impacts at the Hollywood Manor area.

The proposed North-South Road and the parallel Interior Road would have a higher traffic volume than the connecting internal side streets, and thus the North-South Road and the parallel Interior Road were determined to be the primary potential on-site contributing traffic noise sources for purposes of the analysis. Potential traffic noise from the Mixed-Use Residential Area’s other internal roadways would be less than the traffic noise produced on the North-South Road and the parallel Interior Road given the lower traffic volumes. As concluded in the Draft EIR and noted above, the North-South Road and the parallel Interior Road would result in less than significant impacts at the Hollywood Manor area; therefore, the connecting roads are anticipated to also result in less than significant impacts.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-8

It seems I need to rely on “The Applicant would also work with individual interested Hollywood Manor property owners of Existing Off-site Residential Uses south of the intersection of Blair Drive and Troy Drive that share a common boundary with the Project Site to identify and install landscaping which visually buffers new development. Landscaping requirements identified through this process would be modified, if required, to provide an integrated and coordinated landscaping treatment for the eastern edge of the Project Site (564) IV.A.2).” This is encouraging (it was a consideration we negotiated for in

Universal's last CUP modification attempt that they failed to complete) and less daunting perhaps to me than some of my neighbors who are unfamiliar with what that might entail as a process. However significantly impacted Charleston Way homes, which are more elevated than the southeastern Blair Drive ones, are not included.

Response to Comment No. 130-8

The comment correctly quotes from Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, which states that the Applicant would work with individual interested Hollywood Manor property owners south of the intersection of Blair Drive and Troy Drive that share a common boundary with the Project Site. This measure is intended to provide homeowners with a direct physical interface with the proposed landscaping to comment on the landscaping. The Charleston Way homes referenced in the comment do not share a common boundary with the Project Site.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-9

Nor is sound mitigation included as a consideration unless the landscaping is potentially done with stands of large bamboo 10' wide (it has effective sound reducing capabilities).

Response to Comment No. 130-9

As explained in Section IV.C, Noise, of the Draft EIR, and in Response to Comment Nos. 130-6 and 130-7, Project operations and traffic associated with the proposed Project would result in less than significant noise impacts onto area sensitive receptors, therefore no mitigation measures are required. On-site construction activities have the potential to result in significant impacts during daytime and nighttime hours, and mitigation measures to reduce these impacts have been included in Section IV.C, Noise, of the Draft EIR. Nonetheless, significant and unavoidable construction noise impacts resulting from the Project would remain. Please refer to Response to Comment No. 130-6 for a discussion of the Project's noise reduction features and mitigation measures.

As discussed on page 983 of the Draft EIR, the primary noise model used to calculate future Project noise levels incorporated inclusion of building structures, terrain, and sound sources, and used the calculation methods documented in International Standard ISO 9613-1 to calculate noise at defined receptor locations. Importantly, in order to analyze the maximum potential impacts that would result from development of the Project, the model did not take credit for reductions in noise resulting from existing trees and landscaping. Only major buildings that are between sources and receptor areas were entered into the model in order to conservatively assess noise impacts in the surrounding

area. As such, the model did not include noise mitigation from trees or landscaping, and as a result, the removal of trees would not result in greater noise levels than currently shown by the noise modeling analysis.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-10

It also bothers me that Universal didn't notify me or to my knowledge others of this clause and how it would be invoked. Who or what department, phone number at Universal will be responsible for this function? (If I hadn't read it, would it available?)

Response to Comment No. 130-10

The comment references a statement from Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, that the Applicant would work with individual interested Hollywood Manor property owners south of the intersection of Blair Drive and Troy Drive that share a common boundary with the Project Site. This statement is consistent with proposed Universal City Design Guidelines in Appendix 2 to the proposed City Specific Plan (attached as Appendix A-1 to the Draft EIR). As set forth in Section 4.1.C.5 of the proposed City Specific Plan (Design Standards – Setbacks and Landscape Buffers), additional advisory guidelines regarding landscaping are provided in Appendix No. 2, Design Guidelines. As set forth in Appendix No. 2, the proposed Universal City Design Guidelines, with regard to planting in Open Space Districts 1 and 2, Guideline OS20 and Guideline OS28, respectively, provide that “[t]he areas of this District adjacent to the perimeter of the property should utilize increased vegetation massing in order to provide a visual buffer, in consultation with immediately adjacent residents.”

With regard to the questions in the comment about invocation of this function, the proposed City Specific Plan, which is one of the entitlements requested for the proposed Project, has not been approved. The Applicant would be required to comply with the regulations of the Specific Plan as set forth in the final approved Specific Plan. Please refer to Section 15 of the proposed City Specific Plan, attached to the Draft EIR as Appendix A-1, regarding the proposed implementation procedures for future development within the proposed Universal City Specific Plan area.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-11

If the road behind the buildings were moved to the front and any garages or delivery entrances to the side of the buildings a significant part of the potential sound problems might be reduced — Certainly sound buffering could more easily be done, if, unlike the expectation in the DEIR, sound did exceed reasonable quality of life limits.

Response to Comment No. 130-11

As explained in the Draft EIR and in Response to Comment Nos. 130-6 and 130-7, Project operations and traffic associated with the proposed Project would result in less than significant noise impacts onto area sensitive receptors, therefore no mitigation measures are required.

The comment is noted and has been incorporated into the Draft EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-12

A caveat here, I don't believe so but I may have in my rush to survey this document misconstrued what appears to be a road. Figure 21: Proposed Circulation Plan, p. 336, indicates what appear to be roads as pedestrian paths (see labels). If so, I'm overjoyed. Voices and people walking are so much easier to mitigate. Wouldn't it be wonderful if architectural elevations were shown that clearly delineated roads from pedestrian paths as is done in figure 17, p. 307 for Trailhead Park? It's hard to conceptualize and to comment on certain features like elevation differences across the backlot and the neighboring Blair Drive homes without them. Why have such traditionally standard plan elements, which quickly clarify perspective from a standing person's vantage point, been allowed to so often be left out of the DEIR?

Response to Comment No. 130-12

The figure referenced in the comment, Figure 21: Proposed Circulation Plan, in Section II, Project Description, of the Draft EIR, depicts the vehicular circulation, pedestrian paths, public transit, and bicycle circulation proposed by the Project. As explained on page 337 of the Draft EIR, roads that provide access throughout the Project's proposed residential development would connect to the proposed North-South Road. As the Draft EIR further explains, under the proposed Project, internal circulation roadways, consisting of public and private streets, would be developed within the Project Site as needed in accordance with the applicable design guidelines and emergency vehicle access requirements.

Additional detail regarding the proposed internal roadways is provided in the proposed Streetscape Plan, included as Appendix No. 4 to the proposed City Specific Plan (attached as Appendix A-1 to the Draft EIR). As indicated therein, the proposed internal roadway to the east of and parallel to the proposed North-South Road would be a secondary road. The exhibit "Street Condition I" on page 17 of the proposed Streetscape Plan provides a section of the proposed secondary road, consistent with the commenter's suggestion. As indicated therein, the proposed secondary road is anticipated to consist of two lanes for two-way traffic, street parking on one side of the road, sidewalks, and parkways on either side of the road with tree plantings.

The Proposed Circulation Plan has been updated to depict vehicular circulation and pedestrian paths on the internal roadways within the Mixed-Use Residential Area. (See Correction and Addition II.B, in Section II of this Final EIR).

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-13

The location of the proposed dwelling units in the southeastern portion might be better served towards the northern end of Blair Dr. Universal's hillsides in the northeastern portion of the backlot rise more dramatically to Blair Drive and therefore offer more effective, natural sound and aesthetic possibilities for buffers to impacts from the increased population density of residents sharing the small backlot area. Rear delivery roads or garage entrances might more easily be facilitated since berming or sound walls on the Open Space District 1 hillside would be easier to construct effectively if needed (see Figure 15: Proposed Setbacks from the Eastern Property Line Within Mixed-Use Residential Area, p. 295, and note where the 50' setback shifts to a 20' setback as we move north along the property line). The ridgeline above Blair Dr. at that point has fewer elevated houses on streets above Blair Dr. In the southeastern portion, Charleston Way has many houses above Blair Drive exposed to sound from backlot activities. Sound subjectively intensified by bouncing off the proposed buildings and "channeling" between them will most likely travel by line of sight (transmission principle for sound) and impact these homes significantly. How are these sound issues studied and addressed in the DEIR? Where are the pertinent sound receptors and their readings?

Response to Comment No. 130-13

As explained in Response to Comment Nos. 130-6 and 130-7, Section IV.C, Noise, of the Draft EIR, provides a comprehensive analysis of all of the Project's potential noise impacts, including the issues referenced in the comment. Please refer to Response to Comment Nos. 130-6 and 130-7 for additional information regarding the noise analysis in

the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-14

To my knowledge no buffering except the buildings themselves has been suggested and no sound tests have been conducted to study the conduction of sound from the backlot activities to the backyards of Blair Dr. or Charleston Way residences. Having said this let me note that Universal owns homes adjacent to mine on the north and the south. Only the one on the south is occupied. Sound readings could have been taken behind them, but I saw no such references in the DEIR.

Response to Comment No. 130-14

Noise Receptor Locations analyzed in the Draft EIR are illustrated on Figure 93, found on page 973 in Section IV.C, Noise, of the Draft EIR, and listed in Table 55 on page 975. Three of the monitoring locations are within the Hollywood Knolls residential area and ten are within the Hollywood Manor residential area. All operational noise impacts from the Project were analyzed and determined to be less than significant, therefore no mitigation measures are required. Please refer to Response to Comment Nos. 130-6 and 130-7 for additional information regarding the noise analysis in the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-15

In February of 1980, my wife and I moved into our home — the same month and year CUP 1945 took effect. That CUP allowed Universal to remove a hilltop buffering our view of Universal and sound impacts, like car alarms. Large earth moving machines slowly scraped something like 110' from the elevation at the top of the hill, which sat where the flat parking lot adjacent to Universal Studios Bl. enters, until the parking lot's level defined the elevation. Daily construction noise and dust was endless for well over a year. It was difficult to live near Universal with a newborn son and witness a hill and buffer disappearing. Mitigations like dual glazed windows offered neighbors were unavailable to us since we hadn't lived there during the homeowners/Universal dispute. Subsequently building projects like the parking structures adjacent to that parking lot led to a concrete manufacturing plant being installed on the backlot that not only emanated noise and dust 24 hours a day but had alarms that blew loudly any time sand, water or concrete ran out. With each project we looked forward to the project's completion for relief from the stress. This project promises a longer period of impact with worse noise impacts according to pp. 1004-1013, Table 63-67, pp. 1004-1111 & Figure 96, p. 1014. Construction may occur at night, weekends, & holidays if the site is over 400' from a residence (p. 1034), trucks can

be loaded with dirt or other dust-emitting material by small bulldozers within 15' of property lines and construction equipment can operate within 30' of a property line without specified mitigations for sound reduction, dust abatement, backup alarms noises or onsite enforcement of the these conditions. Historically, Universal appeared to violate some conditions in CUP 1945 on weekends and holidays, but, since County Regional Planning enforcement didn't work weekends, neighbors had little evidence or recourse. This was mutually resolved in CUP 90074 by a stipulation designating the negotiating committee of the HKCC with oversight abilities to address any apparent violations and seek resolutions with, at that point, MCA Universal directly. This condition was mutually arrived at by Universal and the committee. Where is that kind of consideration addressed in this project? Intense conflicts can escalate if no possibility of effective conflict resolution is in place.

Given that a project of this scope will significantly degrade the quality of life in nearby residences during the construction phase, why aren't new and/or known mitigation measures for sound, dust abatement, violations, and backup alarms required and enforced onsite during the construction period? If they are, where are they spelled out clearly, particularly for the southeastern portion of the project noted as more vulnerable and more impacted than the northeastern portion or other areas? Note the consideration given in Measure C-4 for a noise mitigating sound wall (for hauling on Forest Lawn Drive) if the noise level increases 5 db. Why is that not a minimal consideration pertinent to construction noise in the southeastern portion as well?

Response to Comment No. 130-15

Contrary to the comment's suggestion, construction would not be permitted 24 hours a day, 7 days a week, including weekends and holidays. Mitigation Measure C-2 prohibits nighttime construction and grading activities, as well as construction on Sundays and holidays, except for under limited circumstances, which are described under "Exceptions." As noted on page 1036 in Section IV.C, Noise, of the Draft EIR, the likelihood that these exceptions would actually occur is limited, and when they do occur, the extent of the impact would be limited in duration. The exceptions are limited to narrow activities that are either necessary from a safety or practical perspective or which will not result in significant nighttime noise. For example, one exception allows for construction activity within an enclosed structure that does not result in an audible sound outside of the Project Site boundaries or which is located more than 400 feet from an occupied residential structure. As discussed in further detail on page 55 of the Noise Technical Report provided in Appendix F-1 of the Draft EIR, interior construction activities taking place at a distance greater than 400 feet from an occupied residential structure outside of the Project Site would result in a noise level below the threshold of significance. Further, the other exceptions relate to infrequent and/or emergency situations where nighttime construction

activity would occur as a last resort; for example, emergency repairs, construction activities that cannot be interrupted such as concrete pours, and construction activities that must occur during prohibited hours due to restrictions imposed by a public agency. As a result, during the nighttime, construction impacts would be reduced to less than significant levels after mitigation, except for those atypical and infrequent conditions when exterior nighttime construction pursuant to the stated exceptions would occur.

In addition, the proposed City Specific Plan, the proposed County Specific Plan, and the Draft EIR propose several noise reduction measures for general construction activities. The proposed County Specific Plan and City Specific Plan require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. The Construction Noise Mitigation Plan would also include a noise hotline to enable the public to call and address specific issues or activities that may be causing problems at off-site locations. Further, as noted on page 1033 in Section IV.C, Noise, of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed (Mitigation Measure C-1). Mitigation Measure C-2 also limits the time and days during which construction can take place, as discussed above.

With regard to dust abatement, as discussed on pages 1521–1522 in Section IV.H, Air Quality, of the Draft EIR, Project Design Feature H-1 provides that the Applicant shall implement fugitive dust control measures during Project construction in accordance with South Coast Air Quality Management District Rule 403. Construction controls shall be at least as effective as measures such as watering at least twice daily to minimize fugitive dust emissions, maintaining soil stabilization of inactive construction areas with exposed soil via water, non-toxic soil stabilizers or replaced vegetation, suspending earth moving activities or requiring additional watering to meet Rule 403 criteria during high wind days, covering all haul trucks, or maintaining at least 6 inches of freeboard, minimizing track-out emissions, and limiting vehicle speeds to 15 miles per hour or less in staging areas and on-site haul roads. In addition to Project Design Feature H-1, the Project would implement Project Design Features H-2 through H-6 and Mitigation Measure H-1, which would reduce emissions during construction and reduce air quality impacts to the extent feasible.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-16

With regard to aesthetics and visual impacts, the proposed project brings about very significant changes. Presently, the results of CUP 90074 affords views of the distant Valley [sic] as well as a visual buffer of layered, fully mature cedar, fir and eucalyptus trees screening the parking lots previously visible and audible from the homes adjacent to the southeastern portion of the backlot. These trees are planted on a 6'-15+' berm that blocks road noise from the adjacent drive and flat parking lots. They have fully acclimated and thrive in their present location. The soil beneath the berm is dense, often bedrock as witnessed by stunted eucalyptus trees along the berm's edge allowing them only shallow soil for their roots. This is where the hill mentioned earlier was excavated for a parking lot and to fill the adjacent valley where the Scrim & lake are presently located.

The berm is slated to be removed due to it's [sic] lack of effectiveness at screening freeway noise (never a functional consideration for that berm, except with regard to a small effect from the southeastern most end where I recall that Universal's sound readings taken on Blair Dr. south of 3325 in connection with CUP 90074 showed a decrease in freeway sound between 3.5 – 5 db. I also believe the berm in that area was built up to nearly 20' to facilitate that reduction, though I'm sure it's compacted somewhat over time.

Response to Comment No. 130-16

With regard to views, Section IV.D, Visual Qualities, of the Draft EIR, contains detailed discussion, as well as visual simulations of views depicted in Figures 110 and 111 from the Hollywood Manor area. As explained in the Draft EIR, the majority of the Hollywood Manor area does not have views across the Project Site. Approximately 80 homes within the Hollywood Manor area have views across the Project Site that start at the southeastern corner of the Hollywood Manor area and continue northward. Of the approximately 25 homes near the southern tip of this area and the 15 homes near the northern tip of this area with views toward the Project Site, many have limited views because of existing vegetation, the layout of the residences themselves, and the overall orientation of the roadway network. Specifically, Project development would not substantially change the existing views from these locations. For the approximately 40 residences with potential westerly views, the views are somewhat intermittent due to existing vegetation, landscaping, and intervening homes. Approximately 12 of the 25 homes within the southern portion of this area, that are located along the western side of Blair Drive, may have direct views across the Project Site. Thus, Project development could result in a change in contrast and prominence, but effects on coverage are minimized. For the 15 homes in the northern portion of Hollywood Manor with views over the Project Site, given the existing field of view from these locations, Project development would not substantially change the views from these locations. Thus, the Draft EIR

concluded that Project impacts to the visual character from the Hollywood Manor geographic area would be less than significant.

With regard to views of valued visual resources, approximately 25 homes near the southern tip of the Hollywood Manor geographic area have views that are situated at an elevation that allows for views over the Project Site towards the Cahuenga Pass East area just south of the Hollywood Freeway. With Project development and potential signage, there would be no substantial view coverage of a prominent view resource, as all potential development would be at a lower elevation and ultimately below eye level of these existing locations. Continuing north from this area, for the homes afforded interrupted view lines in a westerly direction through thick shrubs and mature tree lines, overall views of visual resources would not be affected, and thus, a less than significant impact would occur from this particular vantage point. For the homes with available sight lines across the Project Site, Project development and signage within the South Back Lot Visual Quality Area could occupy portions of the available viewshed. However, with Project development, the large majority of the viewshed that includes the long range views of the San Fernando Valley and the Verdugo Mountains is retained. Thus, since the Project would not result in the substantial view coverage of a prominent view resource, Project impacts with regard to the Hollywood Manor geographic area would be less than significant.

With regard to the berm referenced in the comment, the removal of the berm would not have a significant noise impact on residences in the Hollywood Manor Area. As discussed on page 983 in Section IV.C, Noise, of the Draft EIR, the LimA Noise Model used in the impacts analysis included building structures, terrain, and sound sources. In order to accurately represent surrounding conditions, a three-dimensional replica of the Project Site was entered into the software, which included proposed changes to the Project Site topography that could occur as a result of the Project. Thus, the calculation of the Project's operational noise impacts took into consideration the changes in topography. As discussed on page 1015 of the Draft EIR, the noise model confirmed that the impacts from the Project's operational noise would be less than significant.

To clarify, the berm in the CUP referenced in the comment is a 6-foot berm, as shown in Figure 15 on page 2810 of the Final EIR, that separates the eastern boundary of the Project Site from the Hollywood Manor area, and is located close to HMR-3 and HMR-4 on Figure 93 on page 973 in Section IV.C, Noise, of the Draft EIR, within the proposed Mixed-Use Residential Area. The berm discussed on page 1024 of the Draft EIR is an approximately 100-foot berm located on the southeastern corner of the Project Site, just south of HMR-1 and HMR-10 on Figure 93 on page 973 of the Draft EIR.



Berm Referenced in
CUP 90074

Berm Analyzed in
Noise Technical Report



Source: Rios Clementi Hale Studios, 2011.

As discussed on page 1024 of Section IV.C of the Draft EIR, existing noise levels at the top of the existing 100-foot berm in the southeastern portion of the Project Site, which has a direct line of sight to the 101 Freeway, were measured to be a Community Noise Equivalent Level of 71.5 dBA. The noise levels at an existing receptor location (R26, shown on Figure 94 on page 1002 of the Draft EIR) in Hollywood Manor would have a slight noise increase as a result of increased traffic under future conditions, but the removal of the berm would have no effect on freeway noise levels as the berm provides a barrier effect from roadway noise to the south and southeast but provides no barrier (i.e., has no attenuation) to roadway noise from the west. As the noise exposure from the west (from the US 101 Hollywood Freeway) dictates the traffic noise impact at this receptor location, lowering the on-site grade in this area of the Project Site would have no adverse impact at this receptor.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-17

With the berm's removal, the fate of the trees is unaddressed in the DEIR as far as I could find. What will happen to these wonderful trees that presently, aesthetically screen parking lots and drives? Will they be transplanted within the new landscaping, donated to a park site for transplant or destroyed? This raises a question: What size trees are to be planted in the Open Space and Landscaped Areas? The evergreen trees on the berm were brought in at great expense being nearly mature and hand picked [sic] for freedom from pine beetle infestation (a significant consideration these days). It would be a shame to waste such acclimated mature specimens, and replace them with smaller, less mature trees. After over 15 years on the site they deserve the consideration of discussion.

Response to Comment No. 130-17

All mature trees on the Project Site were identified, and the potential for removal is discussed in the Project's tree survey report (see the NBC Universal Evolution Plan Tree Report attached as Appendix K-2 to the Draft EIR). As discussed on pages 1584–1588 in Section IV.I, Biota, of the Draft EIR, the proposed City Specific Plan includes Protected Tree regulations that incorporate flexibility in the tree replacement approach such that a combination of sizes and protected tree species would be planted. As explained on page 19 of the NBC Universal Evolution Plan Tree Report, the proposed protected tree mitigation would provide for site-appropriate trees according to a site-sensitive native landscape and would be superior to one that simply responded to arbitrary replacement ratios. Section 11.c.3.d of the proposed City Specific Plan provides that protected trees which are determined to be healthy, structurally sound, and located on accessible terrain shall be considered as candidates for relocation. Similarly, the proposed County Specific Plan

includes oak tree regulations that require the planting of replacement oak trees or payment of an in-lieu fee, and provides for consideration of oak trees that are healthy, structurally sound and located on accessible terrain as candidates for relocation. With the proposed City and County regulations, and Mitigation Measure I-4 that includes tree protection measures from pre- to post-construction, potential impacts to City and County protected trees would be reduced to less than significant. Please refer to Response to Comment No. 130-10 regarding the replacement of landscaping along the Project Site's eastern edge.

Comment No. 130-18

This area has buildings up to 95' above the future grade level. P. 298, Table 4, 825' height zone, which also displays this data as only 30'-60' above the existing grade. I found no mention of an excavation that would lower the existing grade by 25+' so I'm confused how these 2 figures relate. Why aren't any grade changes and building heights shown in elevation drawings? Wouldn't that kind of a grade change potentially make mitigating the noise impacts discussed above somewhat easier? Though it would also open up more freeway noise into the southeastern portion.

Response to Comment No. 130-18

Building heights are defined at fixed elevations expressed in terms of feet above mean sea level (msl). This reference system, as opposed to expressing building height in terms of feet above grade, is used to provide certainty as to actual building heights, as well as a uniform way of measuring building height across the site, given the varying topography. Table 4, Summary of Height Zones, on page 298 in Section II, Project Description, of the Draft EIR, shows the range of building heights that could be constructed within the proposed Height Zones based on both existing grade and anticipated future grade. As noted in footnote a to Table 4, within several of the Height Zones, the ground elevations vary so that the maximum building height would depend on the specific placement within the Height Zone. In these cases, the approximate maximum building heights are presented as a range, based on existing ground elevations. Because substantial grading is proposed for some Height Zones, the range of maximum building heights allowable is presented both relative to existing grade as well as to future grade.

The potential grading and changes to topography are included in the analyses in the Draft EIR, including, for example, the geotechnical, air quality, and noise analyses presented in Sections IV.F, IV.H, and IV.C, respectively, of the Draft EIR.

Comment No. 130-19

Obviously, to comment intelligently on the DEIR, I would like to be able to decipher the height of buildings that will be located behind my house. Will I be looking at a building 20'

behind my rear property line that is 30' high? If so, my view is somewhat preserved from the upper story of my house, or a 95' tall building at which point my view is of the back of that building, which will have no trees or landscaping in front of it, and of the sky above it. It clearly would make a difference in my commentary if I knew. I wouldn't object to a 30' high building since it will help to block sound without destroying my view. Also a 30' high building without trees to buffer it could be buffered from trees planted on my lot, or with landscaping decided by meeting with Universal's representatives as mentioned in the DEIR and earlier in this letter. While a 95' building without trees to buffer its rear face would block sunsets, any views and depress my yard with shadows all summer - clearly not a desirable outcome.

Response to Comment No. 130-19

The maximum building heights in the 825' Height Zone, which would range from 55 to 95 feet above future grades, are presented in column four of Table 4, Summary of Height Zones, in Section II, Project Description, of the Draft EIR. As discussed in Response to Comment No. 130-18, Table 4 provides maximum building heights that shall not be exceeded per the proposed Specific Plans. Table 4, Summary of Height Zones, on page 298 in Section II, Project Description, of the Draft EIR, shows the range of building heights that could be constructed within the proposed Height Zones based on both existing grade and anticipated future grade. As noted in footnote a to Table 4, within several of the Height Zones, the ground elevations vary so that the maximum building height would depend on the specific placement within the Height Zone. In these cases, the approximate maximum building heights are presented as a range, based on existing ground elevations.

Section IV.D, Visual Qualities, of the Draft EIR, contains detailed discussion as well as visual simulations of views depicted in Figures 110 and 111 from the Hollywood Manor area. As explained in the Draft EIR, approximately 12 homes and a segment of Blair Drive have direct sight lines towards and across the Project Site, as shown in Figure 110 on page 1120. Proposed Project improvements would introduce structures that would be directly visible from these locations. However, Project development would not encompass the entirety of available views from these locations, as many of these residential vantage points have wide and long-range views across the Project Site to other properties and areas in the San Fernando Valley, which defines the overall visual character that is seen from this geographic area. Overall, a minimum distance averaging roughly 150 to 200 feet in width separates these residences and the Blair Drive vantage point from proposed Project development. In addition, to help buffer the view of new development from this small portion of the Hollywood Manor area, the proposed City Specific Plan provides for a 50-foot setback between this portion of Hollywood Manor and any on-site activities. Within this setback, a 10-foot landscaped area, starting from the shared property line, would also serve as a buffer to screen residences in this portion of Hollywood Manor from

development on the Project Site. In addition, no height exceptions for high-rises are permitted within roughly 500 feet of this area. Since the Project would not result in the substantial view coverage of a prominent view resource, Project impacts with regard to the Hollywood Manor geographic area would be less than significant.

As discussed in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, the proposed 825-foot MSL Height Zone would shade four residential properties including 3317, 3321, 3325, and 3331 Blair Drive (the commenter's residence) for 3.0 hours between 12:00 P.M. and 3:00 P.M. during the winter solstice. In addition, these four properties along Blair Drive would also be shaded for 0.5 hour (between 4:30 P.M. and 5:00 P.M. during the fall equinox). The Hollywood Manor area would not be shaded during either the spring equinox or summer solstice. As such, potential shading impacts to the Hollywood Manor area would be significant as the area would be shaded for three continuous hours or more during the winter solstice. Therefore, the following mitigation has been proposed in the Draft EIR to reduce potential impacts to a less than significant level:

Mitigation Measure E.1-3: Structures proposed to be built within the 825-foot MSL Height Zone shall conform with the height limitations and setback requirements identified in Figure 172 on page 1230 of the Draft EIR.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-20

This is a wide and unreasonable discrepancy not to be able to address during the comment period, particularly when I helped Universal representatives in the last failed attempt to change the CUP obtain pictures from each of the exposed Blair Drive homes so that any future projects could specifically address view impacts to homes in this unique community. Those pictures are not in evidence in this DEIR and I wonder why. Do the new owners have less regard for impacting the adjacent community than the previous ones?

Response to Comment No. 130-20

Please refer to Response to Comment No. 130-19, above, regarding potential view impacts.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-21

Where or how can the lack of clarity I'm experiencing about that information be clarified? I'm certain numerous questions about the project will emerge for me and others, both during the process of the planning and its construction, if it is approved. This project will affect people's future decisions. Where do we obtain clarification and reasonable responses? Has Universal provided a phone number for that or an assigned site location and person?

Response to Comment No. 130-21

This Final EIR provides responses to all environmental comments and questions submitted on the Draft EIR. All members of the public have an opportunity to comment on all aspects of the Project through the public comment period on the Draft EIR, as well as during the public hearings that the City and County will hold prior to making any decision whether to approve the Project. The implications of Project implementation including construction are addressed through the structure of the mitigation measures and project design features incorporated into each section of the Draft EIR and the requirements will be set forth in the Project's approved Mitigation Monitoring and Reporting Program (MMRP). A MMRP generally identifies the enforcement agency, monitoring agency, monitoring phase and frequency for each mitigation measure.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-22

Figure 15, p. 295 shows a connecting road (the connection furthest south) between the proposed North-South Road and the road running behind the buildings adjacent to property lines. It would open sound "channeling" for traffic noise from both roads and the connector directly to my rear property – again no buffers for sound nor for visual impacts. The scale on this drawing shows the road as much wider than the public roads in the Manor. Headlights, streetlights, reflections from windshields parked or moving, engine noise and I'm sure issues I haven't thought to conjure suggest themselves. My home could easily become the guinea pig for the sound amplification debate proposed earlier. Half of my yard could be in a building shadow and the other half open to street and increased freeway noise combined. Such a condition would create an experience among the loudest of projected measures expected outside of those projected for the construction period.

Response to Comment No. 130-22

Please refer to Response to Comment Nos. 130-6 and 7 regarding the “channeling” potential referenced in the comment and the analysis of potential noise impacts related to internal roadways.

Further, as discussed on page 1020 of Section IV.C, Noise, of the Draft EIR, and in Response to Comment No. 130-7, the Draft EIR analyzed the potential noise impacts of the Mixed-Use Residential Area’s proposed North-South Road and the parallel interior road at the closest existing off-site residences. These two roads would have a higher traffic volume than the connecting internal side streets, and thus the North-South Road and the parallel interior road were determined to be the primary potential on-site contributing traffic noise sources for purposes of the analysis. Potential traffic noise from the Mixed-Use Residential Area’s other internal roadways would be less than the traffic noise produced on the North-South Road and the parallel interior road given the lower traffic volumes. As concluded in the Draft EIR, the North-South Road and the parallel Interior Road would result in less than significant impacts at the Hollywood Manor area; therefore, the connecting roads are anticipated to also result in less than significant impacts. Please refer to Response to Comment No. 130-7.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-23

What redress is available if such a disappointing and devastating outcome occurs? Is Universal prepared to address inadvertent adverse outcomes resulting from it’s [sic] mammoth project with local homeowners after the approval if that comes to pass, and if so by what process? Will the Planning Departments mediate or responsibly attest to impacts that are beyond those expected and enforce needed mitigations and/or corrections, even if it concerns a single homeowner? Will future owners or controlling interests of Universal be held accountable for the spirit of the DEIR planned project if it’s approved or will they be able to shed liability with a “within the law” approach?

Response to Comment No. 130-23

The approved Mitigation Monitoring and Reporting Program will designate the monitoring and enforcement agencies for each mitigation measure. These agencies will be responsible for monitoring and enforcing the implementation of the mitigation measures. Further, as part of the Substantial Compliance Analysis under the proposed City Specific Plan and the Substantial Conformance Review under the proposed County Specific Plan, the Applicant would have to demonstrate that an individual Project (as defined in the

proposed Specific Plans) complies with the requirements of the respective proposed Specific Plan. If the Project fails to comply with the applicable requirements of the Specific Plan, the Director shall deny the application. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 130-24

I fear that in significant ways, the magnitude of this project, the process by which it has been revealed and the brevity of the public comment period have all shifted homeowners adjacent to the project towards becoming proverbial “canaries in the cage” used historically by mining companies to assure progress can continue. Canaries with little say about the conditions to which they are subjected die to broadcast that the miners in imminent danger have only a brief period with which to rescue themselves. The mine in this metaphor is the Cahuenga Pass. I further suggest that long-term residents often know through experience and familiarity significant details that can discern negative impacts that would otherwise be missed by regulations, assumptions and conventions familiar to planning officials and new owners of proposed developments. That such a situation is seen as or becomes a battleground is a travesty for common sense. I believe that gathering insights from all sources should be taken seriously with respect and consideration for the environment being changed and the disruptions such projects bring to the status quo. It is in this spirit that I note the concerns above and acknowledge that I’ve addressed a very small and personally important part of the questions raised by this project. Hopefully what I have written will be seen as an example of the kinds of concerns that may still be unanswered or at least haunting the impacted individuals that will live with and breath [sic] this project (literally).

Response to Comment No. 130-24

The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Regarding the comment period and opportunities for public input, the commenter is referred to Response to Comment No. 130-2, above.

Comment Letter No. 131

Pamela Castro
5513 Fulcher Ave., Apt. 19
North Hollywood, CA 91601-2479

[Note: A duplicate of the letter provided below was received on 1/21/11]

Comment No. 131-1

I recently found from the environmental Impact report that NBC Universal will be paying for a new southbound onramp to the Hollywood (101) Freeway in the Cahuenga Pass. This is great news. The surrounding streets and freeway during rush hour are often a mess, making it difficult to navigate. This area gets congested and getting off Cahuenga Boulevard and onto the freeway will be greatly improved by a new onramp. And apparently, the studio will make improvements to streets such as Lankershim and Barham. Although the benefits of their expansion plan make sense in tackling the city's job and housing problems, for me, these traffic improvements are reason enough to support the plan.

Response to Comment No. 131-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. With regard to the street improvements, Mitigation Measures B-5 and B-6 provide for improvements to the Barham Boulevard and Lankershim Boulevard corridors.

Comment Letter No. 132

Anthony Chai
10822 Fruitland Dr
Studio City, CA 91604-3508

[Note: Three duplicates of the letter provided below were received on 1/21/11]

Comment No. 132-1

As a resident of Studio City near Universal Studio, I would like to express my view in support of NBC Universal expansion.

One of the aspects of this project that seems to be overlooked is the public benefits that will result from it, in addition to the countless number of jobs that the project will create.

The draft environmental report, however, reports on a wide range of services and financial support that the project will provide as it is built out. From funding and space for public libraries to a planned 35 acres of parks, trails and open space, the plan will bolster our cultural and recreational resources.

No less important are the plans to invest in new fire-fighting equipment for the city and county, a new sheriff's station, even a new DWP electrical substation. While these facilities are primarily intended to serve the project itself, they will nonetheless help enhance service to the surrounding area as well.

I encourage all decision-makers to approve this project.

Response to Comment No. 132-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

With regard to library services and facilities, under Mitigation Measure K.5-3, the Los Angeles Public Library may have the Applicant pay a mitigation fee to the City in-lieu of providing library facilities, which fee shall be used for the purpose of providing or enhancing the delivery of library services.

Comment Letter No. 133

Charlotte A. Chamberlain
3483 N. Knoll Dr.
Los Angeles, CA 90068-1561

[Note: A duplicate of the letter provided below was received with no date]

Comment No. 133-1

I am deeply opposed to the expansion of the NBC Universal. Please see my attached comments for details.

Response to Comment No. 133-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 133-2

My husband and I have lived in the Hollywood Hills above Braham [sic] Blvd [sic] since 1984 and our neighborhood retains many of the features that still make it an attractive residential community. We have seen escalating growth in traffic and congestion in the area over the past 26 years much of which is due to the popularity of the Universal Studios entertainment complex. I feel that the proposed expansion of new buildings and activities at Universal Studios can only degrade the quality of our residential community and its property values.

Response to Comment No. 133-2

The Draft EIR specifically analyzes the potential impacts of the Project on the existing environment, including existing residences in the Project vicinity. Specifically with regard to potential impacts to the scale and character of the existing residences, Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, pages 570–590, and Section IV.D, Visual Qualities, pages 1066–1107, analyzed the potential of the Project to change the existing land use relationships between the Project Site and existing off-site uses, or to disrupt, divide, or isolate existing neighborhoods, or to potentially impact the visual character and views of valued visual resources, and concluded that impacts would be less than significant due to the following: (1) continuation of existing on- and off-site development patterns; (2) presence of existing and proposed physical separations (i.e., landscaped areas, roadways, Los Angeles River Flood Control Channel, etc.); and (3)

regulations proposed in the proposed City and County Specific Plans that are incorporated as project design features.

The portion of the comment related to property values does not relate to the environmental analysis of the Draft EIR. The comment is noted and has been incorporated into the Final EIR for the review and consideration by the decision-makers prior to any action on the Project.

Comment No. 133-3

The DEIR states that there will be an 80% increase in traffic to the area. My husband has a daily commute that takes him off the 101 freeway south at Barham exit, left onto Cahuenga, left at Barham and up the hill to Lake Hollywood drive [sic]. This part of his commute during the 5:00 PM to 7:00 PM period now takes at least 10 min for about 1 mile of travel. This has increased from 2 or 3 minutes just 5 years ago. This stretch of travel on the Barham corridor is essential for people living in the Barham corridor as well as commuting further to Forrest [sic] Lawn drive [sic] and onto the 134.

I often travel at peak rush hour to go north on the 101. Turning right from Barham to Billy [sic] Holly Dr. now often takes 5-6 minutes compared to under one minute 5 years ago. What is the mitigation plan such that the increased traffic will not cause this to become completely grid locked?

Response to Comment No. 133-3

The potential transportation impacts of the Project trips are analyzed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The portion of the comment regarding “an 80% increase in traffic to the area” is an oversimplification. The Transportation Study evaluates impacts from increases in Project Site trips due to the Project. As shown in Table 36 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project would generate a net total of 28,108 daily trips on a typical weekday, after the implementation of the Transportation Demand Management Program described in Project Design Feature B-1. The Project trips would be distributed throughout the Study Area. Specifically with regard to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable intersection impacts along Barham Boulevard. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project’s intersection impacts along Barham Boulevard to a level below significance, based on the Los Angeles Department of Transportation significance criteria. Specifically, the proposed third southbound through

lane on Barham Boulevard, described in Mitigation Measure B-5 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigates the Project's traffic impacts while alleviating traffic congestion along the Barham Boulevard corridor. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and the implementation of its proposed mitigation measures as compared to the Future without Project conditions.

Further, with regard to improved freeway access, the Draft EIR includes a new US 101 southbound on-ramp at Universal Studios Boulevard (see Mitigation Measure B-3 in Section IV.B.1 of the Draft EIR); US 101 interchange improvements at Universal Terrace Parkway (Campo de Cahuenga Way) (see Mitigation Measure B-4 in Section IV.B.1 of the Draft EIR); and specific intersection improvements at freeway ramp locations that have been identified in Section IV.B.1.5 of the Draft EIR and Chapter V of the Transportation Study. In addition, the proposed North-South Road would provide the residential development with direct connections to the US 101 freeway (see Project Design Feature B-2).

The commenter is also referred to Response to Comment No. 239-2 and Topical Response No. 6: Freeway Improvements (see Section III.C, Topical Responses, of this Final EIR) for further detail.

Comment No. 133-4

I believe that the planned access road on Universal property to the 134 will not mitigate the increased traffic from the new jobs such that commuting along Cahuenga and Barham will get worse from the already serious delays in the area. The plan does not state when this road will be built relative to the addition of people at the new jobs nor does it state how many of these additional trips will be diverted off the Barham corridor onto the new road. It is essential to get these issues answered and reviewed.

Response to Comment No. 133-4

Contrary to the suggestion in the comment, the Project does not propose an access road on the Project Site to the 134 freeway. As noted in Section IV.B.1.5.b.(2)(a) of the Draft EIR and Chapter IV of the Transportation Study (see Appendix E-1 of the Draft EIR), the Project is proposing a new public roadway, "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. The North-South Road would be connected between Lakeside Plaza Drive on the north and Buddy Holly Drive (the US 101 frontage road) on the south, thereby providing a north-south Modified Secondary Highway connection through the Project Site.

To mitigate the Project's traffic impacts on Barham Boulevard, the Draft EIR includes Mitigation Measure B-5 which provides for a third southbound through lane on Barham Boulevard. As discussed in Response to Comment No. 133-3 above, the proposed transportation project design features and mitigation measures mitigate the Project's intersection impacts along Barham Boulevard to a level below significance, based on the LADOT significance criteria.

With respect to timing of the traffic infrastructure improvements, as stated in Section II, Project Description, of the Draft EIR, the timing of actual Project development would be in response to market conditions. The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project's Mitigation Monitoring and Reporting Program. With regard to traffic mitigation phasing, under the traffic mitigation sub-phasing plan, the Project has been preliminarily divided into four development phases with traffic mitigations tied to each phase. The timing and sequencing of each of the proposed developments in the sub-phases are approximate. The primary focus of this sub-phasing plan analysis is to provide a plan that requires the implementation of transportation improvements in tandem with the traffic impacts of the development. As noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR on pages 687–689 and Chapter V of the Transportation Study, the Project's transportation mitigation sub-phasing plan has been developed using trips as thresholds. The trip generation of development of each phase would be monitored by the City of Los Angeles Department of Transportation. As noted in the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

Comment No. 133-5

The use of Lake Hollywood drive to skirt around the Barham / Cahuenga intersection has increased substantially over the past five years. I use Lake Hollywood Drive 10 to 15 times per week because it is the main route in and out of my residential area. The likely backup on Lake Hollywood Drive making turns onto Barham is at least 5 cars and many times 8 to 10 or more cars which are too many to make the turn during a single cycle of the light. This is particularly true when the backup on Barham during the morning and afternoon rush

hours and fills the intersection. What is the mitigation plan for reducing Barham traffic such that these turns can be made and what is the mitigation plan to prevent non-residents from flooding the residential streets in an effort to avoid the Barham and Cahuenga congestion?

Response to Comment No. 133-5

With regard to mitigation measures to address potential traffic impacts along Barham Boulevard, please see Response to Comments Nos. 133-3 and 133-4 above. In addition, Mitigation Measures B-18, B-19 and B-20 described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR identify specific improvements to be implemented at the following intersections: Barham Boulevard and Cahuenga Boulevard; Barham Boulevard and Buddy Holly Drive/Cahuenga Boulevard; and Barham Boulevard and Lakeside Plaza/Forest Lawn Drive. As identified in Section IV.B.1 of the Draft EIR, signal controller upgrades will be made at the following intersections: Barham Boulevard and Buddy Holley Drive/Cahuenga Boulevard; Barham Boulevard and Coyote Canyon Road; and Barham Boulevard and Lakeside Plaza Drive/Forest Lawn Drive. As discussed in Section IV.B.1 of the Draft EIR, the transportation project design features and mitigation measures mitigate the Project's intersection impacts along Barham Boulevard to a level below significance, based on the Los Angeles Department of Transportation significance criteria.

With respect to potential impacts to residential streets from “cut-through” traffic, as discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter VIII of the Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report (Gibson Transportation Consulting, Inc. and Raju Associates, Inc., March 2010) (the “Transportation Study”) a detailed analysis of the Project's potential impacts on nearby residential neighborhoods was conducted. The methodology used in this analysis is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to LADOT criteria for neighborhood streets. Until the Project actually generates traffic, it is impossible to tell which local streets might feel the effects of Project traffic (either direct impacts from Project traffic or indirect impacts resulting from Project traffic causing other traffic to “short-cut” through neighborhoods).

The LADOT methodology identifies those locations where the Project generates enough traffic to result in a significant impact if all (or enough) of the Project traffic left the arterial/collector street system and used the local streets within a neighborhood. Three conditions must be present for the impact to be potentially significant:

- a. There must be sufficient congestion on the arterial corridors to make motorists want to seek an alternate route;
- b. There must be sufficient Project traffic on the route to result in a significant impact if it were to divert to a local street; and
- c. There must be a street (or a combination of streets that provide a route) through the neighborhood that provides an alternate route.

As part of the neighborhood impact analysis for the Project, a detailed review was conducted of the streets noted in the comment. However, it was determined, in conjunction with LADOT, that the routes noted by the commenter did not represent a logical, parallel route to the arterial streets that would result in a shorter travel time than remaining on the arterial streets and, therefore, the volume of Project traffic that may leave the arterial/collector street system and use the local streets within a neighborhood is not anticipated to result in a significant impact. See Figure 73A on page 903 of Section IV.B.1 of the Draft EIR. Also, refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 133-6

The plan is especially deficient in that it does not address the added impact to traffic in the Highland / Cahuenga / Barham /101 freeway area due to the Cirque du Soleil theater performances at Hollywood and Highland. These performances are expected to bring a few thousand customers per day into the area. The DEIR must address this issue because of its impact.

Response to Comment No. 133-6

The comment appears to be referring to the Cirque du Soleil performances at the Kodak Theater at the Hollywood and Highland center. The Kodak theater is an existing venue at the Hollywood and Highland center, therefore traffic associated with the theater is reflected in the background existing traffic analyzed in the Draft EIR. See Section IV.B.1, Traffic/Access- Traffic/Circulation, of the Draft EIR regarding the Project traffic analysis.

Comment No. 133-7

Increased traffic bring noise and air pollution. The Hollywood Hills residential area lies above the 101 freeway and the Cahuenga intersections with Barham, the Universal property entrance and the Universal Metro station. What are the increase [sic] noise levels and air pollution levels to our residential areas? Noise is a nuisance whereas pollution will cause long term health problems. Both of these will have a very negative effect on the desirability of this area as a place to live and hence a negative impact on property values.

Response to Comment No. 133-7

The comment raises issues related to Project traffic noise and traffic air emissions.

The Draft EIR, Section IV.C, Noise, provides a comprehensive analysis of all of the Project's potential noise impacts, including roadway sources. As described in Section IV.C, Noise, of the Draft EIR, a traffic noise model for the surrounding community was constructed using the Federal Highway Administration's traffic noise model software to determine ambient noise increases due to increases in traffic levels. Based upon the analysis, impacts from roadway sources were concluded to be less than significant. (Draft EIR, pages 1019–1021.) Potential noise impacts during construction from hauling were also evaluated. Based on the analysis, presented in Table 71 of the Draft EIR, with implementation of recommended mitigation, impacts would be reduced to a less than significant level.

With regard to emissions from vehicle use associated with the Project, potential impacts to air quality associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR, and related technical report included as Appendix J to the Draft EIR, consistent with the SCAQMD's CEQA Handbook. As shown on pages 1468–1509, Tables 108–112, 124, 130–131, in Section IV.H, Air Quality, of the Draft EIR, the Project's air quality analysis accounts for emissions from vehicle use. The Project includes project design features and mitigation measures described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, that would reduce vehicle trips and vehicle miles traveled, which would reduce the Project's air pollution emissions. (See Draft EIR, page 1523.) For example, the Project would implement a Transportation Demand Management program that results in a decrease of daily vehicle trips, which effectively reduces traffic-related air pollutant emissions. (Draft EIR, page 619.) The Transportation Demand Management program would include several strategies. Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information.

Please refer to Response to Comment No. 133-2 with respect to property values.

Comment No. 133-8

Overall I am opposed to the sheer scale of the NBC Universal project in that it is inconsistent and insensitive to the predominantly residential neighborhoods that surround it. The attraction of new jobs, investment, green buildings etc is not good on its own because the price to our residential neighborhoods will be too high. **We the residents will bear the burden of traffic congestion, noise, increased air pollution, crime and reduced property values by this enormous project.** The quality of our lives will simply

be relegated to secondary status if NBC Universal is allowed to proceed with this project at the scale they have proposed.

Response to Comment No. 133-8

The Draft EIR specifically analyzes the potential impacts of the Project on the existing environment, including existing residences in the Project vicinity. Specifically with regard to potential impacts to the scale and character of the existing residences, (Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, pages 570–590, and Section IV.D, Visual Qualities, pages 1066–1107) analyzed the potential of the Project to change the existing land use relationships between the Project Site and existing off-site uses, or to disrupt, divide, or isolate existing neighborhoods, or to potentially impact the visual character and views of valued visual resources, and concluded that impacts would be less than significant due to the following: (1) continuation of existing on- and off-site development patterns; (2) presence of existing and proposed physical separations (i.e., landscaped areas, roadways, Los Angeles River Flood Control Channel, etc.); and (3) regulations proposed in the proposed City and County Specific Plans that are incorporated as project design features. The Project’s potential traffic, noise, air quality, and police/sheriff services impacts were also thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access-Traffic/Circulation; IV.C, Noise; IV.H, Air Quality; and IV.K.2, Public Services – Police/Sheriff, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts.

The portion of the comment related to property values does not relate to the environmental analyses of the Draft EIR. Quality of life is not an environmental topic addressed under CEQA. Environmental issues set forth under CEQA (e.g., traffic, land use, air quality) are addressed throughout the Draft EIR by subject category.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 133-9

In addition, I think the DEIR is inadequate in addressing the real negative impact to the longstanding quality of the surrounding residential neighborhoods.

Response to Comment No. 133-9

Please see Response to Comment No. 133-8 above. The commenter is also referred to Topical Response No. 2: Adequacy of the Draft EIR, (see Section III.C, Topical Responses, of this Final EIR) for further information. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 134

Ann Champion
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Comment No. 134-1

The Draft EIR for the NBC Universal Evolution Plan is woefully inadequate because it does not include the adjoining MTA development on Lankershim Boulevard. These two projects cannot and should not be considered separately because they are two parts of the same whole.

Response to Comment No. 134-1

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (See page 269 of the Draft EIR.) Additionally, refer to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 134-2

Both of these projects are grotesquely ill-considered. Individually and together they will have a horrific negative impact on the Cahuenga Pass. A pass is by definition a narrow opening between mountains. The Cahuenga Pass already cannot support its present traffic load. That traffic load has greatly increased in recent years to the point that even one of these projects would make the amount of traffic in this topographically restricted area completely unsustainable.

Response to Comment No. 134-2

The comment raises concerns regarding traffic within the Cahuenga Pass. The potential transportation impacts of the Project are analyzed in Section IV.B.1 Traffic/Access – Traffic/Circulation, of the Draft EIR. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figure 59 of the Transportation Study attached as Appendix E-1 to the Draft EIR, the Project does not result in any significant and

unavoidable impacts along Barham Boulevard, Cahuenga Boulevard East or Cahuenga West in the Cahuenga Pass. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along these corridors to a level below significance based on the LADOT significance criteria. Therefore, the proposed mitigation measures are sufficient to mitigate the Project's incremental impact along these streets.

The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for a detailed analysis of the Project's potential traffic impacts and proposed project design features and mitigation measures. Refer also to Response to Comment No. 134-1, regarding the Metro Universal project. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 134-3

Public comments from affected residents have made it abundantly clear that a great deal was left out of the present Draft EIR. The City of Los Angeles needs to stop being a whore for large developers and corporations at the expense of its residents. The Department of City Planning needs to start over and make an accurate and realistic Environmental Impact Report that studies both projects as the single entity that they really are.

Response to Comment No. 134-3

The comment suggests that the Draft EIR appears to be incomplete or inaccurate but does not state a reason or specific concern related to the Draft EIR. The commenter is referred to Topical Response No. 2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of this Final EIR), which provides a discussion of the applicable CEQA Guidelines and concludes that there is no basis under CEQA that requires recirculation of the Draft EIR. Please refer to Response to Comment No. 134-1 regarding the Metro Universal project. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 135

Melanie Chapman
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melanieachapman@gmail.com

Comment No. 135-1

I am writing to express my STRONG opposition to the proposed expansion of commercial development on the Barham side of the Universal lot.

As a longtime resident of the neighborhood near Universal, I do not want additional commercial and residential buildings adding to the noise and environmental pollution as well as traffic congestion in the area. Anyone can see what a disaster those Work/Residential lofts built next to Universal (where the Center for the Blind used to be) have turned out to be- ugly, built right next to a freeway and as far as one call tell, remain largely vacant. This is but one example of the loss of undeveloped or green space in this area which benefits building contractors but not people who live in the area.

Response to Comment No. 135-1

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The Project's potential air quality, noise, and traffic impacts were thoroughly analyzed, as detailed in Sections IV.H, Air Quality; IV.C, Noise; and IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts. The commenter is also referred to Section IV.II, Project Description, of the Draft EIR, and the proposed City and County Specific Plans included as Appendix A-1 and A-2 to the Draft EIR, for further information regarding the design principles and design standards for the Project.

Comment No. 135-2

There is already ample housing available and the Sheraton and Hilton Hotels are sufficient to meet actual demand. I believe they too stand largely empty much of the time.

Response to Comment No. 135-2

According to the City's 2006–2014 Housing Element, the City is projected to need to add 112,876 new units by 2014, or an average of 12,542 units per year over the 2006–2014 period. In comparison, based on residential building and demolition permits issued in the City for the 2009 calendar year, the City experienced a net gain of 1,177 residential

dwelling units (comprised of a net gain of 1,228 multi-family units and a net loss of 51 single-family units), an amount that is approximately 9.4 percent of the average annual total required to meet the RHNA forecast.⁹⁶ As such, the additional housing units added by the Project would provide a substantive positive impact to help the City achieve its projected housing need.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 135-3

For residents who have to deal with traffic jams when Universal has concerts or other special events such as the recent Halloween Haunts, it is a drag to live in an increasingly dense area. We do not need further development and don't welcome it.

Why don't you come live with us for a while and sit in our backyards and listen to the ever louder drone of traffic noise from the freeway, or sit in traffic on the freeway on any given night and then tell us we need more of the same.

I am not sad If GE is regretting their purchase of NBC Universal and trying to sell off its various parts to recoup their expenses.

Perhaps they should concentrate on spending less on bad film and television products and not further pollute our air as well as airwaves with crap and clutter.

Response to Comment No. 135-3

The Project's potential traffic, noise, and air quality impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation; IV.C, Noise; and IV.H, Air Quality, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

⁹⁶ *Los Angeles City Planning Department, City of Los Angeles Housing Element 2006–2014, August 13, 2008, p. 14, and Los Angeles Department of City Planning, Demographic Research Unit, Statistical Information, Building Permit Summaries, <http://cityplanning.lacity.org/dru/HomeBldg.cfm>, accessed December 1, 2010.*

Comment Letter No. 136

Dale Christensen
5222 Colfax Ave.
Valley Village, CA 91601

Comment No. 136-1

I appreciate that the average citizen has an opportunity to provide input on changes that affect our neighborhoods and the quality of life in Los Angeles. This is a great process where everyone's voice can be heard.

My concern is the environment. If we want to improve air quality in the basin we have to change the way we commute. That's why I was impressed to see in the Draft EIR that the Evolution Plan has invested so much in transit improvements, not just adding more and bigger streets.

The idea of offering residents two transit passes a month is genius. We can begin to get people off the roads and improve air quality and traffic in Southern California.

Response to Comment No. 136-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 137

Mark Christian
No address

[Note: A duplicate of the letter provided below was received on 1/24/11]

Comment No. 137-1

I'm all for creating more jobs in the industry; I trust that NBC/Universal will take all reasonable measures to ensure that the quality of life in the SF Valley will not be significantly impaired and as a resident and co-worker in the industry, I give my blessings to any and all plans for expansion.

Response to Comment No. 137-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 138

Donny Clairmont
4343 Lankershim Blvd.
North Hollywood, CA 91602-2705

Comment No. 138-1

I believe the NBC Universal Plan will help spur economic activity in the entertainment sector.

I appreciate the City of Los Angeles' thorough analysis of the Universal project and am genuinely thankful to see in the environmental impact report that the studio plans to invest in its production facilities with new sound stages. Many in the entertainment business have voiced concerns about movie and television work moving out of Los Angeles. There also are countless companies like my company, Clairmont Camera, which service the movie & TV industry and whose success is dependent upon the industry they serve. The entertainment industry is vulnerable, and we need the studios to reinvest here in Southern California to ensure that good, high paying jobs stay. Companies like Universal need the city's help to do business here and make sure Los Angeles remains the leader in film and television.

Response to Comment No. 138-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 139

Kathy Coakley
5257 Radford Ave., Unit 209
Valley Village, CA 91607-4413

[Note: A duplicate of the letter provided below was received on 1/20/11]

Comment No. 139-1

I am writing to you to express my complete support of the NBC Universal plan. I have seen the brochure and read the information about the planned project and I think this is an exciting and positive development for the community in which I live. I think it will bring much needed funding and jobs to the City of Los Angeles.

The environmental report on the project details many steps that NBC Universal will take involving environmentally friendly practices and technologies, including water and trash recycling programs, cool roofs, and energy-saving heating and cooling systems, equipment and appliances. I am confident that they will be bringing a state of the art complex with the impact on the environment taken carefully into consideration. This includes being very mindful of water resources and using recycled gray water for landscape irrigation. I highly support this “green” project.

Response to Comment No. 139-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 140

Barry Coates
6029 Ethel Ave.
Van Nuys, CA 91401

Comment No. 140-1

I write to express my comments on the Evolution Plan as detailed in the Draft EIR.

I truly believe this project has the chance to change the way people live and commute to work in Los Angeles. This isn't rocket science; if you put housing and jobs in close proximity to transit you can change the way people live. It's time that we Angelenos [sic] get out of our cars.

I appreciate the thought that went into this plan and I would like to see more opportunities to connect the community to transit.

Response to Comment No. 140-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

For informational purposes, Mitigation Measure B-2 provides a local shuttle system that enhances transit service for Project residents, visitors, employees, and the surrounding community, focusing on providing connections to key destinations, such as the Universal City Metro Red Line Station, downtown Burbank, Burbank Media District, Hollywood, Universal CityWalk, and other nearby destinations.

Comment Letter No. 141

John Coffey
3325 Cahuenga Blvd. W.
Los Angeles, CA 90068

[Note: A duplicate of the letter provided below was received on 1/26/11]

Comment No. 141-1

I like many things about the NBC Universal Evolution Plan, but what I am most excited about is the renewed investment in the entertainment industry. For the past few years, the city has seen entertainment jobs and production move out of state and it's time to bring them back.

The NBC plan -- with its new soundstages and post-production facilities -- will go a long way to keep production and jobs here. You can do your part by ensuring the project comes to fruition.

I own both a home and business close to Universal and believe this project will benefit all of us in the neighborhood.

Response to Comment No. 141-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 142

David Cohen
5510 Sepulveda Blvd., #224
Sherman Oaks, CA 91411-4507

[Note: A duplicate of the letter provided below was received on 2/1/11]

Comment No. 142-1

I am writing to express my support for the NBC Universal Evolution project.

The Draft EIR shows that NBC Universal Is willing to make significant investments in transit improvements. Offering residents transit passes, and connecting the property to transit options such as the Metro, bus lines and new shuttles, will encourage and Incentivize people off the roads and improve air quality and traffic in Southern California.

It appears that there are also extensive measures to control and limit air pollution during construction. Requiring contractors to use diesel particulate filters and comply with control measures like limiting truck Idling and keeping all construction equipment in proper tune will certainly reduce AQ impacts during construction.

Response to Comment No. 142-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. With respect to diesel emissions during construction, Project Design Feature H-3 states that diesel-emitting construction equipment greater than 200 horsepower shall use diesel particulate filters having 85 percent removal efficiency based on California Air Resources Board verified technologies. The Project would also implement Project Design Features H-1 through H-6 and Mitigation Measure H-1, which would reduce air quality impacts to the extent feasible; however, significant and unavoidable air quality impacts would remain. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR.

Comment Letter No. 143

Richard A. Cole
c/o 10061 Riverside Drive #1007
North Hollywood, CA 91602

Comment No. 143-1

I have been a resident of Toluca Lake, South of Riverside Drive, for over thirty years, as well as a Member of Lakeside Golf Club for about the same time frame. I have experienced for the same period the excess noise abuses and traffic problems our community has suffered from Universal Studios by its various owners during these three decades...through the Wasserman years, the Seagrams' [sic] years, the Matsushita [sic] Electric years, the NBC years, etc, [sic] etc. All of these owners have promised mitigation of some kind...no mitigation has ever been dealt with by any owner. The noise from the WaterWorld show was ordered mitigated or the show shut down thirteen years ago by Councilman John Ferraro and Universal paid no attention to his demand. The show remains in its original format to this day.

The current 39,000 page DEIR the new owner Comcast has inherited from NBC reads like a fairy tale. no [sic] Traffic mitigation and noise problems are total guesswork. Most everything I have read in the DEIR is baseless and designed to confuse the reader. The Universal DEIR at 39,000 pages is a document no one can possibly comprehend. This is much too ambitious a project for one DEIR. It should not be allowed to stand.

Response to Comment No. 143-1

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.)

As per CEQA Guidelines Section 15123, the Draft EIR includes an executive summary which provides a comprehensive summary of the complete content of the Draft EIR, including impact areas, mitigation measures, and areas of controversy. The Draft EIR

presents a comprehensive assessment of the Project's potential significant environmental impacts, identifies project design features and feasible mitigation measures that avoid and reduce the Project's adverse environmental impacts, addresses a reasonable range of alternatives to the proposed Project, and, on an overall basis, informs the governmental decision-makers and the public regarding the Project's potential short-term and long-term significant environmental impacts. In these ways, the Draft EIR achieves the basic objectives for CEQA review, as set forth in the CEQA Guidelines.

The comment suggests that the noise analysis lacks credibility. The Draft EIR, Section IV.C, Noise, provides a comprehensive analysis of all of the Project's potential noise impacts. As noted on page 971 of Section IV.C, Noise, of the Draft EIR, the noise environment surrounding the Project Site is defined by a variety of noise sources, including Hollywood Freeway traffic, local street traffic, existing activities throughout the Project Site area, and occasional aircraft overflights. Reflecting the diversity of conditions found around the Project Site, the noise analysis addressed a broad range of potential locations, including analysis of 12 different receptor areas which included 47 receptor locations (see Draft EIR, page 971). The 12 areas represent the diversity of conditions found around the Project Site and include areas from which community members have raised concerns regarding noise from the Project Site, such as Toluca Estates, Toluca Lake, Lakeside Golf Club, Cahuenga Pass and Hollywood Manor. As noted on page 971 of the Draft EIR, the "forty-seven (47) locations, as shown on Figure 93 on page 973 [of the Draft EIR], were chosen in order to obtain a broad understanding of the existing ambient noise environment" and included: 41 residential receptors, 1 public school, 3 commercial properties, 1 public park and 1 landmark location.

The purpose of the monitoring was to measure ambient noise levels existing around the Project Site in order to compare the proposed Project sound levels to the ambient conditions. The increase in sound levels as compared to the existing ambient conditions and code limits was then evaluated. In order to have the most conservative analysis, the future Project sound levels were compared to the lowest existing ambient levels, as this comparison would indicate the greatest potential impact. The City Planning Department, County Department of Regional Planning, and County Department of Public Health reviewed and approved of the methodology of the noise study.

The Project proposes to regulate sound sources through regulations in the proposed City Specific Plan and proposed County Specific Plan. Individual Projects under the proposed Specific Plans will be required to comply with the respective City Specific Plan and County Specific Plan sound attenuation requirements. Continued compliance with the Specific Plan requirements is subject to the enforcement provisions of the Specific Plans. In addition to the proposed Specific Plan requirements, the Draft EIR proposes mitigation measures to reduce noise impacts. The proposed mitigation measures are detailed on

pages 1033–1035 of Section IV.C, Noise, of the Draft EIR. These mitigation measures shall be enforced by the City or County, as applicable, and as described in the approved Mitigation Monitoring and Reporting Program. As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise would result in less than significant impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances.

With regard to noise from the Water World attraction, in November 2010, the County Department of Health conducted a sound impact study to assess sound levels from the Water World attraction on residential properties in Toluca Lake and Lakeside Golf Club. The County's noise study found that the Water World attraction was in compliance with the Los Angeles County Code's noise regulations as analyzed at the Lakeside Golf Club and Toluca Lake locations.

The comment implies that the Draft EIR does not include traffic mitigation measures. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts, including a Transportation Demand Management program, roadway improvements, Hollywood event management infrastructure, transit improvements, highway improvements and specific intersection improvements. The commenter is referred to Section IV.B.1, Traffic/Access-Traffic/Circulation, of the Draft EIR for a detailed discussion of the transportation project design features and mitigation measures.

Though potential Project impacts would be mitigated to the extent feasible, residual significant impacts would still occur with respect to traffic (during Project operations and cumulative conditions), noise (during Project construction and cumulative conditions), air quality (during Project construction and operations and cumulative conditions), solid waste (during Project operations and cumulative conditions), and off-site mitigation measures (during construction and operations). The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, for further information.

Comment Letter No. 144

Gino Conte
6041 Alcove Ave.
North Hollywood, CA 91606-4302

Comment No. 144-1

After looking at the City's environmental impact report, the Universal Plan seems to be the right project at the right time. Given the current economic climate and widespread government budget cuts, this opportunity to build a major project in the City and County of Los Angeles shouldn't be squandered. The city needs more housing, more jobs, and more production facilities, near public transit. I believe in this investment for the future of our city and its residents.

Response to Comment No. 144-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 145

Francesca Corra
4030 Cartwright Ave.
Studio City, CA 91604
fcorra@aol.com

Comment No. 145-1

I imagine you are getting lots of mail right about now. Allow me to add mine to the pile. Attached is my response to the DEIR. I would like to express a number of comments about this project. I am requesting that, whether I am making a statement, a comment, or posing a question that you please regard it as a question for the purposes of this DEIR process.

Response to Comment No. 145-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 145-2

I am extremely concerned about the residential component of the Project. I am not sure why it makes sense to disrupt a whole ecosystem. The Project will decimate an entire oak and walnut woodland and all the creatures, large and small, that populate this ecosystem. It disregards and disrespects the entire River Master Plan. It will cause an incredible amount of stress on our transportation system. All this for a housing component that makes absolutely no sense to anyone other than Universal and our Mayor.

Response to Comment No. 145-2

Section IV.N.2, Employment, Housing and Population – Housing, of the Draft EIR presents a comprehensive analysis of how the proposed residential component of the Project fits into the forecast housing needs of the region. In addition to being consistent with SCAG's household growth forecast for the City of Los Angeles Subregion, the Project would be compatible with the housing policies set forth in SCAG's Regional Comprehensive Plan and Guide by providing, for example, opportunities for a range of housing choices by providing a new, high-quality residential development that provides a range of market rate housing prices and types. Table 192 in Section IV.N.2, Employment, Housing and Population – Housing, of the Draft EIR, presents the Project's compatibility with the housing goals in the City's General Plan Framework and the 1998–2005 Housing Element and the Project's compatibility with the housing goals of the City's 2006–2014

Housing Element is presented in Table 193 in the Draft EIR. The Project would address housing needs that are currently unmet and bring more housing units closer to major employment centers.

As explained in more detail on pages 496–497 and 523–524 in Section IV.A.1 Land Use – Land Use Plans/Zoning, of the Draft EIR, with the project design features, the Project furthers the goals and objects of, and would not be inconsistent with, the Los Angeles River Master Plan and the Los Angeles River Revitalization Master Plan. As discussed on pages 523–524 of the Draft EIR, the Los Angeles River Revitalization Master Plan includes goals regarding revitalizing the river, enhancing its identity and restoring the functional qualities of the river/ecosystem and greening of neighborhoods by creating a continuous river greenway with connections to adjoining neighborhoods via safe public access. In the northeastern portion of the Project Site that is within the City’s jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the river area, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. The proposed River Trailhead Park would also provide a linkage between the properties to the east and west of the Project Site via an on-site bicycle network that would travel along the proposed North-South Road and Universal Hollywood Drive, passing near Universal CityWalk. The proposed River Trailhead Park, residential and commercial uses, and approximately 35 acres of open space and bicycle and walking trails within the Project Site would help enhance the river’s identity and restore its functional qualities by creating a series of connections between neighborhoods. In addition, the proposed City Specific Plan requires that new buildings within Planning Subarea 1 be located at least 12 feet from the channel wall of the Los Angeles River Flood Control Channel.

As discussed on pages 1584–1588 of Section IV.I, Biota, of the Draft EIR, the analysis of impacts on protected trees represents a conservative analysis, and project design features and mitigation measures have been developed assuming the maximum potential tree impact numbers. The actual tree impact numbers may be lower than anticipated once final grading plans are developed. As explained on pages 1584–1588 in Section IV.I, Biota, of the Draft EIR, the proposed City Specific Plan includes Protected Tree regulations that require the planting of replacement trees or payment of an in-lieu fee that would fund the planting of replacement protected trees. The proposed Universal City Specific Plan defines Protected Trees to include Oak trees, California Sycamore, Southern California Black Walnut, and California Bay Laurel. (Proposed Universal City Specific Plan, Section 2.3.) The proposed City Specific Plan incorporates flexibility in the tree replacement approach such that a combination of sizes and protected tree species would be planted. Similarly, the proposed County Specific Plan includes oak tree regulations that require the planting of replacement oak trees or payment of an in-lieu fee. With the proposed City and County regulations, and Mitigation Measure I-4 that includes tree

protection measures from pre- to post-construction, potential impacts to City and County protected trees would be reduced to a less than significant level. In addition, for potential impacts to the California black walnut, a CNPS List 4 taxon that typically does not require a finding of significance associated with impacts, the Draft EIR conservatively includes comprehensive mitigation to ensure that any potential impacts to California black walnut would be reduced to a less than significant level (see impact analysis in the Draft EIR, Section IV.I.3.c(1)(a), as well as Mitigation Measure I-1).

Section IV.I, Biota, of the Draft EIR analyzed the biological resource impacts associated with the Project. As noted in the Draft EIR, the Project Site has been extensively developed during the past 90 years, with only small pockets of undeveloped areas remaining. Within the Project Site, areas of remaining habitat occur as fragments embedded within areas that have been developed for decades. This condition results in very low biological functions. As noted in the biological cumulative impacts discussion on page 1594 of the Draft EIR, “the remaining undeveloped habitats in the area have been disturbed and degraded due to the effects of the surrounding development, including noise, light, roads, fences, and invasive species. These effects have also contributed to the degraded habitat quality of the undeveloped patches of habitat remaining on the Project Site, making it unsuitable for most sensitive species and many native species as habitat or as a migration or movement corridor.” As concluded on page 1607 of the Draft EIR, with implementation of mitigation, the Project would have less than significant impacts with respect to biological resources.

With regard to the general comment regarding the transportation system, the commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and the Transportation Study for further details on general traffic impacts and related transportation project design features and mitigation measures.

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-3

I was born in New York and raised mostly in New Jersey. I grew up knowing how to take public transportation. I started my professional career living in New Jersey and working in

New York City. As well, I have taken public transportation in many cities - Paris, London, Tokyo, etc. I know what it is to commute to work. I come from that mentality. That mentality does not exist here in Los Angeles. To expect residents from the new residential component to take a shuttle to the metro and then the metro to their work is just plain stupid. They are not going to do it because it is just not convenient enough.

Are there any other communities - in Los Angeles - that are located this same distance from a Metro station where a shuttle bus is provided and people actually use the system?

Have there been any trials run at all, for a limited period of time, say, where residents of a community - in Los Angeles - were provided the use of a shuttle to take them to a Metro station?

What types of studies have been done - in Los Angeles - to make anyone believe that this system could work?

Response to Comment No. 145-3

The Transportation Demand Management credits accounted for in the Project's trip generation assumptions under the "Future with Project with Transportation Demand Management Program" and "Future with Project with Funded Improvements" scenarios were developed in conjunction with and approved by the City of Los Angeles Department of Transportation. A detailed review of recent studies of Transit-Oriented Developments and Transportation Demand Management Programs employed at other locations in California was conducted as part of the Transportation Study. Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR) details the locations and levels of trip reductions attained by the California Transit-Oriented Development projects. Table K-1 in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), provides a summary of the characteristics and trip reduction percentages achieved by various Transportation Demand Management Programs and a comparison to the trip reduction estimates assumed for the Project. As shown in the table, the amount of credit assumed in the Project's trip generation for each of the Transportation Demand Management strategies is lower than those achieved by other developments. Therefore, the overall 11.4 percent Transportation Demand Management credit assumed by the Project represents a conservative estimate of the potential effectiveness of a Transportation Demand Management Program for a Transit-Oriented Development located in the vicinity of a rail station. Based on the 2004 and 2006 studies of California Transit-Oriented Development projects near rail stations, the average trip reduction is in the 19 percent to 22 percent range. Thus, the analysis presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter V of the Transportation Study (see Appendix E-1 of the Draft EIR) represents a conservative approach.

Additionally, as noted in the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Project's trip generation would be monitored by the Los Angeles Department of Transportation, and the Project would be required to comply with the trip estimates and Transportation Demand Management credits noted in the Draft EIR as the Project's Transportation Demand Management Program would be required to include:

“[A] periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals; non-compliance to the trip-reduction goals would lead to financial penalties or may require the implementation of physical transportation improvements.”

Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR), for further information. The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-4

Why is it necessary to build an entire densely-packed neighborhood on a piece of land that could better serve the entertainment industry?

If Universal built a residential component on the MTA site, it would make so much more sense. It certainly does not need to be almost 3,000 residences, wherever it is. There is no need for that much housing. There is certainly no existing structure to support it. It will stress fire, police, education, library, sewers and roads.

Response to Comment No. 145-4

Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation (see CEQA Guidelines Section 15126.6). Section V, Alternatives to the Proposed Project, of the Draft EIR includes evaluations of several alternatives, including alternatives that do not include a residential component. The commenter is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR for further information.

The possibility of locating residential development on the west side of the Project Site along Lankershim Boulevard was considered as a potential alternative to the proposed Project. As concluded on pages 2158–2159 in Section V, Alternatives to the Proposed Project, of the Draft EIR, the substantial negative impacts associated with this alternative outweigh the benefits associated with creating a transit-oriented development on the west side of the Project Site. Specifically, this potential alternative would create a new significant impact with regard to land use compatibility while also worsening the Project's

significant impacts. In addition, this alternative fails to meet a number of the basic objectives of the Project. For these reasons, both individually and collectively, an alternative calling for residential development along Lankershim Boulevard was concluded to be infeasible.

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

The Universal City Metro Red Line Station site is not part of the Project Site, and the proposed Metro Universal project at that site was an independent development project. The commenter is referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR), for additional information regarding the Metro Universal project.

Section IV.N.2, Employment, Housing and Population – Housing, of the Draft EIR presents a comprehensive analysis of how the proposed residential component of the Project fits into the forecast housing needs of the region. With regard to the general comment regarding infrastructure and public services, the Draft EIR analyzed the potential impacts to the issue areas referenced in the comment in Sections IV.K, Public Services, and IV.L, Utilities, of the Draft EIR. The commenter is referred to Section IV.K.1, Public Services – Fire Protection (pages 1694–1721); Section IV.K.2, Public Services – Police/Sheriff (pages 1729–1749); Section IV.K.3, Public Services – Schools (pages 1750–1787); Section IV.K.5, Public Services – Libraries (pages 1818–1831); and Section IV.L.1, Utilities – Sewer (pages 1840–1852). The Draft EIR concluded that with the incorporation of the described project design features and recommended mitigation measures the Project's impacts would be less than significant with regard to these services and utilities. Section IV.L.3, Utilities – Solid Waste (pages 1906–1925), of the Draft EIR also analyzed solid waste and concluded that the Project's potential impacts related to construction solid waste would be less than significant with the incorporation of the project design features. However, due to the uncertainty of future capacity of landfills outside of the City (the City does not have operating landfills within the City), the Draft EIR conservatively assumes that the Project's impacts related to solid waste during operations would remain significant and unavoidable after incorporation of the project design features. Potential impacts related to Project traffic are analyzed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures to address Project impacts to the extent feasible.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-5

I have to admit that although I have had three whole months, including absolutely nothing to do over Christmas and Thanksgiving, to read this document, I have not read it in its entirety. But I am pretty sure that the Project talks a lot about building a library but, in fact, is only building a structure that the city can then finance to make into a library. That is not what I would call building a library.

Response to Comment No. 145-5

The Draft EIR analyzes the Project's potential impacts related to library services and facilities in Section IV.K.5, Public Services – Libraries. Regarding the provision of a library, pursuant to Mitigation Measure K.5-1, the Applicant or its successor shall construct and lease to the City at no rent core and shell space to house a new on-site branch library within the Mixed-Use Residential Area. Pursuant to Mitigation Measure K.5-2, the Applicant or its successor shall provide notice to the City of Los Angeles Public Library of its intention to commence design of the building that will house the branch library and its adjacent infrastructure so that the City of Los Angeles Public Library may be involved in the design process. Under Mitigation Measure K.5-3, if the City of Los Angeles Public Library determines that it will not proceed with the lease of the shell and core space, or if it determines that it will not open a branch library on the Project Site, the Applicant or its successor shall pay a mitigation fee of \$400 per dwelling unit to the City, which fee shall be used for the purpose of providing or enhancing the delivery of library services at another branch library in the vicinity of the Project. As explained on page 1831 of the Draft EIR, with the implementation of Mitigation Measures K.5-1 through K.5-3, the impacts to City of Los Angeles Public Library facilities under both the proposed Project and the No Annexation scenario would be reduced to a less than significant level.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-6

The residential component is so dense that it allows for hardly any open space at all. I would define open space as a piece of land - open to the sky - that can be enjoyed by the residents and the public in a recreational way. This would exclude a personal balcony, a community room or a median that divides a roadway.

Universal needs to save and incorporate some open space. Save some trees, save some animals. Save some space along the Los Angeles River for the community to enjoy.

Response to Comment No. 145-6

As set forth in Section IV.K-4, Public Services – Parks and Recreation, of the Draft EIR, the Project would provide 200 square feet of park space or recreation facilities per residential dwelling unit, or approximately 13.5 acres of park space and recreation facilities within the Mixed-Use Residential Area to meet the recreation needs of Project residents. The 13.5 acres would include courtyards, plazas, pedestrian paseos, trails, private setbacks, roof terraces, gardens, picnic areas, playgrounds, exercise areas, and sports-related facilities, including but not limited to, tennis courts, swimming pools, and basketball courts, or other similar outdoor gathering places. In addition, pocket parks and on-structure plazas, which may include active recreation area amenities, would be located in various locations throughout the Mixed-Use Residential Area. In addition, the proposed Project would also include a Hillside Open Space Area, which would provide approximately 22 acres of open space area at Project buildout based on the Project's Conceptual Parks and Open Space Plan.

The Quimby Act, Section 66477 of the California Government Code, authorizes cities and counties to enact ordinances that require the dedication of land, payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map. (Draft EIR, Section IV.K-4, Public Services – Parks and Recreation, page 1771.) As authorized by the Quimby Act, the City of Los Angeles has established a local ordinance, Los Angeles Municipal Code Section 17.12, requiring land dedication or payment of fees for park or recreational purposes for projects involving residential subdivisions. (Draft EIR, pages 1776–1777.) In subdivisions containing more than 50 dwelling units, the City permits developers to dedicate parkland in lieu of paying fees. (Draft EIR, pages 1777.) As permitted under the Quimby Act, Los Angeles Municipal Code Section 17.12 allows a subdivision to credit the monetary value of parkland improvements and private recreation facilities against the requirement to dedicate land and/or pay in-lieu fees. (Id.) Accordingly, as required by Section 5.A of the proposed Universal City Specific Plan and as discussed above, the Project would provide park or recreation space in an amount equal to 200 square feet per Dwelling Unit within the Specific Plan area and associated equipment and improvements to meet the recreation needs of residents and fulfill the Project's open space obligations. The Project's proposed parks and open space plan, set forth in Section 5 of the proposed City Specific Plan, complies with the Quimby Act and the Los Angeles Municipal Code and satisfies the Project's Quimby requirements. The 13.5 acres of park and recreation space provided by the Project, in combination with the value of improvements to that space, would exceed the Project's land dedication requirements under Los Angeles Municipal Code Section 17.12. (Draft EIR at pages 1797–1798.)

With regard to open space along the Los Angeles River Flood Control Channel, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the river area, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-7

In the last fire on the Universal lot, the fire department had to run hoses from hydrants in the Island neighborhood, across Lankershim and up the hill because there was not enough pressure on the lot. Has this issue been addressed and corrected? If the system is not up to speed with enough pressure to serve their needs at this point, they should not be allowed to build one other thing until they have fixed it.

Response to Comment No. 145-7

With respect to the June 1, 2008, fire on the Project Site, although there were initial reports regarding a lack of adequate fire flow, the County Fire Department ultimately concluded that sufficient fire flow was available and exceeded requirements. Characteristics of the fire such as intensity and speed restricted the placement of fire engines and hose line deployment, which affected the delivery of water, but availability of fire water was not an issue, according to the County Fire Department. (See Appendix FEIR-11 of this Final EIR.)

As detailed in the Draft EIR, future developments within the County portions of the Project Site would be required to comply with the County Fire Department fire flow requirements and future developments within City portions of the Project Site would be required to comply with the City of Los Angeles Fire Department fire flow requirements. As part of the Project, a new fire protection system would be installed to support the potential fire flow demand in the Mixed-Use Residential Area of the proposed Project. New service lines would be constructed to serve the proposed Project. In evaluating the water system, the new on-site water lines would be sized for both fire demand and peak day domestic demand. (See Project Design Feature L.2-1, page 1881, in Section IV.L.2, Utilities – Water, of the Draft EIR.) All water lines constructed as part of the Project that deliver both domestic and fire water would be constructed with the necessary materials and appropriate size to deliver the highest instantaneous demand on the individual water line pursuant to Project Design Feature L.2-2. (See page 1881 of the Draft EIR.) Further, with implementation of Mitigation Measure L.2-1, which would augment the existing DWP infrastructure through the provision of an on-site pumping station in the Mixed-Use

Residential Area with a capacity of up to a maximum of 16,500 gallons per minute, impacts with respect to fire protection infrastructure would be reduced to a less than significant level.

Further, pursuant to Project Design Feature K.1-11, a drafting reservoir and drafting appliances would be provided and maintained in the County portion of the Project Site with the ability to draft 1.5 million gallons of water designed to the satisfaction of the Los Angeles County Fire Department. (See page 1719 of the Draft EIR.) As explained Section IV.K.1, Public Services – Fire Protection, of the Draft EIR, with implementation of the project design features and mitigation measures, Project impacts with respect to fire protection would be less than significant. (See page 1721 of the Draft EIR.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-8

The bicycle path is a joke. The bike bath [sic] is meant to follow the Los Angeles River along the south bank. This would be entirely possible if Universal would give up this strip of land that cannot possibly be their land to begin with.

Isn't the land on either side of the river owned by the County of Los Angeles?

In conversations with Universal representatives, they have cited the presence of the Technicolor building and security concerns of Steven Spielberg as being excuses not to give up that land. I don't expect that these two excuses are cited in the DEIR but, since as a board member of CUSG, I have sat in enough meetings with representatives of Universal to have heard them expressed, I think it is valid to bring them up in this document.

That Technicolor building is so outdated that it can not [sic] possibly be seen as a valuable component of the Evolution Plan.

Response to Comment No. 145-8

With respect to the provision of a bicycle path along the Los Angeles River Flood Control Channel, as stated in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City and is owned by the Applicant. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District.

As stated in the Draft EIR, in the County portions, the Applicant would cooperate with the County, City and other agencies as necessary to accommodate the future use of the County land for public use as contemplated by the County River Master Plan, and continue use, if allowed by the County, of a portion of River Road for studio access. Further, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the Los Angeles River Flood Control Channel, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public path on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the internal bike path along the North-South Road.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-9

The water in the River in front of the Technicolor building always looks so nasty. I would like to see some third party testing done on that water to see if there are any chemicals getting into the River from that building.

Response to Comment No. 145-9

The Los Angeles River and existing discharges to the river are not part of the proposed Project and thus not part of the Draft EIR analysis. However, Section IV.G.1.b, Water Resources – Surface Water – Surface Water Quality, of the Draft EIR, analyzes the Project's potential water quality impacts and includes an evaluation of existing on-site water quality. As explained in the Draft EIR, the Business, Entertainment, and Studio Areas of the Project Site have an existing program of capturing and diverting all dry weather flows from the drainage areas, and this program would continue following Project development. For this reason, no appreciable dry weather flows are expected to be discharged to the Los Angeles River Flood Control Channel following implementation of the proposed Project.

With regard to potential discharges into the Los Angeles River Flood Control Channel and wet weather impacts, as explained on page 1376 of the Draft EIR, there are a range of non-structural Best Management Practices and environmental water quality policies that are currently utilized at the Project Site to minimize the impact of potential stormwater pollutant sources. As explained on page 1376 of the Draft EIR, a pollutant loading model was used to estimate the generation of pollutants and expected constituent concentrations resulting from stormwater runoff within the Project area. The model was used to estimate the baseline and future stormwater runoff quality in order to provide a comparative analysis of the expected impacts due to future Project Site conditions. The

model also accounts for treatment facilities that would be included in the proposed Project. As the Draft EIR explains on page 1378, the water quality characteristics associated with stormwater runoff from the Project Site under baseline conditions were estimated using the model described above, based on existing land uses at the Project Site. The modeling of baseline conditions also accounted for treatment Best Management Practices at the Project Site, specifically the continuous deflection separator units, as shown Figure 188 on page 1379, at five stormwater outfalls (three existing and two planned as interim projects). The estimated pollutant loads and average pollutant concentrations based on annual average runoff loads and runoff volume to the Los Angeles River Flood Control Channel from the Project Site under baseline conditions are shown in Table 95 on page 1380.

Tables 98 and 99 on pages 1395 and 1396 in Section IV.G.1.b, Water Resources – Surface Water – Surface Water Quality, of the Draft EIR show the modeling results for potential surface water quality impacts associated with long-term operation of the proposed Project. The results indicate that pollutant loads and average concentrations from the Project Site compared to baseline conditions, with the existing and proposed Best Management Practices and other Project Design Features, would decrease for all modeled pollutants. Average pollutant concentrations for all modeled metals for the Project are also projected to be less than the in-stream wet weather Total Maximum Daily Loads targets. Based on the modeling analysis and results, the proposed Project's operations are not expected to cause or contribute to the creation of pollution, contamination, or nuisance, or an exceedance of water quality standards in the Los Angeles River Flood Control Channel. Further, the Project's operations are not anticipated to adversely affect beneficial uses in the River. Therefore, the Draft EIR concludes that potential impacts to surface water quality from modeled constituents due to the proposed Project's operations would be less than significant.

Comment No. 145-10

Is the security of one man in the person of Steven Spielberg so important that it take priority over the concerns of an entire community? I am not just talking about the immediate community. There are hundreds of people who will be using the bike path in the future, coming and going from all parts of the city.

I would like to see a written statement from Steven Spielberg expressing why he deserves such special status.

Who in their right mind expects these hundreds of people to bike up that steep hill?

I live in the Island neighborhood. We have had houseguests stay with us over the years and they always want to go up to Universal. Not one of them has ever been happy with my

suggestion to walk over there and walk up that hill. Not one. Biking up that hill would be harder than walking.

Not to mention bicycling down that hill straight into Lankershim traffic. Both automobiles and pedestrians are at risk from out of control bicyclists. That is downright dangerous. What studies have been done that show a bike path with this change in elevation is feasible?

Response to Comment No. 145-10

With regard to a bike path along the river, please refer to Response to Comment No. 145-8, above. In addition, as set forth in Appendix A-4 to the proposed City Specific Plan (see Appendix A-1 of the Draft EIR), the Project's streetscape design incorporates Class II bicycle lanes on both sides of Lakeside Plaza Drive which connect to the Class II bicycle lanes on the proposed North-South Road. An off-street, Class I bicycle path would connect the southerly end of the North-South Road to the Class II bicycle lanes along Universal Hollywood Drive through to Lankershim Boulevard, also with a connection to CityWalk. Connecting to this system of Class I and Class II bicycle facilities would be additional Class II bicycle lanes along the various smaller roadways proposed within the Mixed-Use Residential Area. The future bike paths would also be enhanced with improved crosswalks and landscaping buffers where feasible. It should also be noted that, as stated on page 653 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the proposed on-site bicycle path system would be subject to the review and approval of the City Bureau of Engineering, Los Angeles Department of Transportation, and County of Los Angeles Department of Public Works for the portions of the bicycle facilities within their respective jurisdiction. This review process would ensure the development of safe bicycle facilities which would preclude the types of significant impacts suggested in the comment.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-11

Building heights. Too tall. Too tall. Too tall. Too tall. Too tall. Too tall. Too tall.

Too much shadow. Too much glare. Too much intrusion on our privacy.

Response to Comment No. 145-11

Potential Project impacts related to shade and shadow and light and glare are addressed in the Draft EIR in Sections IV.E.1, Light and Glare - Natural Light; and IV.E.3, Light and Glare – Glare.

As discussed in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, shadow-sensitive uses that are shaded by on- and off-site buildings under existing conditions include the Campo de Cahuenga, Weddington Park (South), the Island residences on Willowcrest Avenue, and portions of the Hollywood Manor community from the existing knoll. The only existing use significantly shaded is the Campo de Cahuenga, which is currently partially shaded by a combination of the on-site Jules Stein and the off-site 10 Universal City Plaza buildings for 3.5 hours between 9:00 A.M. and 12:30 P.M. and fully shaded for 3.0 hours between 9:30 A.M. and 12:30 P.M. during the winter solstice. The remaining shadow-sensitive uses are not currently significantly shaded by Project Site or off-site buildings. The proposed Project represents an incremental increase in shading on several of the identified shadow-sensitive uses over existing conditions in at least one season. With implementation of Mitigation Measures E.1-1 through E.1-4, the proposed Project under the Height Zone and Height Exception envelopes would not result in the shading of shadow-sensitive uses for three hours between 9:00 A.M. and 3:00 P.M. during the spring equinox or incrementally increase the amount of existing shading during the winter solstice. No other shadow-sensitive uses would be shaded for four hours or more between 9:00 A.M. and 5:00 P.M. during the fall equinox or summer solstice.

With regard to glare, as explained in Section IV.E.3, Light and Glare – Glare, of the Draft EIR, the proposed City and County Specific Plans include project design features that govern the respective portions of the Project Site and provide certain regulations with respect to building materials and signage (including thematic elements), which shall reduce the potential for reflectivity on the Project Site. The proposed Project would not significantly impact any glare-sensitive uses as a result of daytime or nighttime glare during either construction or operation. Therefore, the Draft EIR concludes that the proposed Project would not result in any significant and unavoidable environmental impacts with respect to glare.

All potential building heights would be within the proposed Height Zones, which are outlined in Section II, Project Description, of the Draft EIR and would be regulated by either the proposed City or County Specific Plan depending upon the on-site area under review. The Project Site and vicinity include existing mid- and high-rise buildings. The Project would not substantially alter the relationships between the existing residences and taller structures, some of which are directly adjacent to residential uses, such as the City View Lofts. In addition, the closest Island residence is located at least 450 feet from the nearest on-site location, with the middle of the Island area located approximately 1,000 feet from the Project Site. The Toluca Lake area located north of Valley Spring Lane is over 1,300 feet from the closest point on the Project Site, with the middle of the area located approximately 2,200 feet from the Project Site. These distances are sufficiently large to minimize any perceived loss of privacy.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-12

I would like to question the validity of the hours of day that you take into account and request that you publish tables that reflect shadows from sun up to sun down as we live in a climate where we enjoy the outdoors at all times of the year. You also should take a re-count of the hours of shadow caused by the project and take those revised numbers into consideration when you make a determination of “significant” or “less than significant”. Your shadow-sensitive areas need to be redefined.

Response to Comment No. 145-12

As explained on page 1167 in Section IV.E.3, Light and Glare – Natural Light, of the Draft EIR, the *City of Los Angeles CEQA Thresholds Guide* (2006, p. A.3-2) states that a project impact would normally be considered significant if shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time (between early April and late October). This threshold is applicable to the proposed Project and as such was used in the Draft EIR to determine if the Project would have significant shading impacts.

In addition, for purposes of the analysis in the Draft EIR, the Project would be considered to have a significant shading impact if:

- Project-related structures add incrementally to existing shading of off-site shadow-sensitive uses, resulting in continuous shading of such areas for three hours or more between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time (between early April and late October); or
- Project-related structures add incrementally to the shading of off-site shadow-sensitive uses already shaded for a period of three hours or more between the hours of 9:00 A.M. and 3:00 P.M. Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 A.M. and 5:00 P.M. Pacific Daylight Time (between early April and late October).

The following provides a more in-depth analysis in support of the time frames set forth in the natural light significance thresholds. The natural light thresholds set forth in the City’s *CEQA Thresholds Guide* start and end between two and three hours following sunrise and prior to sunset. Lighting conditions during the two or three hours following

sunrise and before sunset change quickly. For example, during the first hour or two after sunrise, the sun is low enough on the horizon such that ambient lighting levels are also low and any shadows that may be cast would not be particularly discernible from the ambient light levels that exist at this time. In addition, shadows are based on the overall height of a building and vary over the course of the day as the sun moves across the horizon with shadows decreasing in length after sunrise, reaching their shortest lengths around noon or 1:00 p.m., before increasing in length as sunset approaches. Shadow lengths are determined based on a mathematical formula that multiplies the building height times a shadow length factor. Shadow length factors become particularly large for the hours around sunrise and sunset compared to those that happen during the majority of the daylight hours. Looking at this from a statistical perspective in terms of a normal curve, the shadow lengths for the hours after sunrise and before sunset would be at the extremes of the normal curve and thus would be statistical outliers relative to conditions that occur during the large part of the day.

As the natural light significance thresholds are applied on a Citywide basis another relevant factor is consideration of the characteristics of the activities and affected populations that are defined as shadow sensitive. As set forth in the City's *CEQA Thresholds Guide* and restated in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, shadow sensitive uses include routinely usable outdoor spaces associated with residential (e.g., backyards, balconies), recreational (e.g., public parks, swimming pools), and institutional (e.g., schools, convalescent homes) uses, as well as certain commercial uses (e.g., pedestrian-oriented outdoor spaces, restaurants with outdoor eating spaces, nurseries), and existing solar collectors. When the affected populations and activities are reviewed on an overall basis, the hours selected for inclusion in the established significance thresholds capture the vast majority of the times when sunlight is most important.

Based on the analysis presented above, the City selected the hours for inclusion in the established City significance thresholds. As explained in detail in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, with the implementation of the recommended mitigation measures, Project impacts with regard to shade/shadow are less than significant. Please refer also to Response to Comment No. 145-11.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-13

Who is going to pay the residents for all the landscaping that we have to redo because we are not getting enough sunlight and our plants are suffering?

Who is going to pay any resident on Willowcrest in the Island for groceries that they have to purchase because they can no longer grow vegetables for lack of enough sunlight.

Response to Comment No. 145-13

As explained in detail in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, with the implementation of the recommended mitigation measures, Project impacts with regard to shade/shadow are less than significant. Please refer also to Response to Comment Nos. 145-11 and 145-12.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-14

Who is going to reimburse the residents for all the trees we have to plant to try and gain some privacy from the hundreds of people that will be looking into our yards and homes?

Response to Comment No. 145-14

The Project Site and vicinity include existing mid- and high-rise buildings. The Project would not substantially alter the relationships between the existing residences and taller structures, some of which are directly adjacent to residential uses, such as the City View Lofts. In addition, the closest Island residence is located at least 450 feet from the nearest on-site location, with the middle of the Island area located approximately 1,000 feet from the Project Site. The Toluca Lake area located north of Valley Spring Lane is over 1,300 feet from the closest point on the Project Site, with the middle of the area located approximately 2,200 feet from the Project Site. These distances are sufficiently large to reduce the visibility of these areas from persons on the Project Site and minimize any perceived privacy issues.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-15

Your conclusion that potential impacts on South Weddington Park are less than significant is based on the fact that the park will be so shaded by the MTA project that the Universal project will not significantly change it. I am unable to dispute such a sadly true statement.

How would that conclusion change if the MTA project does not get built first? I ask the same question in regard to the Island neighborhood.

Response to Comment No. 145-15

With regard to the two specific locations referenced in the comment (the Island area and Weddington Park South), both of these areas are located to the west of the Project Site and thus are only affected by Project shadows during the morning hours (see Figures 128 through 152 in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR). By late morning, regardless of the time of year, neither of these areas would be shaded by Project structures. Thus, most of the areas referenced by the comment would not be impacted by Project shadows at any time of the year, and those limited portions that would be affected would only experience potential shadows until the mid- to late-morning time periods (i.e., would not be shaded by Project structures for the large majority of the available sunlight hours). Furthermore, potential Project shading, beyond what occurs under existing conditions, would affect only about 15 percent of Weddington Park (South), all of which occurs in the eastern portion of the park.

The conclusion regarding the shading impacts of the Project on South Weddington Park is not based on consideration of shading by the proposed Metro project. As discussed in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, Weddington Park (South) would not be shaded by the proposed Project by itself for three continuous hours or more during the spring equinox or winter solstice, or for four continuous hours or more during the summer solstice or fall equinox. Similarly, as explained in the Draft EIR, the Island residential area would not be shaded for three continuous hours or more during the spring equinox or winter solstice, or for four continuous hours or more during the summer solstice or fall equinox. As such, the Draft EIR concludes that potential impacts to Weddington Park (South) and the Island residential area would be less than significant.

Comment No. 145-16

I would also like to ask the same question in regard to EVERYTHING. The MTA hasn't been built yet. The final EIR has not come out. How can you base any conclusions, any mitigations on something that is only smoke and mirrors so far?

Response to Comment No. 145-16

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (See page 269 of the Draft EIR). The commenter is also

referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR) regarding the Metro Universal project.

With regard to mitigation, the Project will be required to implement all of the mitigation measures required as part of the Project's approvals. With regard to traffic mitigation in particular, as explained in Appendix A of the Transportation Study (see Appendix E-1 of the Draft EIR), pursuant to standard City of Los Angeles Department of Transportation policies and procedures, the traffic analysis includes traffic generated by the proposed Metro Universal project. The traffic analysis does not, however, include the Metro Universal project traffic mitigations as future base roadway improvements, since the Metro Universal project was not an entitled, approved development. As noted in Section IV.B.1.5.c of the Draft EIR, the Project's mitigation program does include certain improvement measures that may be shared with another project. At such locations, the Project's traffic impact analysis accounts for only the excess mitigation credit available at those locations.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-17

The two DEIRs need to be combined and Universal needs to do some serious rethinking on the MTA site and have that reflect in a combined DEIR.

Response to Comment No. 145-17

The commenter is referred to Response to Comment No. 145-16 above and Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR) for additional information regarding the Metro Universal project.

Comment No. 145-18

Construction: The residents surrounding Universal have been very much affected by nighttime construction noises in the past. Sound bounces off buildings and mountains. This is not mentioned at all in the DEIR. There have been numerous instances in the past where my husband and I have been wakened in the middle of the night and my husband has gotten dressed and gone down to the security gate to complain. We have called the hotline number only to get a recording or a person who knows nothing. It was after many interrupted nights sleep and complaints and the intervention of Zev Yaroslavsky that the community got an agreement from Universal to eliminate nighttime and weekend construction.

Now this DEIR is calling for construction 7 days a week, 24 hours a day, weekends and holidays included. Why is this necessary for a plan that will be built over a 20 year period? What is the urgency in a long-range plan? Is there so much construction to be done that it would take them 40 years to complete on a normal schedule?

As a resident of this community, I would demand - not merely suggest - that Universal be contained in their hours of construction and follow the same rules that the rest of us have to follow. No nighttime construction. No weekend construction. No construction on Christmas Day, Thanksgiving or any other holiday.

Response to Comment No. 145-18

Section IV.C, Noise, of the Draft EIR, addresses the potential noise impacts associated with on-site construction activities during daytime and nighttime hours. The potential noise impacts of construction in the Studio, Entertainment and Business Areas, construction in the Mixed-Use Residential Area assuming both single phase and multi-phase horizontal construction activities, and a composite construction scenario in which construction occurs throughout the Project Site at the same time were evaluated and are described in detail on pages 998 to 1010 of Section IV.C, Noise, of the Draft EIR. The analysis also evaluated the impacts from simultaneous construction of the off-site related projects and the Project (cumulative analysis).

The Draft EIR also recommends mitigation measures to reduce daytime construction noise levels. The mitigation measures would reduce noise levels, however, depending on the receptor location and ambient noise levels at the time of construction, the construction activities could exceed the thresholds. Contrary to the comment's statement, construction would not be permitted 24 hours a day, 7 days a week, including weekends and holidays. Mitigation Measure C-2 prohibits nighttime construction and grading activities, as well as construction on Sundays and holidays, except for under limited circumstances, which are described under "Exceptions." The mitigation measures proposed for nighttime construction would reduce impacts to less than significant levels except for when exterior nighttime construction is permitted under one of the following exceptions to the restrictions on hours of construction: construction activities which must occur during otherwise prohibited hours due to restrictions imposed by a public agency; roofing activities which cannot be conducted during daytime hours due to weather conditions; emergency repairs; and construction activities which cannot be interrupted, such as continuous pours of concrete. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. As discussed in the Draft EIR, it is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would

actually occur is limited, and when they do occur, the extent of this significant impact would be limited in duration.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-19

Why is there absolutely no mention made of any green roofs? Or living walls?

Response to Comment No. 145-19

As set forth on pages 2135–2138 in Section IV.O, Climate Change, of the Draft EIR, the Project includes a number of project design features that reduce greenhouse gas emissions. For example, pursuant to Project Design Feature O-1, construction of new buildings shall exceed Title 24 (2005) energy requirements by 15 percent. Project Design Feature O-3 includes a number of energy saving and emission reducing features that would be implemented during the design and construction of each new building (other than sets/façades). These features include the installation of energy efficient heating and cooling systems, equipment, and control systems, energy efficient appliances, and light colored “cool” roofs, among other features. As concluded in the Draft EIR, with implementation of the proposed Project’s design features, emission reduction features, and Transportation Demand Management program, impacts with regards to climate change would be less than significant.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-20

Traffic:

I would like to single out only three intersections amongst the many that will be impacted. These three are bad right now and need some serious consideration:

1. Lankershim Blvd and Campo de Cahuenga. First of all, pedestrian traffic needs to be controlled with a tunnel. The tunnel needs to be built. It is virtually impossible to get through this intersection without risk of getting a traffic ticket. If a driver waits until the pedestrian walkway is clear, the driver usually can not make the light. This is true of vehicles traveling southbound on Lankershim and turning right onto Campo de Cahuenga Way.

This is especially true of vehicles travelling east on Campo de Cahuenga Way and turning left onto Lankershim Blvd. The green light is confusing to lots of drivers. They should have a green arrow so that they know the traffic is not allowed to come from the opposite

direction. They should also have a green arrow so that no pedestrians are crossing across Lankershim Blvd.

Response to Comment No. 145-20

The commenter refers to a tunnel under Lankershim Boulevard. There is no underpass under Lankershim Boulevard proposed as part of the Project. As discussed on page 652 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the mitigation program for the original Universal City Metro Red Line Station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line Station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed Project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of Directors authorized the full budget to design and construct the bridge.

As noted in the Draft EIR, the Project would have significant intersection and Project access impacts at the intersection of Lankershim Boulevard & Campo de Cahuenga Way/Universal Hollywood Drive (Intersection 36). As shown in Table 28 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, this intersection is projected to operate at Level of Service F even under Future without Project conditions, without the addition of Project traffic. The Project's mitigation program includes all feasible mitigation measures to improve the operating conditions of this intersection.

Pursuant to Mitigation Measure B-6.g, h, and i, the Project Applicant or its successor shall implement or contribute toward the implementation of the following improvements at this intersection: restripe Campo de Cahuenga Way/Universal Hollywood Drive at its intersection with Lankershim Boulevard to provide an additional left-turn lane, and provide additional signal equipment to provide overlapping right-turn arrow signal indications for southbound Lankershim Boulevard; restripe southbound Lankershim Boulevard at its intersection with Campo de Cahuenga Way/Universal Hollywood Drive to provide dual left-turn lanes, two through lanes, one shared through-right lane, and one right-turn lane; and widen northbound Lankershim Boulevard at the intersection with Campo de Cahuenga Way/Universal Hollywood Drive to provide dual left-turn lanes, two through lanes, one shared through-right lane, and one right-turn lane.

As shown in Table 38 in Section IV.B.1 of the Draft EIR, the volume to capacity ratio (V/C) at the intersection of Lankershim & Campo de Cahuenga Way/Universal Hollywood Drive in the p.m. peak hour under the Future with Project with Funded Improvements scenario is lower (better) than that projected under the Future without Project scenario. However, due to physical constraints and/or existing buildings, no feasible mitigation

measures can be implemented to reduce the Project's impacts at this location to a level below significance.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-21

2. Ventura Blvd and Lankershim Blvd. Striping needs to be improved along Ventura so that vehicles traveling east bound and wanting to turn left onto Lankershim can have the opportunity to get into the turning lane while the left turn arrow is still green. As it is now, the lane for cars going straight (eastbound on Ventura) gets so long that a driver wanting to turn left can't get into the left turning lane and misses the green arrow. It's especially frustrating because many times that lane is empty and if you could just get over, you could make the light.

Response to Comment No. 145-21

As shown in Table 39 of Section IV.B.1 Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigation has been proposed for the intersection of Lankershim Boulevard and Ventura Boulevard which would mitigate the Project's significant impacts at this intersection during the A.M. and P.M. peak periods to a less than significant level. No further mitigation measures are required.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-22

3. Moorpark Ave and Vineland. This is a very poorly planned intersection that always gets jammed up and unsafe. There are too many drivers that are traveling eastbound on Moorpark and want to turn left into the apartments just before Vineland and also drivers wanting to turn left onto Vineland to enter the 134 Freeway. The left turning lane does not accommodate all these drivers and they clog up the lane for drivers going straight eastbound on Moorpark through the intersection.

Response to Comment No. 145-22

As shown in Table 39 of Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, mitigation has been proposed for the intersection of Vineland Avenue and Moorpark Street which would mitigate the Project's significant impacts at this intersection during the A.M. and P.M. peak periods to less than significant impacts. (See Mitigation Measure B-8). No further mitigation measures are required.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 145-23

In closing, I would like to add that I am a board member of Communities United For Smart Growth (CUSG). I have read their response to the DEIR and I am in complete concurrence with everything written therein. I have also read and agree with the response written by the Studio City Residents Association.

I would also like to add that there are quite a few members of CUSG who are related in some way to the entertainment industry. My husband, for instance is an actor. There is not a single one amongst us that want to see the entertainment industry suffer in any way.

Response to Comment No. 145-23

The comment refers to comments made by Communities United for Smart Growth, and the Studio City Residents Association. Those comments are included in this Final EIR as Comment Letter Nos. 39 and 72, respectively, in this Final EIR. The commenter is referred to the responses to the referenced comment letters also included within this Final EIR.

The comments are noted and have been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 146

Gregory M. Cover
10746 Blix St., Apt. 108
Toluca Lake, CA 91602

[Note: A duplicate of the letter provided below was received on 1/24/11]

Comment No. 146-1

I am writing to express my support for the Universal Studios expansion project that is the subject of your extensive Environmental Impact Report.

The Draft EIR confirmed that the project would construct new storm drains as well as an underground storm water detention feature in the Mixed-Use Residential Area to reduce peak stormwater flows. With these design features, there won't be an increase in the peak flow rate of storm water runoff from the project site. It seems like Universal is doing what it can to ensure responsible development.

This project is good news for the city and county in that it lays out a way to keep our region the entertainment industry capital of the world. This will be a boon for economic development in the region.

Response to Comment No. 146-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 147

Ben Cowitt
12841 Bloomfield St., Unit 301
Studio City, CA 91604-1573

[Note: A duplicate of the letter provided below was received on 1/18/11]

Comment No. 147-1

The draft environmental impact report for the NBC Universal Evolution Plan says it will create more than 40,000 new jobs including entertainment jobs. I spent my entire career in the entertainment industry and I'm aware that we need these employment opportunities now.

Importantly, this project will enhance the film industry's production activity. Although L.A. is known worldwide as the entertainment capital, in the last few years, the business has been threatened by run-away production and changing technology. It needs to find ways to better compete and ensure that Los Angeles is the center for the industry. This project provides an answer. It will improve the studio's production and post-production facilities and create new entertainment-related office space at Universal. Craftsmen and women working in LA. will provide dollars to the pension and health and welfare programs for them and retirees like me.

California is losing jobs left and right and the development of this plan will help put people back to work. I support the studio's investment in Los Angeles and the entertainment industry.

Response to Comment No. 147-1

As discussed in Section IV.N.1, Employment, of the Draft EIR, 43,000 direct, indirect, and induced construction and operational jobs would be created with implementation of the Project. About two-thirds (65.8 percent) of the net new on-site jobs created during operation of the Project would be associated with film, television, and video related production and management activities. The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 148

Greg Cox
3248 Blair Dr.
Los Angeles, CA 90068
gregrpt@gmail.com

[Note: A duplicate of the letter provided below was received on 1/31/11]

Comment No. 148-1

As a resident of Barham Pass, I must state my concerns for the proposed and apparently imminent development of Universal back lot. I am not opposed to the development at all, simply the scale of it. The communities surrounding are literally hemmed-in and traffic will only continue to go from bad to worse, and without a solid plan to address traffic first. Please, please, please allow common sense rule [sic] your thoughts when you move forward with this project. If you lived here what would you think?

Response to Comment No. 148-1

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts, including a Transportation Demand Management program, roadway improvements, Hollywood event management infrastructure, transit improvements, highway improvements and specific intersection improvements. The Project would be required to implement all of the transportation project design features and mitigation measures required as part of the Project's approvals.

With respect specifically to traffic on Barham Boulevard, as described in Mitigation Measure B-5 in Section IV.B.1 of the Draft EIR, the Project is proposing a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor. In addition, as described in Section IV.B.1.3.(2)(a) of the Draft EIR, the Project is proposing a new public roadway, the "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. The proposed North-South Road would provide four travel lanes along its length during peak hours and therefore alleviate traffic congestion along Barham Boulevard. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham Boulevard corridor. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the

Transportation Study, the proposed transportation improvement and mitigation program mitigates the Project's impacts along the Barham Boulevard corridor to a level below significance based on LADOT significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions.

Section V, Alternatives to the Proposed Project, of the Draft EIR, includes evaluations of several alternatives to the Project, in accordance with the CEQA Guidelines, including project alternatives with reduced development. As discussed in the Draft EIR, these alternatives would generate significant traffic-related impacts. The commenter is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR, for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 149

Peter Creamer, Architect
13214 Moorpark St., Apt. 204
Sherman Oaks, CA 91423

Comment No. 149-1

I think that NBC Universal's Evolution Plan makes a lot of sense and it's something that I support primarily for two reasons. First, the jobs it will create. City officials need to do whatever they can to get this economy moving again and getting people back to work is the first step in the right direction.

The second reason the Evolution Plan makes so much sense is the new housing that will be created. There's a housing shortage in Los Angeles and this is just the kind of housing we need to be building-housing that's near public transportation.

I was pleased to learn from the EIR report that the Universal Plan will build new housing next to the existing residential community. I was also impressed that they will take into consideration existing view corridors. It looks like the project design regulations have thoughtfully considered the neighboring uses.

Response to Comment No. 149-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 150

Ivan Cregger
1415 W. Morningside Dr.
Burbank, CA 91506

Comment No. 150-1

It's important to me, as someone who lives fairly close to NBC Universal, that they have invested so much in transportation improvements. The idea that we can actually use public transit to get places is promising.

Response to Comment No. 150-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 150-2

I think it's important that the Draft EIR discusses the shuttle to Burbank and other entertainment and employment hubs. Will the public have an opportunity to suggest particular routes or stops? The shuttles are a great idea to complement the existing rail system in which we've invested billions. Since I live in Burbank anything that will encourage us to take public transportation is good.

Response to Comment No. 150-2

With respect to shuttle routes, Mitigation Measure B-2 states that shuttle systems, routes, stops, headways, and hours of operation shall be reviewed periodically and may be modified with Los Angeles Department of Transportation (LADOT) approval. The public may provide input to the City of Los Angeles regarding transit routes.

Comment Letter No. 151

Lisa Cahan Davis
3654 Lankershim Blvd.
Los Angeles, CA 90068
lisacahan@yahoo.com

Comment No. 151-1

I am submitting my “objection” to the Universal Plan as it stands today.

I have attended Dec. 14, 2010’s public meeting and I appreciate all the work the planning team, the developers and the stakeholders have gone through. **But the bottom line is --- capacity.** The streets, highways, sewer systems, air quality, and city budgets do not have the breadth and capacity to handle this development. I live 2 blocks from Universal & Lankershim - I SEE day in and day out how jammed that intersection is and the 101. There is no way this project can build as is and not enormously affect the community, the surrounding area, the environment, the real estate market and more.

Response to Comment No. 151-1

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project’s potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project’s potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.)

The Project’s potential air quality, noise, traffic, and utilities impacts were thoroughly analyzed, as detailed in Sections IV.H, Air Quality; IV.C, Noise; IV.B.1, Traffic/Access – Traffic/Circulation; and IV.L, Utilities, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 151-2

The answer is scale down in size and HEIGHT. The Valley is a sprawling suburb that has not allowed 800 foot buildings due to the views and city planning guidelines. I will never support obstructed mountain views. This IS NOT downtown LA. I do not want Century City. Nor does the Valley need to be an open area for taking advantage of and passing “under the table” deals to get this or any other development done.

Build with a heart and for the future.

I’m not opposed to development, I’m opposed to bad development.

Response to Comment No. 151-2

The comment appears to mistakenly interpret the proposed Project Height Zones as allowing buildings up to 800 feet in height. However, as Figure 16 in the Draft EIR illustrates, the height zones proposed would limit building heights to between 625 feet above mean sea level to 1000 feet above mean sea level within the proposed City and County Specific Plan areas. Building heights are defined at fixed elevations expressed in terms of feet above mean sea level (msl). This reference system, as opposed to expressing building height in terms of feet above grade, is used to provide certainty as to actual building heights, as well as a uniform way of measuring building height across the site, given the varying topography. The mean sea level height limit would allow buildings of up to 35 to 365 feet in height depending upon the applicable height zone and future grade elevation. The corresponding approximate building heights are summarized in Table 4 on page 298 of Section II, Project Description, of the Draft EIR.

Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR provides an analysis of the proposed Project’s potential physical land use impacts based upon the allowable land uses, density, and maximum building heights that could occur along the Project Site boundaries (see pages 552–553) and concludes that physical land use impacts would be less than significant. Pages 1066–1107 of Section IV.D, Visual Qualities, of the Draft EIR provide the analysis of the potential impacts of the proposed maximum building heights relative to the visual character and views of valued visual resources and conclude that impacts would be less than significant as the Project would not result in substantial adverse changes with regard to contrast, prominence, and coverage from the vantage points analyzed.

Alternatives analyzed in Section V, Alternatives to the Proposed Project, of the Draft EIR, included substantial reductions in development compared to the proposed Project. The commenter is referred to Section V of the Draft EIR for additional information.

The comments are noted and have been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 152

Theresa J. Davis
 4326 Forman Ave.
 Toluca Lake, CA 91602

[Note: A duplicate of the letter provided below was received on 2/2/11]

Comment No. 152-1

Thank you for the opportunity to offer my thoughts and concerns on the above document and its proposed project. I have participated in the formation of several different responses so my comments will be brief as I will attach myself to the organizations with whom I am in accord. I also wish to state that I am a proponent of Smart growth and development. And as a union member actress I support the growth of our entertainment industry and keeping and growing film & television jobs in Los Angeles.

I request that all statements, comments be considered questions and addressed as such.

Below are just a few concerns.

Response to Comment No. 152-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

Comment No. 152-2

I. Process. My first concern is the process. A 39,000 page, twenty-seven volume DEIR for Universal Studios' twenty year Evolution Plan is an unwieldy document to say the least. A project of this scope and scale undoubtedly required years to conceptualize and extensive expertise to draft, yet the public, lacking similar resources, is provided a paltry sixty days to read, absorb, understand, and respond to its contents.

How can a community, let alone individuals, be asked to do so without the aid of professional consultants of equal caliber?

Is this not in direct conflict with the SEQA [sic] process it claims to support?

How can this possibly serve the immediately affected communities?

How can it serve the City's overall development plan?

I have spent 100s of hours on this DEIR at great cost to my career, my family and my other responsibilities. How many people can afford to stop their lives to attempt to do justice to this process? Not many. But if someone does not then the Project applicant and the City

surmises that no one cares. That is far from the truth. Thirty nine thousand pages is daunting and frightening to almost everyone.

Is there not a better more equitable way to allow the stakeholders a voice in this process?

Response to Comment No. 152-2

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.) Thus, the decision-makers and the public need not review all 39,000 pages to allow for informed decision-making. The Draft EIR is thorough and well-organized. The public need not retain experts to review its content.

Consistent with the requirements of CEQA, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was originally circulated for public review for a 61-day period, or 16 days more than the CEQA required 45-day review period. This 61-day comment period began on November 4, 2010, and ended on January 3, 2011. In response to requests to extend the review period, on November 18, 2010, the City of Los Angeles extended the comment period by an additional 32 days to February 4, 2011. Thus, the Draft EIR was circulated for a 93-day public review period, which is more than double the 45-day public review period required by CEQA Guidelines Section 15105 when a Draft EIR is submitted to the State Clearinghouse for review by State agencies. In addition, a public comment meeting was held on December 13, 2010.

Consistent with CEQA requirements, public participation in the EIR preparation process also occurred during the scoping period for the EIR. In July 2007, the City filed and circulated for a 30-day public review period a Notice of Preparation that a Draft EIR was going to be prepared and to allow the public to provide input on the scope of the Draft EIR. In addition, a public scoping meeting was held on August 1, 2007. Based on public comments and an Initial Study of the Project's potential environmental issues, the Draft EIR analyzed 15 potential environmental impact areas. See Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR) for additional discussion of the Project's EIR Process.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-3

II. Bifurcation. Universal's stated interest is without question due to the ROFO as well as their commitment as major tenant.

Why were the DEIRS for the Metro Universal Project and the Evolution Plan divided?**Response to Comment No. 152-3**

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the Metro Universal project was classified as a related project and, per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. The commenter is referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR). The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-4

III. Urban. A planning term that I believe is abused in this Project. The communities surrounding this site are SUB-urban. A preponderance of single family homes with smaller village-like shopping areas, mature trees and vegetation. Down town [sic] is Urban.

Response to Comment No. 152-4

Regarding the use of the term "urban" in the Draft EIR, the U.S. Census Bureau defines an urban area as: "Core census block groups or blocks that have a population density of at least 1,000 people per square mile (386 per square kilometer) and surrounding census blocks that have an overall density of at least 500 people per square mile (193 per square kilometer)."⁹⁷ The Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass Community Plan area had a population density of approximately 5,372 persons per square mile during the 2000 census, with an estimated density of approximately 5,855 persons per square mile in 2009.⁹⁸ The North Hollywood–Valley Village Community Plan area had a population density of approximately 12,783 persons per square mile during the 2000 census, with an estimated density of approximately 13,885

⁹⁷ *Census 2000 Urban and Rural Classification, U.S. Census Bureau, Geography Division, available at www.census.gov/?geo/?www/?ua/?ua2k.html, Created: April 30, 2002, Last revised: December 03, 2009.*

⁹⁸ *Los Angeles Department of City Planning, Demographic Research Unit, City of Los Angeles, Local Population and Housing Profile, Sherman Oaks–Studio City Community Plan Area, May 2011.*

persons per square mile in 2009.⁹⁹ The Van Nuys–North Sherman Oaks Community Plan area had a population density of approximately 12,307 persons per square mile during the 2000 census, with an estimated density of approximately 12,891 persons per square mile in 2009.¹⁰⁰ Further, the individual census tracts within the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan area that are closest to the Project Site have population density levels that range from 2,674 to 14,089 persons per square mile.¹⁰¹ The density in the Project area well exceeds the population density used by the U.S. Census Bureau to define urban areas. For this reason, the term “urban” was used throughout the EIR as it refers to the Project area.

Comment No. 152-5

IV. Alternatives. SEQA [sic] requires “feasible” alternatives. The only real, feasible alternative offered is “No Project.” Alternative # 9 - The Forman Avenue - N/S street through Lakeside is ludicrous and just points to a failure of the city to update its’ Transportation Element to reflect current uses. I support the review of CUSG’s Metro Universal RiverWalk Vision Plan.

Response to Comment No. 152-5

Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. (CEQA Guidelines 15126.6.) The Draft EIR in accordance with the CEQA Guidelines identifies alternatives which are classified as feasible or infeasible. Of the feasible alternatives that are analyzed in detail and, per the CEQA Guidelines, the Environmentally Superior Alternative is identified.

One of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the existing County Highway Plan. Thus, as discussed in Section V, Alternatives to the Proposed Project, of the Draft EIR, Alternative 9 serves to inform the decision-makers in the evaluation of the Project’s requested deletion of the East-West Road from the existing County Highway Plan.

The comment appears to suggest that the East-West Road is part of the City’s Transportation Element. To clarify, the East-West Road is part of the County Highway Plan. The County Highway Plan was adopted on November 25, 1980. As stated on page 416, Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the County is

⁹⁹ Los Angeles Department of City Planning, *Demographic Research Unit, City of Los Angeles, Local Population and Housing Profile, N Hollywood–Valley Vlg Community Plan Area, May 2011.*

¹⁰⁰ Los Angeles Department of City Planning, *Demographic Research Unit, City of Los Angeles, Local Population and Housing Profile, Van Nuys Community Plan Area, May 2011.*

¹⁰¹ Los Angeles Department of City Planning, *Demographic Research Unit, City of Los Angeles, Local Population and Housing Profile, Sherman Oaks–Studio Cy Community Plan Area, May 2012.*

currently in the process of updating the County General Plan including an update to the County Highway Plan. A draft of the updated County Highway Plan is set forth as Figure 4.4 of the Draft Mobility Element. The Draft County Highway Plan no longer shows the East-West Road or the Forman Avenue Extension (see Figure 1 on page III-9). While the Draft County Highway Plan as proposed would delete the East-West Road with the Forman Avenue Extension, the officially adopted County Highway Plan as of this date is the County Highway Plan adopted in 1980. As such, the Project's requested the deletion of the East-West Road from the County Highway Plan, and the analysis as presented in Alternatives 8 and 9 of the Draft EIR, remain valid and relevant to the City and County's review of the proposed Project. The commenter is also referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), for further information.

As discussed in Section V.A.4, Alternatives to the Proposed Project, of the Draft EIR, the RiverWalk was considered as an alternative to the Project. As noted on page 2155 of the Draft EIR, "RiverWalk calls for the addition of 345,000 square feet of office space, 30,000 square feet of retail/restaurant uses, and 200–600 residential units on the Project Site. In comparison to the proposed Project, the RiverWalk does not include the development of any additional studio, studio office, entertainment, entertainment retail, or amphitheater replacement uses. In addition, the RiverWalk includes 205,000 less square feet of office space (i.e., 550,000 square feet under the proposed Project versus 345,000 square feet of office uses under the RiverWalk), 150,000 less square feet of retail/restaurant floor area (i.e., 180,000 square feet under the proposed Project versus 30,000 square feet of retail/restaurant uses under the RiverWalk plan), and 2,337–2,737 fewer residential units (i.e., 2,937 residential units under the proposed Project versus 200–600 residential units under the RiverWalk)." Importantly, the RiverWalk also would result in the demolition of close to 240,000 square feet of existing uses and 779 parking spaces, which would impact operations on the Project Site. Several uses on the northern portion of the Project Site would be significantly affected by the RiverWalk. As discussed on pages 2155–2156 of the Draft EIR, the RiverWalk was determined to be an infeasible alternative for the reasons above and for the fact that it fails to meet most of the Project objectives; for those that it does meet, the RiverWalk is consistent at a level that is below that of the proposed Project.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-6

V. Residential on Back Lot. I oppose the rezoning of the back lot for residential use.

1. Residential belongs on the Metro site
2. I object to the loss of Production zone land

Response to Comment No. 152-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The Universal City

Metro Red Line Station site referred to in the comment is not owned by the Applicant. The possibility of locating residential development on the west side of the Project Site along Lankershim Boulevard was considered as a potential alternative to the proposed Project. As concluded on pages 2158–2159 in Section V, Alternatives to the Proposed Project, of the Draft EIR, the significant impacts associated with this alternative outweigh the benefits associated with creating a transit-oriented residential development on the west side of the Project Site. Specifically, this potential alternative would create a new significant impact with regard to land use compatibility while also worsening the Project's significant impacts. In addition, this alternative fails to meet a number of the basic objectives of the Project. For these reasons, both individually and collectively, an alternative calling for residential development along Lankershim Boulevard was concluded to be infeasible.

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and entertainment-related facilities at the Project Site in order for the Project Site to continue its historic role in the evolving entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.)

Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet (Draft EIR, Table 2, page 280). Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs (Draft EIR, Table 186, page 2044, and Draft EIR Appendix P).

Comment No. 152-7

VI. Los Angeles River. I am appalled by the Projects [sic] deliberate oversight of the River- or the Flood Channel as they refer to it.

How can both the City and the County allow this to happen?

Response to Comment No. 152-7

Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, analyzed the Project in relation to adopted planning policies and concluded that Project impacts with respect to land use plans would be less than significant. With regard to the river, as explained on pages 418–419 in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City of Los Angeles. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County of Los Angeles and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District. As stated in Section IV.A.1, Land Use – Land Use Plans/Zoning, of the Draft EIR, the Applicant would cooperate with the County, City, and other agencies as necessary to accommodate the future use of the County land for public use as contemplated by the County River Master Plan and to continue use, if allowed by the County, of a portion of River Road for studio access. In addition, the Project includes a pedestrian/bicycle connection through the Project Site to CityWalk, as contemplated by the County River Master Plan. Further, in the northeastern portion of the Project Site that is within the City of Los Angeles jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the Los Angeles River Flood Control Channel, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public trail on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the proposed internal bike path along the North-South Road.

As explained in more detail on pages 496–497 and 523–524 of the Draft EIR, with these and other project design features, the Project furthers the goals and objects of, and would not be inconsistent with, the County of Los Angeles River Master Plan and the City of Los Angeles River Revitalization Master Plan.

With regard to the issue of nomenclature, as stated on page 1335 of the Draft EIR, the Los Angeles River runs past the Project Site within the concrete-lined Los Angeles River Flood Control Channel. As such, the Draft EIR references this component of the regional infrastructure system as the Los Angeles River Flood Control Channel.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-8

VII. Protected Trees. The slated destruction of 500 protected species of oaks, walnuts and sycamores certainly contradicts their claim of being a “Green” project.

Response to Comment No. 152-8

As described in Section IV.I, Biota, of the Draft EIR, the Los Angeles County Code regulates removal of certain sizes of trees of the oak genus (*Quercus*). The City of Los Angeles Municipal Code regulates removal of indigenous California oak, California sycamore, California bay, and California black walnut. As discussed on pages 1585–1588 of the Draft EIR, the analysis of impacts on protected trees represents a conservative analysis and project design features and mitigation measures have been developed assuming the maximum potential tree impact numbers. The actual tree impact numbers may be lower than anticipated once final grading plans are developed. Further, the analysis of impacts provided a conservative assessment of potential impacts since trees that are not currently regulated by the City or County, but which may grow into the size triggering regulation, were included in the analysis. Throughout the Project Site, in both the City and County areas, trees protected in the respective jurisdiction which exhibit a diameter of 2 inches or greater at breast height were surveyed and included in the Master Oak Tree Map (County) and Master Protected Tree Map (City).

The potential impacts of the Project’s removal of protected trees were analyzed in detail in Section IV.I, Biota, of the Draft EIR. As discussed on pages 1585–1588 of the Draft EIR, the proposed City Specific Plan includes Protected Tree regulations that require the planting of replacement trees or payment of an in-lieu fee that would fund the planting of replacement protected trees. Similarly, the proposed County Specific Plan includes oak tree regulations that require the planting of replacement oak trees or payment of an in-lieu fee. With implementation of the Protected Tree regulations in the proposed City Specific Plan, oak tree regulations in the proposed County Specific Plan, and Mitigation Measure I-4, which includes tree protection and enhancement measures from pre- to post-construction, potential impacts would be reduced to a less than significant level. In addition, Mitigation Measure I-5 requires mitigation for impacts to oak woodland habitat through one or a combination of conservation easements, planting of replacement trees, and/or oak woodland conservation funding.

With regard to the effects of tree removal and replacement on carbon sequestration, Section IV.O, Climate Change, and Appendix Q-1, Global Warming Technical Report, of the Draft EIR, include an analysis of the changes in carbon sequestration. As discussed in Section IV.O, Climate Change, of the Draft EIR, overall, the Project’s climate change impacts would be less than significant.

Comment No. 152-9

VIII. Bike Path. Refusal to put the bike path along the County easement

What right do they have to refuse public access to County easement?

Can't we object to their leasing of County property?

Can we consider allowing some use to Universal along with a bike path?

Response to Comment No. 152-9

The Project does not preclude a bike path along the Los Angeles River Flood Control Channel. As explained on pages 418–419 in Section IV.A.1, Land Use – Land use Plans/Zoning of the Draft EIR, the northeastern portion of the Project Site that abuts the Los Angeles River Flood Control Channel is within the jurisdiction of the City of Los Angeles. The remaining approximately three-fourths of the northern edge of the Project Site is adjacent to River Road, a two-lane roadway that runs along the Los Angeles River Flood Control Channel. The majority of this northern edge is within the jurisdiction of the County of Los Angeles and the majority of the River Road roadway is owned by the Los Angeles County Flood Control District. As stated in the Draft EIR, the Applicant will cooperate with the County, City, and other agencies as necessary to accommodate the future use of the County land for public use as contemplated by the County River Master Plan, and to continue use, if allowed by the County, of a portion of River Road for studio access. In addition, the Project, as shown in Figure 21 on page 336 of the Draft EIR, includes the pedestrian/bicycle connection through the Project Site to CityWalk, as contemplated by the County River Master Plan. This internal circulation is not proposed as a substitute for the path along the Los Angeles River Flood Control Channel. Further, in the northeastern portion of the Project Site that is within the City's jurisdiction and owned by the Applicant, the Project proposes a River Trailhead Park that would provide access to the Los Angeles River Flood Control Channel, and connect the existing bike path along Forest Lawn Drive and the proposed bike path along the proposed North-South Road. If the County implements a public path on the County-owned portion of the Los Angeles River Flood Control Channel frontage, that path could be connected to the proposed River Trailhead Park and the internal bike path along the proposed North-South Road.

As explained in more detail on pages 496–497 and 523–524 of the Draft EIR, with these and other project design features, the Project furthers the goals and objects of, and would not be inconsistent with, the County's Los Angeles River Master Plan and the City's Los Angeles River Revitalization Master Plan.

As noted in the comment and the Draft EIR, the Applicant has use of the County portions of River Road pursuant to a lease agreement with the County until such time as the County requires use of the right-of-way for other County purposes. The Applicant has leased this road for over 35 years. A lease agreement for the road is not a requested action of the Project.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-10

An environmental Project???

- They ignore the River.
- Destroy trees and wildlife habitats and corridors [sic]
- And destroy hundreds of trees [sic]

Response to Comment No. 152-10

The commenter is referred to Response to Comment Nos. 152-7, 152-8, and 152-9, above, regarding the river and protected trees.

With regard to wildlife habitats and corridors, the Draft EIR evaluated potential impacts to habitat and wildlife movement corridors in Section IV.I, Biota, of the Draft EIR. As concluded in Section IV.I., Biota, of the Draft EIR, the Project Site is not considered a major wildlife movement corridor or habitat linkage. As discussed on page 1570 of the Draft EIR and in the Biological Site Assessment attached as Appendix K-1 to the Draft EIR, “[t]he areas of habitat on-site may allow for limited movement of larger or more mobile animals (such as the resident deer herd, raccoons, coyotes, bobcats, squirrels) within the Project Site and possibly to the relatively less developed areas and Griffith Park to the east by crossing Barham Boulevard. The physical barriers between the Project Site and the surrounding area include heavy traffic, development, and fences. Wildlife movement between the Project Site and remaining undeveloped habitat to the south in the Santa Monica Mountains is likely to be very limited (except for birds, bats, and insects) due to the lack of physical linkages and the barriers of U.S. Highway 101.” The existing freeway and roadways already restrict wildlife movement in the area. As indicated on page 1590 of the Draft EIR and in Appendix K-1, “[a]lthough limited wildlife movement may occur between the Project Site and areas to the east, movement of terrestrial animals is unlikely to areas north, south, and west of the Project Site. Therefore, the Project Site does not act as a true wildlife corridor, movement pathway, or linkage between larger habitat areas for terrestrial wildlife. Thus, although the Project would result in a loss of some of the relatively natural woodland, scrub and grassland habitats on-site, this would not result in a significant impact to wildlife migration or movement corridors.”

Further, Section IV.I, Biota, of the Draft EIR (page 1545) explains that wildlife species occurring on the Project Site are generally those that have adapted to, and are tolerant of, human activities, and are common in urban areas. Some of these species thrive in urban environments, as they are opportunistic with dietary subsidies commonly associated with an urban setting, or find shelter under or within developed structures. Other wildlife may occur on-site in patches of remaining habitat which are remnants of their former population distribution. Thus, most of the common species found on and around the Project Site are highly adapted to the urban environment, while others are adapted to the urban edge and thrive at the urban edge due to dietary subsidies commonly associated with such settings. In the post-Project condition, it is expected that all of these species would continue to persist on the Project Site. It is also important to note that most of these species do not have any protected or special status and therefore, given the highly fragmented character of the site, impacts to these species would not be considered significant pursuant to CEQA.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-11

IX. Quimby Fees. I believe these fees should not be used by developer but invested in existing, local parks.

Response to Comment No. 152-11

The Quimby Act, Section 66477 of the California Government Code, authorizes cities and counties to enact ordinances that require the dedication of land, payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map. (See Section IV.K-4, Public Services – Parks and Recreation, of the Draft EIR, page 1771.) As authorized by the Quimby Act, the City of Los Angeles has established a local ordinance, Los Angeles Municipal Code Section 17.12, requiring land dedication or payment of fees for park or recreational purposes for projects involving residential subdivisions. (Draft EIR, pages 1776–1777.) In subdivisions containing more than 50 dwelling units, the City permits developers to dedicate parkland in lieu of paying fees. (Draft EIR, page 1777.) As permitted under the Quimby Act, Los Angeles Municipal Code Section 17.12 allows a subdivision to credit the monetary value of parkland improvements and private recreation facilities against the requirement to dedicate land and/or pay in-lieu fees. Accordingly, as required by Section 5.A of the proposed Universal City Specific Plan, the Project would provide park or recreation space in an amount equal to 200 square feet per Dwelling Unit within the Specific Plan area and associated equipment and improvements to meet the recreation needs of residents and fulfill the Project’s open space obligations. The proposed Project’s parks and open space would not be paid for by Quimby fees originating from other development projects. Rather, “the Applicant would be responsible for all costs of construction and costs of providing equipment and improvements for the parks and recreation facilities provided in the Mixed-Use Residential Area.” (Draft EIR at page 1789; see also Draft EIR at page 1806 [Project Design Feature K.4-3].) The Project’s proposed parks and open space plan, set forth in Section 5 of the proposed City Specific Plan, complies with the Quimby Act and the Los Angeles Municipal Code and satisfies the Project’s Quimby requirements. The 13.5 acres of park and recreation space provided by the Project, in combination with the value of improvements to that space, would exceed the Project’s land dedication requirements under Los Angeles Municipal Code Section 17.12. (Draft EIR at pages 1797–1798.) That park and recreation space would thus achieve the purpose of serving the park and recreational needs of the subdivision, as the Quimby Act requires. (Draft EIR, Appendix A-1, Proposed City Specific Plan, at Section 5.B.)

Comment No. 152-12

X. Specific Plans. The DEIR refers repeatedly to the Project adhering to their proposed Specific Plans. This is a short cut which skirts the public’s ability to address all the issues and conditions that have been altered to accommodate their requests. These issues should be addressed one by one and not lumped into one package.

Response to Comment No. 152-12

The comment does not address the environmental analysis of the Draft EIR. Public hearings will be held as part of the City and County approval processes and as part of any LAFCO public hearing(s), which will provide an opportunity for members of the public to comment on the proposed Project. The proposed City and County Specific Plans are summarized in Section II, Project Description, of the Draft EIR. In addition, within each environmental impact analysis section of the Draft EIR, relevant provisions of the proposed Specific Plans are summarized and discussed. A complete draft of the proposed City and County Specific Plans are also included as Appendix A-1 and A-2 to the Draft EIR.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 152-13

I will defer the rest of my comments to organizations whose expertise and interests I respect and support. I join the following organizations in their comments and objections and other matters raised in their filing to the NBC Universal Evolution Plan DEIR, and incorporate those comments and objections in this response as though set forth in full herein.

Studio City Residents Association
 Toluca Lake Homeowners Association
 Toluca Lake Chamber of Commerce
 Cahuenga Pass Property Owners Association
 Hollywood Knolls Community Club
 City of Burbank
 Friends of the Los Angeles River
 Greater Toluca Lake Neighborhood Council
 Santa Monica Mountain Conservancy
 Park Advisory Board – Weddington Park
 Lakeside Golf Course

Response to Comment No. 152-13

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. The comment letters submitted by the Studio City Residents Association, the Toluca Lake Homeowners Association, the Toluca Lake Chamber of Commerce, the Cahuenga Pass Property Owners Association, the Hollywood Knolls Community Club, the City of Burbank, the Friends of the Los Angeles River, the Greater Toluca Lake Neighborhood Council, the Santa Monica Mountains Conservancy, the Park Advisory Board – Weddington Park, and the Lakeside Golf Club are included in this Final EIR as Comment Letter Nos. 72, 73, 74, 37, 50, 26, 43, L2, 17, 83 and 56, respectively. The commenter is referred to the responses to the referenced comment letters included in this Final EIR.

Comment Letter No. 153

Robert Davison
3436 Oak Glen Dr.
Los Angeles, CA 90068

Comment No. 153-1

I live in Cahuenga Pass, on the hillside across the Hollywood Freeway and above Universal. I'd like to comment on their proposed developments.

Understandably, the questions have centered on increased traffic and whether or not Universal will live up to their promises to alleviate it. Underlying this reaction is resident shock over how the City and County of Los Angeles would dare fly a mistake of this proportion directly across the public view-in light of the fact that Los Angeles traffic already makes the city one of the least productive in the United States. Okay. So not one elected official in the City or County had the nuts to tell Universal, "Don't be silly!" We get it. Our city hall is nothing but another adult toy for CEOs and billionaire developers trying for that last erection.

Sure, Universal's development will make the situation worse, but so will the developments after Universal's-the hundreds of big projects that will be approved without any meaningful assessments for widening the streets, providing water and sewer, building new schools and hospitals, and repairing an aging infrastructure. Seen in context, our problem is that the City of L.A. is in the business of doing the business of developers, those wonderful people who extract corporate welfare from their Mayor and Council mouthpieces. The sooner the City goes bankrupt (effectively any day) and we reach a point of absolute gridlock (already here), the sooner we can leave corporate welfare behind. I look forward to the day when the courts take over running the city. What's gone terribly wrong in LA is nothing that more corporate welfare can fix.

Certainly no one seriously believes Universal will live up to their promises. But it might not matter. NBC Universal isn't on a solvent trajectory as a business, in spite of the unexpected success of their Harry Potter Park in Florida. This means that as soon as this development plan is approved, and before any building is done, we should expect NBC to divide up their property and begin to sell it off. Let's face it, for at least a decade the state of the art for making television and motion pictures hasn't depended on studios. As for Universal's cheesy theme park, it's aging and in need of complete overhaul, a waste of time for anybody over five. Worse, since 1995 City Walk [sic] has become blighted enough to scare the tourists off-a destination for elements far below the common denominator.

NBC? If you want to see how entertainment is done, look at what Iger has done with Disney. It's no secret in this town that there isn't a single executive in NBC headquarters that could last a week at Disney. The bottom line? It's only important for Universal to get the permit to develop their site. Actually build condos? Just try to find savvy investors willing to dump more luxury condos on the impossibly glutted L.A. market. And we still have the inevitable and massive State and City and County lay-offs to hit this economy-a whopping impact that will flatten everything for a while. Meanwhile, NBC is down to reality programming and distributing other people's movies. All this means we should expect Verizon to liquidate anything it can't salvage. In two years there could easily be another name on this park.

People who live here, like me, don't want development approved until we know exactly who is going to do it, what they are going to do, what State's redevelopment money they are going to use, and who is going to own it in the long term. The environmental impact of this plan is far from view.

In fact, we have a lot of environment impact to clean up right now. Let's talk about why from Toluca Lake to Hollywood Manor to Cahuenga Pass to Studio City the residents despise Universal. There's the attitude. Recall that the residents went all the way to court filings to get a roof on Gibson. The County attitude is still screw the City residents. If any of my neighbors minds the amusement park I'm not aware of it-the tour buses come and the tour buses go. It's the 2:00 am in the morning action we need to fix. On the Cahuenga side, we have the Chop House blasting away starting about 11:30 pm, stadium speakers inside an open-top restaurant, a spring break type program with lots of screaming at the customers-all perfectly audible all the way up the hill to Passmore if you happen to be facing Universal. The Chop House management is really nasty, way beyond sick little pukes. By the way, people in Toluca Lake and Studio City can hear this restaurant too.

Why aren't we up in arms? If owners here need to sell or rent, and many of them do, they don't want it getting around that we have an adverse noise condition most nights. It kills the property values. Does it really matter if you live beyond a ridge where you can't hear the Chop House? No. Because blight takes us all down with it.

We have the chollos, the stoners, the punkers, the hard rockers, the bikers, the thugs and drunks who leave City Walk [sic] and pass through our neighborhoods at 2:30 every morning-a lot of them park on our streets and take a cab over. Their motorcycles, SUVs, and huge pickups seem to need huge basses and A-hole mufflers. So it seems to make sense to them to cruise around and yell for a while, maybe spray paint a few messages. Impact? We have the County sewer flowing down City streets.

This is easy to fix. First, publically crucify the management of the Chop House as an example to psychopaths everywhere. Permanently roof City Walk [sic] and every stand

alone restaurant on the site. After 10:00, make the freeway the only way to get in or out of Universal. Unfortunately this will stop our City police from making all those lucrative DUI arrests, but the cost is worth it to those of us who need them to respond to actual City problems.

What is the environment worth here in the Hollywood Hills? Look at the impact of this region in worldwide terms. This is where people live who make and sell U.S. entertainment all over the world like nothing anyone else can do. We are the only place thick with enough talent to feed the media the new content it requires every hour of the day. NBC Universal is a dinosaur that needs to stagger off into the sunset, and take our County and City officials with it.

Response to Comment No. 153-1

The comment raises general concerns regarding traffic, noise, sewer and police/sheriff impacts. Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the Project's potential transportation impacts. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts, including a Transportation Demand Management program, roadway improvements, Hollywood event management infrastructure, transit improvements, highway improvements and specific intersection improvements. The Project would be required to implement all of the transportation project design features and mitigation measures required as part of the Project's approvals. The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for a detailed analysis of the Project's transportation impacts and proposed project design features and mitigation measures.

The Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation (see Section IV.C, Noise, of the Draft EIR, pages 998–1019). As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise would result in less than significant impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances. The commenter is referred to Section IV.C, Noise, of the Draft EIR for a detailed analysis of the Project's noise impacts and proposed project design features and mitigation measures.

The potential impacts of the Project on sewer infrastructure and service capacity during construction and operations were evaluated in Section IV.L.1, Utilities – Sewer, of the Draft EIR and concluded to be less than significant. The commenter is referred to Section IV.L.1, Utilities – Sewer, of the Draft EIR, for a detailed analysis of the Project's wastewater impacts.

Public safety is addressed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR. As discussed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, the Applicant shall provide to the City of Los Angeles Police Department at no rent the non-exclusive use of desk space for two officers within a community serving facility in the Mixed-Use Residential Area. (See Mitigation Measure K.2-1.) The Applicant shall also provide a new facility of up to 16,000 square feet within the County portion of the Project Site, for the shared use of the County Sheriff's Department, contract security, and corporate security for the Project Site. (See Mitigation Measure K.2-2.) Additionally, pursuant to Mitigation Measure K.2-3, the proposed Project shall provide extra private security services during important entertainment events at the Project Site. Further, as explained on page 1731 of the Draft EIR, the proposed Project would include design features that would include recommendations of the City Police Department's Design Out Crime Guidelines. These project design features may include an on-site security force, illuminating parking lots with artificial lighting, use of closed-circuit television monitoring and recording of on-site areas, maintaining security fencing along the Project Site's eastern edge to restrict public access, and way-finding lighting. (See Project Design Feature K.2-2, page 1747.) With the implementation of the proposed project design features and mitigation measures, Project impacts on police/sheriff services would be reduced to less than significant levels. The commenter is referred to Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, for a detailed analysis of the Project's impacts on police/sheriff services and proposed project design features and mitigation measures.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 154

Hope de Michele
hopesdm@yahoo.com

Comment No. 154-1

I am one of the many concerned citizens who live in the small community of Toluca Lake. My husband and I have resided at 10149 Toluca Lake Avenue for over 18 years.

This letter will serve as an expression of my concern over the various points addressed in the NBC Universal Evolution Plan DEIR.

I will point out my line items in response to your details.

Response to Comment No. 154-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

Comment No. 154-2

1. The traffic discussed will be overwhelming to our small neighborhood with narrow streets. The streets of Forman and Riverside are already congested and dangerous. By adding over 36,000 daily trips you will increase pollution, crime, and the safety to the families in the area.

Response to Comment No. 154-2

The comment expresses general concerns regarding traffic congestion, air pollution and crime impacts to the Toluca Lake neighborhood. Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential environmental impacts from traffic within the transportation Study Area, which includes Toluca Lake. The comment incorrectly states that the Project will generate 36,000 daily trips. As shown in Table 36 in Section IV.B.1 of the Draft EIR, the Project is expected to generate approximately 28,108 daily trips after the implementation of the Transportation Demand Program described in Project Design Feature B-1 in Section IV.B.1 of the Draft EIR. The Project trips would be distributed throughout the Study Area, not just within Toluca Lake. Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information.

With respect to potential impacts to residential streets from “cut-through” traffic, including streets in Toluca Lake, as discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter VIII of the Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report (Gibson Transportation Consulting, Inc. and Raju Associates, Inc., March 2010) (the “Transportation Study”) a detailed analysis of the Project’s potential impacts on nearby residential neighborhoods was conducted. Figure 73A on page 903 of the Draft EIR illustrates the areas in Toluca Lake that may be subject to significant neighborhood intrusion impacts before Transportation Demand Management trip reductions and mitigation. With the Transportation Demand Management trip reductions and mitigation, five of the nine potentially impacted neighborhoods would still be subject to potential impacts. Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR) would provide for the development of neighborhood traffic management plan(s) in the five potentially impacted neighborhoods.

Pursuant to Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR), the Applicant would provide funding up to \$500,000 for implementation of the City of Los Angeles Department of Transportation’s Neighborhood Traffic Management Process included as Appendix T to the Transportation Study. The required funding was based on the number of residential streets that were candidates for a potential significant neighborhood intrusion impact by Project traffic and the Department of Transportation’s experience in implementing Transportation Management Plans. Figure 82 on page 919 of the Draft EIR illustrates the location of neighborhoods eligible for funding, including areas in Toluca Lake. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (See Section III.C, Topical Responses, of this Final EIR).

With regard to emissions from vehicle use associated with the Project, potential impacts to air quality associated with Project construction and operational emissions are analyzed in Section IV.H, Air Quality, of the Draft EIR, and related technical report included as Appendix J to the Draft EIR, consistent with the SCAQMD’s CEQA Handbook. As shown on pages 1468–1509, Tables 108–112, 124, 130–131, in Section IV.H, Air Quality, of the Draft EIR, the Project’s air quality analysis accounts for emissions from vehicle use. The Project includes project design features and mitigation measures described in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, that would reduce vehicle trips and vehicle miles traveled, which would reduce the Project’s air pollution emissions. (See Draft EIR, page 1523.) For example, the Project would implement a Transportation Demand Management program that results in a decrease of daily vehicle trips, which effectively reduces traffic-related air pollutant emissions. (Draft EIR, page 619.) The Transportation Demand Management program would include several strategies. Please refer to Topical Response No. 4: Transportation Demand Management Program (see Section III.C, Topical Responses, of this Final EIR) for further information. In addition, because the Project is an infill, high-density, transit-oriented development, it would help towards achieving a number of air quality and greenhouse gas reduction goals by helping

to reduce emissions from vehicle travel. The Project puts future residents and workers in close proximity to places of employment and services and thus has the potential to reduce vehicle trips and vehicle miles traveled. As a transit-oriented development, the Project would have greater access to public transportation, which would also have the potential to reduce the amount of vehicle trips and miles traveled, compared to a similar development not centrally located or proximate to transit. Thus, the Project would have lower emissions relative to other, more peripherally located development projects.

Public safety is addressed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR. As discussed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, the Applicant shall provide to the City of Los Angeles Police Department at no rent the non-exclusive use of desk space for two officers within a community serving facility in the Mixed-Use Residential Area. (See Mitigation Measure K.2-1.) The Applicant shall also provide a new facility of up to 16,000 square feet within the County portion of the Project Site, for the shared use of the County Sheriff's Department, contract security, and corporate security for the Project Site. (See Mitigation Measure K.2-2.) Additionally, pursuant to Mitigation Measure K.2-3, the proposed Project shall provide extra private security services during important entertainment events at the Project Site. Further, as explained on page 1731 of the Draft EIR, the proposed Project would include design features that would include recommendations of the City Police Department's Design Out Crime Guidelines. These project design features may include an on-site security force, illuminating parking lots with artificial lighting, use of closed-circuit television monitoring and recording of on-site areas, maintaining security fencing along the Project Site's eastern edge to restrict public access, and way-finding lighting. (See Project Design Feature K.2-2, page 1747.) With the implementation of the proposed project design features and mitigation measures, Project impacts on police/sheriff services would be reduced to less than significant levels. The commenter is referred to Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, for a detailed analysis of the Project's impacts on police/sheriff services and proposed project design features and mitigation measures.

Comment No. 154-3

2. The crime brought into this neighborhood from the construction and overflow of traffic will increase.

Response to Comment No. 154-3

Refer to Response to Comment No. 154-2, above, regarding traffic and public safety. Further, specifically with regard to potential police/sheriff impacts during construction, as discussed on page 1733 in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, to reduce the potential increase in construction-related impacts, access to the Project Site and area roadways would be maintained during construction. In the event that construction activities do require lane closures, emergency

access would remain unimpeded through the use of flagmen, and other controls. With implementation of the proposed construction traffic management plan, significant impacts are not anticipated. For those portions of the Project that are accessible by the general public, the implementation of security measures, included as project design features, during construction activities would help reduce any increased demand for police/sheriff services. Project construction would result in a temporary increase in the number of workers to the Project area. However, the related potential increase in the demand for police/sheriff services is anticipated to be negligible as construction workers would be occupied with construction activities during work hours and would likely return to their place of residence upon completion of the daily construction activities. Therefore, construction related impacts associated with police/sheriff services would be less than significant.

Comment No. 154-4

3. During your construction phase, your workers should be shuttled into the area, so as not to create more noise and pollution.

Response to Comment No. 154-4

It is anticipated that construction workers would live and commute from various locations throughout the City and County. Therefore, transporting all workers via shuttle to the Project Site would not be feasible. However, Mitigation Measure B-40 prohibits all construction workers from parking on neighborhood streets offsite. It also provides that to the extent that parking would not be available on-site, parking shall be provided by the Applicant or its successor at offsite locations along with a construction worker shuttle service if an off-site parking lot is not within reasonable walking distance to the Project Site.

With respect to emissions during construction, the Project would implement Project Design Features H-1 through H-6 and Mitigation Measure H-1, which would reduce air quality impacts to the extent feasible; however, significant and unavoidable air quality impacts would remain. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR. The commenter is also referred to Response to Comment No. 154-2 regarding emissions associated with vehicle trips.

With regard to construction impacts, pages 998–1010 in Section IV.C, Noise, of the Draft EIR summarize the construction noise impacts under all potential construction scenarios. However, it is important to note that the proposed City Specific Plan, the proposed County Specific Plan, and the Draft EIR propose several noise reduction measures for general construction activities. The proposed County Specific Plan and City Specific Plan require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or

ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed (Mitigation Measure C-1). Mitigation Measure C-2 also limits the time and days during which construction can take place. The construction mitigation measures would “reduce the daytime noise levels associated with grading and construction activities attributable to the Project [but] depending on the receptor and ambient noise levels at the time of construction these activities could continue to increase the daytime noise levels at nearby noise-sensitive uses above the established threshold.... Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when exterior nighttime construction as allowed by the Exceptions noted in Mitigation Measures C-2 occurs.” (Draft EIR, page 1036.) It is important to note that while a significant impact could result under those limited circumstances, the likelihood that these circumstances would actually occur is limited, and if they do occur, the extent of the impact would be limited in duration.

With regard to traffic noise, as discussed in more detail on pages 1019–1022 in Section IV.C, Noise, of the Draft EIR, a traffic noise model of the surrounding community was constructed using the Federal Highway Administration’s Traffic Noise model software to determine ambient noise increases due to increases in traffic levels. Based on the modeling results, presented in Table 71 of the Draft EIR, it was concluded that Project noise impacts from roadway sources would be less than significant. Potential noise impacts during construction from hauling were also evaluated. Based on the analysis, with implementation of recommended mitigation, impacts would be reduced to a less than significant level.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 154-5

4. This year the noise from Universal and the surrounding areas has been the worst in our 18 years of living in the neighborhood. Your plan will only increase this with no guaranteed plan to fix the problem.

Response to Comment No. 154-5

The noise analysis in the Draft EIR thoroughly analyzes the existing noise environment within the Project area, the future noise levels estimated at surrounding land uses resulting from construction and operation of the proposed Project, and proposes project design features and mitigation measures to reduce significant impacts. As noted on page 982 in Section IV.C, Noise, of the Draft EIR, based on detailed noise modeling of all

major on-site Project noise sources, including sources within the theme park and the Mixed-Use Residential Area, the new Project operational sound sources would be in compliance with the proposed Specific Plan regulations and would not result in a significant impact in any of the receptor areas. The commenter is referred to Section IV.C, Noise, of the Draft EIR for further information regarding the Project's potential noise impacts and proposed project design features and Mitigation Measures.

Comment No. 154-6

5. Your plan does not address the health issues that the construction and traffic as well as crime will inflict on our well-being.

Response to Comment No. 154-6

Health effects information is presented in a reasonable manner to inform the public and the decision-makers of potential health risks. The potential health risks of the proposed Project are addressed in the appropriate sections of the Draft EIR including, but not limited to, the following: (1) Air Quality—Section IV.H and Appendix J of the Draft EIR; (2) Environmental Safety—Section IV.M and Appendix O; and (3) Surface Water and Groundwater Quality—Sections IV.G.1.b and IV.G.2, as well as Appendices I-2 and I-3.

The commenter is also referred to Response to Comment No. 154-2 above regarding traffic and public safety issues.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 154-7

6. With budget cuts, the police and fire departments are already stretched. With the addition of your housing as well as business and infrastructure, we will not be able to cover the need for more police and fire protection with city budgets. How do you plan to protect us and keep our community from suffering lower home values?

Response to Comment No. 154-7

Sections IV.K.1, Public Services – Fire Protection, and IV.K.2, Public Services – Police/Sheriff, of the Draft EIR both conclude that with the implementation of the identified project design features and mitigation measures that Project impacts would be reduced to less to significant levels. These conclusions are reached independent of any benefits that would accrue to the City and County General and Special Funds that may arise from the various taxes paid by the future users of the Project Site. The commenter is also referred to Response to Comment No. 154-2 regarding Police/Sheriff services.

The portion of the comment related to property values does not relate to the environmental analysis of the Draft EIR.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 154-8

7. An example of a serious problem with no resolve in site [sic] is Barham Boulevard. Lankershim is following closely with congestion. There is virtually no way to travel to the Hollywood area in the morning or the late afternoon that is free of congestion. How will you resolve this issue before it becomes a worse problem?

Response to Comment No. 154-8

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the Project’s potential transportation impacts. As shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham Boulevard and Cahuenga Boulevard–East/West corridors. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project’s impacts along these corridors to a level below significance, based on Los Angeles Department of Transportation’s significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard and Cahuenga Boulevard–East/West corridors generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. The transportation project design features and mitigation measures include, for example, a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor and a new public roadway, the “North-South Road,” which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. (Draft EIR, Section IV.B.1, Traffic/Access – Traffic/Circulation, Mitigation Measure B-5 and Project Design Feature B-2.)

With regard to Lankershim Boulevard, Mitigation Measure B-6 includes various improvements along the Lankershim Boulevard corridor. While these Lankershim Boulevard corridor improvements would substantially reduce the Project’s intersection impacts, significant and unavoidable impacts would remain at the following intersections along Lankershim Boulevard: Lankershim Boulevard and Cahuenga Boulevard (during the morning peak hour), Lankershim Boulevard and Main Street (during the afternoon peak hour), Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (during the morning peak hour), and Lankershim Boulevard and Jimi Hendrix Drive (during the afternoon peak hour). The Project’s mitigation program includes all feasible mitigation

measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

Comment No. 154-9

In closing, your plan needs to be downsized. The research is not complete and must include the neighborhood to resolve any issues of safety, home property values, and negative impact on health. The plan as it stands will destroy the history of this neighborhood with no potential of resolve. Please revise this study.

Response to Comment No. 154-9

As required by CEQA Guidelines Section 15151, the Draft EIR provides decision-makers with a sufficient degree of information and analysis for a project of this scope to enable them to make a decision which intelligently takes into account the Project's potential environmental consequences. Consistent with CEQA Guidelines Section 15147, the information contained in the Draft EIR included summarized technical data, maps, diagrams, and similar relevant information sufficient to permit a full assessment of the Project's potential significant environmental impacts by reviewing agencies and members of the public. The Draft EIR summarized technical and specialized analysis in the body of the Draft EIR and attached technical reports and supporting information as appendices to the main body of the Draft EIR, consistent with CEQA requirements. (CEQA Guidelines Section 15147.) Please refer to Topical Response No. 2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of this Final EIR) for further information.

As indicated in the responses above and in Topical Response No .2: Adequacy of the Draft EIR (see Section III.C, Topical Responses, of this Final EIR), the Project does not meet any of the criteria for recirculation.

Section V, Alternatives to the Proposed Project, of the Draft EIR, includes evaluations of several alternatives to the Project, in accordance with the CEQA Guidelines, including project alternatives with reduced development. As discussed in the Draft EIR, these alternatives would generate significant traffic-related impacts. The commenter is referred to Section V, Alternatives to the Proposed Project, of the Draft EIR, for further information.

The portion of the comment related to property values does not relate to the environmental analysis of the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers.

Comment Letter No. 155

David de Moraes
12940 Burbank Blvd., Apt. 12
Sherman Oaks, CA 91401-5408
david@sbiproducts.com

Comment No. 155-1

I am writing to you in support of NBC's Evolution Plan.

I'm writing because I'm concerned about land use issues in my neighborhood, and the impact that NBC Universal's Evolution Plan will have on our community. However, the Draft Environmental Impact Report shows that housing is a priority and I'm supportive of that concept. Including new housing in the already established residential community, and connecting it to transit, is a great idea.

This new residential complex will give working people an opportunity to purchase homes close to their jobs and transit. Best of all, it won't create more traffic. This kind of in-fill project adjacent to public transit is exactly what's needed in our community.

Response to Comment No. 155-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. To clarify, though potential impacts would be mitigated to the extent feasible, the Project would have some residual traffic impacts. The commenter is referred to Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, regarding the significant and unavoidable environmental impacts of the Project.

Comment Letter No. 156

Eddie De Ochoa
P.O. Box 10329
Beverly Hills, CA 90213

[Note: A duplicate of the letter provided below was received on 2/4/11]

Comment No. 156-1

The Draft Environmental Impact Report (DEIR) for the Evolution Plan allowed me to review the extensive Transportation Demand Management strategies that are planned for the project. Three strategies that I feel will be particularly effective in changing the current transportation mind set are the:

- Guaranteed Ride Home Program
- Transit Passes for the Residential Community
- Shuttle bus Implementation

These strategies will help the way we think about commuting to work and can ultimately help improve air quality by getting people out of their cars.

Response to Comment No. 156-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 156-2

I have one question, and that is related to the Shuttle buses to Burbank. Will people who live elsewhere be able to take the bus? And how much will it cost?

Response to Comment No. 156-2

The Project shuttles would be accessible to the public. User fees have not yet been determined.

Comment Letter No. 157

Ravinda De Silva
11564 Huston St.
North Hollywood, CA 91601-4340

Comment No. 157-1

The Draft Environmental Impact Report (DEIR) for the Evolution Plan allowed me to review the extensive Transportation Demand Management strategies that are planned for the project. Three strategies that I feel will be particularly effective in changing the current transportation mind set are the:

- Guaranteed Ride Home Program
- Transit Passes for the Residential Community
- Shuttle bus Implementation

These strategies will help the way we think about commuting to work and can ultimately help improve air quality by getting people out of their cars.

Response to Comment No. 157-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 157-2

I have one question, and that is related to the Shuttle buses to Burbank. Will people who live elsewhere be able to take the bus? And how much will it cost?

Response to Comment No. 157-2

The Project shuttles would be accessible to the public. User fees have not yet been determined.

Comment Letter No. 158

Erika Wain Decker
info@loonarhouse.com

[Note: Two duplicates of the letter provided below were received on 2/1/11]

Comment No. 158-1

Good evening - as I did attend the Universal meeting open forum I was simply amazed, once again, but the number of people talking about the pros of the Evolution Plan who DID NOT/DO NOT live in the neighbourhood [sic] but rather in Sherman Oaks and Valley Village and the like.

I have lived in this neighbourhood [sic] since 1974, my late husband since 1962. Changes have taken place – some of them good, others not so good. Noise and air pollution from the ‘shows’ that emit incredible smoke and blasts - concerts (though the ‘stadium’ was reworked)- Halloween Fright Nights which block up the roads and freeway exits completely for hours on end throughout the time period that the ‘event’ goes on...

Growth for the studio per say, studio space for filming and television is **great** as we do live in Hollywood – film capital of California. But to make the area into an amusement park, congest it with condos and apartments (so many empties everywhere – what? Build them and they will come? Thinking...) and the proposed business complex at Forest Lawn/Barham Blvd is going toooooo [sic] far. WATER/ GROUND/ AIR/TRAFFIC pollution – totally out of control. Just try driving up Barham Blvd away from Forest Lawn any morning or night during peeeeeeeek [sic] traffic hours – you are lucky to make it up the hill in 20 minutes let alone up and over to Buddy Holly Dr. in 30minutes [sic]. There is no where [sic] to go – nowhere to expand the street – it all funnels down to CIVILIZATION – **we are a NEIGHBOURHOOD [sic] not a commercial outpost where growth can simply go on and on. THIS is a NEIGHBOURHOOD [sic] - a hillside neighbourhood, [sic] contained and beautiful.**

Where once deer and coyotes, rabbits and butterflies roamed alongside opossum and other interesting creatures of nature... We are faced with high rise and concrete/and above all GREED. **What has happened to the QUALITY of life?** The basic concept of LIFE itself (rhetorical, I fear). The oasis of greenery, natural and abounding with wildlife in the middle of the city is being threatened for – certainly NOT PROGRESS. Another hotel??! !

Build studios space fine – keep it a studio which was the intent to begin with. **A WORKING studio not NOT NOT NOT an amusement park.**

This battle has been going on for years and I hope it will continue for as many more years as I am alive. I am 63. I do not intend to move – I do not intend to be intimidated and pressured – I do not intend to look out to more expansion – to more greed. **THIS IS A NEIGHBOURHOOD** [sic] with living people, children, families, dogs, cats, PEOPLE.... **The hillside is fragile and as guardians of EARTH we NEED TO BE RESPONSIBLE.**

Response to Comment No. 158-1

The comment raises general concerns regarding traffic, noise, air quality, water, and wildlife.

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts. While these measures would substantially reduce the Project's impacts, as discussed on pages 690–694 of the Draft EIR, with implementation of the project design features and identified mitigation measures, significant and unavoidable traffic impacts would remain. No additional feasible mitigation measures have been identified to reduce these impacts. The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, for the evaluation of the Project's potential transportation impacts.

Specifically with regard to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham Boulevard and Cahuenga Boulevard–East/West corridors. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along these corridors to a level below significance, based on Los Angeles Department of Transportation's significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard and Cahuenga Boulevard–East/West corridors generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. The transportation project design features and mitigation measures include, for example, a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor and a new public roadway, the "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. (Draft EIR, Section IV.B.1, Traffic/Access – Traffic/Circulation, Mitigation Measure B-5 and Project Design Feature B-2.)

The Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation (see pages 998–1019 in Section IV.C, Noise, of the Draft EIR). As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise levels would result in less than significant impacts during both daytime and nighttime hours at all identified sensitive receptor locations.

With regard to water supply, as described in Section L.2, Utilities – Water, of the Draft EIR, water is supplied to the Project Site by the Department of Water and Power (DWP). In April 2010, the Board of Water and Power Commissioners approved a Water Supply Assessment for the Project, a copy of which is included as Appendix N-1-2 of the Draft EIR. Specifically, the Board of Water and Power Commissioners found that “LADWP can provide sufficient domestic water supplies to the Project and approves the Water Supply Assessment prepared for the Project ...”

Further, potential groundwater quality, surface water quality, soil contamination, and air quality issues are addressed in Sections IV.G.2, Water Resources – Groundwater; IV.G.1.b, Water Resources – Surface Water Quality; IV.M, Environmental Safety; and IV.H, Air Quality, of the Draft EIR. The commenter is referred to those sections for further information regarding those issues.

As discussed in Section IV.I, Biota, of the Draft EIR, because of the proximity to U.S. 101 immediately adjacent to the Project Site, the southern portion of the Project Site exhibits very limited potential for supporting native species other than those that are adapted to the existing road noise and lighting. Further, wildlife species occurring on the Project Site are generally those that have adapted to, and are tolerant of, human activities, and are common in urban areas, such as the species noted in the comment. Some of these species thrive in urban environments, as they are opportunistic with dietary subsidies commonly associated with an urban setting, or find shelter under or within developed structures. Other wildlife may occur on-site in patches of remaining habitat which are remnants of their former population distribution. Thus, most of the common species found on the Project Site are highly adapted to the urban environment, while others are adapted to the urban edge and thrive at the urban edge due to dietary subsidies commonly associated with such settings. In the post-Project condition, it is expected that these species would continue to persist on the Project Site. It is also important to note that most of these species do not have any protected or special status and therefore, given the highly fragmented character of the site, impacts to these species would not be considered significant pursuant to CEQA.

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.) More specifically, the proposed Project includes a

development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and entertainment-related facilities at the Project Site in order for the Project Site to continue its critical role in the evolving entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.)

Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet (Draft EIR, Table 2 on page 280). Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs (Draft EIR, Table 186, page 2044, and Draft EIR Appendix P).

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 159

Joann Deutch
joann@joanndeutch.net

Comment No. 159-1

Dear Paul: I recently leaned [sic] that the new Universal City “Evolution Plan” includes a plan for draining water out of the aquifer.

I expect that will in turn drain water out of the hills, reducing water sources for the remaining local wildlife and putting more pressure on the habitat that we have been trying to save.

I ask that you contact Isarkin (above) for more detailed information so that you can study the impact and offer mitigating recommendations - if any.

I think it is important that this issue be fully studied and formal science be applied.

I ask that you contact [sic]

Response to Comment No. 159-1

As described beginning on page 1410 in Section IV.G.2, Water Resources – Groundwater, of the Draft EIR, the Project Site is located in an area with large variations in elevation. Shallow groundwater is encountered along the Los Angeles River Flood Control Channel adjoining the northern portion of the Project Site. Under the remainder of the Project Site, groundwater is limited to joints and fractures in the bedrock materials. Additionally, the Topanga geologic formation beneath a majority of the Project Site is considered non-water bearing, as it does not yield notable quantities of water available for extraction wells. Recent Alluvium (Qal) located north, west, and in a small area along the southwest edge of Universal City and the Project Site (in the area along the 101 freeway) is considered to be water bearing.

The historical high groundwater in parts of the Project Site has been estimated as close to the surface as 15 feet below ground surface. No permanent dewatering systems are anticipated with development of the proposed Project. However, if below-ground structures associated with the Project extend into the groundwater table (e.g., subterranean parking), those structures may require permanent dewatering systems. As stated on page 1430 of the Draft EIR, if a dewatering system is necessary, it would be designed and operated in accordance with all applicable regulatory and permit requirements. As described beginning on page 1411 of the Draft EIR, adverse impacts are not anticipated relative to the rate or direction of flow of shallow groundwater from long-term dewatering

because the maximum anticipated permanent dewatering rates are anticipated to be 0.9 to 4.0 gpm, and the radius of influence on groundwater is limited. Given the limited radius of influence of dewatering systems and the variations in groundwater conditions at the Project Site and the surrounding area, dewatering at the Project Site would not have an impact on homes in the adjacent hillside residential area. For the reasons described above, this potential decrease in groundwater would not significantly impact wildlife.

With regard to wildlife and habitat, Section IV.I, Biota, of the Draft EIR (page 1545) explains that wildlife species occurring on the Project Site are generally those that have adapted to, and are tolerant of, human activities, and are common in urban areas, such as the species noted in the comment. Some of these species thrive in urban environments, as they are opportunistic with dietary subsidies commonly associated with an urban setting, or find shelter under or within developed structures. Other wildlife may occur on-site in patches of remaining habitat which are remnants of their former population distribution. Thus, most of the common species found on the Project Site are highly adapted to the urban environment, while others are adapted to the urban edge and thrive at the urban edge due to dietary subsidies commonly associated with such settings. In the post-Project condition, it is expected that these species would continue to persist on the Project Site. It is also important to note that most of these species do not have any protected or special status and therefore, given the highly fragmented character of the site, impacts to these species would not be considered significant pursuant to CEQA. Further, as noted on page 1594 of the Draft EIR, the remaining undeveloped habitats in the area have been disturbed and degraded due to the effects of surrounding development, including noise, light, roads, fences, and invasive species. For additional information regarding potential impacts to wildlife, please refer to Section IV.I, Biota, of the Draft EIR. As explained in detail in Section IV.I, Biota, of the Draft EIR, with implementation of the recommended mitigation measures, the proposed Project would have less than significant impacts on biological resources.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 160

Val Diamond
12400 Ventura Blvd., #346
Studio City, CA 91604

[Note: Duplicates of the letter provided below were received on 1/26/11 and 1/27/11]

Comment No. 160-1

As a patron of Studio City businesses, I'm looking forward to the NBC Universal Evolution Plan. What's going to be built at this site will benefit the city and the region.

According to the draft environmental impact report, the company is making a major investment in the entertainment industry in L.A. The proposed new soundstages and post-production facilities will help maintain Universal's position as one of the largest working studios in the industry. Entertainment jobs are great for Southern California and our economy, and the plan helps ensure that the city has these types of jobs now and in the future. Los Angeles is the entertainment and media capital of the world and Universal plays a critical role in this business.

When a stronger, better studio means more jobs, more tax revenue and more economic activity for the city. I can't imagine why this plan wouldn't be embraced. I'm happy to be a supporter of this project.

Response to Comment No. 160-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 161

Roy Diaz

No contact information

[Note: Two duplicates of the letter provided below were received on 1/21/11]

Comment No. 161-1

With the sluggish economy and so many people out of work, the most important thing in my mind is job creation. I understand from the Draft Environmental Impact Report that the NBC Universal Evolution Plan is expected to create approximately 43,000 jobs.

This is certainly welcome news. The city and the county should be jumping through hoops right now to make sure this project is approved as soon as possible.

I support this project, and I certainly hope that the City will support it too.

Response to Comment No. 161-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. As discussed in Section IV.N.1, Employment, of the Draft EIR, 43,000 direct, indirect, and induced construction and operational jobs would be generated by the Project.

Comment Letter No. 162

Joyce Dillard
P.O. Box 31377
Los Angeles, CA 90031
dillardjoyce@yahoo.com

Comment No. 162-1

This project does not take seriously the mix of groundwater seepage, soil and geological formations and soil collapse possibilities. Storm conditions, as we have seen in 2005 and recently need to be identified as to potential frequency.

Response to Comment No. 162-1

Section IV.F, Geotechnical, of the Draft EIR provides comprehensive analysis of Project geotechnical issues such as geologic hazards and the potential impacts attributable to proposed on-site grading activities. The Draft EIR provides analysis regarding earthquakes and their potential effects, such as fault rupture, seismic groundshaking, liquefaction, and landslides as well as information regarding the potential for flooding to occur at the Project Site and potential impacts associated with the closed on-site landfill. The Geotechnical section is based upon the *Report of Geotechnical Investigation NBC Universal Evolution Plan* (March 2010) prepared by Shannon & Wilson, Inc. for the proposed Project. The report includes a review of previous geologic and geotechnical reports prepared for the site, site reconnaissance, and review of stereo-paired, vertical, aerial photographs. The full text of the report is included as Technical Appendix H to the Draft EIR. The Geotechnical section includes project design features and mitigation measures designed to reduce potential Project related geotechnical impacts and concludes that with implementation of the mitigation measures and compliance with applicable regulations, all project impacts related to geology and soils would be reduced to a less than significant level.

As described beginning on page 1410 in Section IV.G.2, Water Resources – Groundwater, of the Draft EIR, the historical high groundwater in parts of the Project Site has been estimated as close to the surface as 15 feet below ground surface. Therefore, portions of the Project Site could encounter groundwater during construction and require dewatering. If construction dewatering is required, local groundwater flow direction and depth may be temporarily affected. Construction dewatering has the potential to affect the rate, change the direction, or expand the area affected by groundwater contamination. Previous investigations indicated no significant areas of groundwater contamination identified beneath the Project Site. Further, adverse impacts are not anticipated relative to

the rate or direction of flow of shallow groundwater, or the area affected by, or the level of, groundwater contaminants, because the estimated maximum depth of excavation would extend for only a short distance and the anticipated dewatering production during construction are estimated to range from about 65 gallons per minute (gpm) initially, declining over several months to about 9 gpm. Therefore, dewatering is not anticipated to draw water across any substantial distance and impacts are considered negligible from a local and regional basin perspective. In addition, there are no groundwater production wells or public water supply wells within 1 mile of the Project Site. Since no water supply wells would be affected and construction dewatering is not anticipated to adversely impact the rate or direction of flow of groundwater or an area affected by, or the level of, groundwater contaminants, impacts from construction of the Project to groundwater hydrology and groundwater quality would be less than significant.

No permanent dewatering systems are anticipated with development of the proposed Project. However, if below ground structures associated with the Project extend into the groundwater table (e.g., subterranean parking), those structures may require permanent dewatering systems. If a dewatering system is necessary, it would be designed and operated in accordance with all applicable regulatory and permit requirements. As described beginning on page 1424 of the Draft EIR, adverse impacts are not anticipated relative to the rate or direction of flow of shallow groundwater from long-term dewatering because the dewatering is not anticipated to draw water across any substantial distance and the amount of groundwater extracted would be negligible from a local and regional basin perspective. As detailed in Attachment A of Appendix I-3, Groundwater Report, of the Draft EIR, the maximum permanent dewatering rates are anticipated to be 0.9 to 4.0 gpm, and the radius of influence on groundwater is limited. Assuming the Project included the development of structures that extended below the historic high water level (15 below ground surface) within portions of the Project Site that could be overlying the Basin (only the portion of the Project Site in the northwestern area and a narrow portion of the Project Site along the Los Angeles River Flood Control Channel are considered to potentially be within the Basin) and at the anticipated maximum dewatering rates of 0.9 to 4.0 gpm, it is estimated that the amount of groundwater extracted from long-term dewatering could range from 3.0 to 13.0 acre-feet/year. Compared to the overall San Fernando groundwater Basin, potential long-term dewatering from the Project is minimal. Therefore, dewatering is not anticipated to draw water across any substantial distance, and impacts are considered negligible from a local and regional basin perspective. Since no water supply wells would be affected and dewatering is not anticipated to adversely impact the rate or direction of flow of groundwater, the operation of the Project is not expected to have a significant impact on groundwater hydrology or groundwater quality.

Further, Section IV.G.1.a, Water Resources – Surface Water – Drainage, of the Draft EIR, identifies all potential drainage impacts of the Project and concludes that with the

proposed project design features no significant impacts are anticipated. The Project Site is approximately 391 acres in size with varying topography and drainage patterns. As is typical, detailed hydrology and hydraulic calculations would be prepared for each specific project within the Project prior to development. Although no significant impacts are anticipated, to acknowledge that project specific reports would be prepared, Mitigation Measure G.1.a-1 was included in the Draft EIR and provides the following: the Applicant or its successor shall prepare detailed drainage plans for each Project (as that term is defined in the City and County Specific Plans) for review and approval by the appropriate responsible agency (i.e., Los Angeles County Department of Public Works or the City of Los Angeles Department of Public Works) at the time that grading or building permit applications are submitted. These drainage plans must show quantitatively how projected stormwater runoff in the area of the specific project would be conveyed to off-site stormwater conveyance facilities. (Draft EIR, Section IV.G.1.a, pages 1357–1358.) It is not anticipated that a drainage basin would be necessary for the Project. As discussed in Project Design Feature G.1.a-2, the Applicant or its successor shall construct an underground stormwater detention feature in the Mixed-Use Residential Area that shall be sized to reduce the peak flow rate by 28.0 cubic feet per second and to detain approximately 0.2 acre-feet of volume. The Draft EIR evaluated all of the potentially significant hydrology impacts and concluded that with the project design features no significant impacts are anticipated.

Comment No. 162-2

Emergency response along with fire, police and transportation needs analysis as this project is near a major freeway and much congestion.

Response to Comment No. 162-2

With respect to emergency services, as explained on pages 1699–1700 in Section IV.K.2, Public Services – Fire Protection and 1732–1733 in Section IV.K.2, Public Services – Police/Sheriff of the Draft EIR, Project construction-related activities would have a less than significant impact with regard to fire and police/sheriff services. Construction impacts are temporary in nature and do not cause lasting effects. Partial lane closures during construction, if required, would not greatly affect emergency vehicles since flaggers would be used to facilitate the traffic flow until construction is complete and emergency vehicle drivers have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. In addition, for fire services, the County Fire Department Fire Station 51, which includes an engine company and a paramedic squad, and is located on-site, would be available throughout the duration of Project construction as well as following the completion of construction. For police/sheriff services, the implementation of security measures, included as project design features,

during construction activities would help to reduce any increased demand on City Police Department or County Sheriff's Department services. These security features would include fencing all construction areas and providing on-site security personnel at construction sites. For these reasons as well as the ability to address emergency vehicle response issues via the Project's construction traffic management plan, it was concluded that Project construction would also have a less than significant impact upon fire and police/sheriff services.

During Project operation, as explained on pages 1702–1703 in Section IV.K.1, Public Services – Fire Protection, and 1734–1739 in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, while traffic congestion in the Project area may increase emergency vehicle response times, emergency vehicles would still be able to navigate congested traffic conditions through a number of standard operating procedures as described above. Further, emergency access to the Project Site would be provided by the existing and proposed on-site street systems. Specifically with regard to fire services, under the automatic aid agreements currently in place, the County Fire Department and the Burbank Fire Department can respond with additional units to the Project Site, as needed. In addition, as noted on page 1700 of the Draft EIR, County Fire Department Station 51, which includes an engine company and a paramedic squad and is located on-site, would be available throughout the duration of Project construction, as well as following the completion of construction. With implementation of the project design features and Mitigation Measure K.1-2 and K.1-5, which require the expansion of fire fighting facilities and equipment, impacts to emergency fire services during Project operations would be reduced to a less than significant level. Specifically with regard to police/sheriff services the proposed Project would include design features to incrementally reduce the increase in impacts to police/sheriff services. Such design features may include an on-site security force, illuminating parking lots, use of closed-circuit television monitoring and recording of on-site areas. With implementation of the project design features and Mitigation Measures K.2-1 through K.2-5, which require the expansion of police/sheriff facilities, extra private security during important entertainment events, and incorporation of crime prevention features impacts to emergency police/sheriff services during Project operations would be reduced to a less than significant level.

The potential transportation impacts of the Project were thoroughly analyzed, as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project's significant traffic impacts. While these measures would substantially reduce the Project's impacts, as discussed on pages 690-694 of the Draft EIR, with implementation of the project design features and identified mitigation measures, significant and unavoidable traffic impacts would remain. No additional feasible mitigation measures have been identified to reduce these impacts. The commenter is referred to Section

IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR, for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Comment No. 162-3

An underground tank is planned for recycled water without consideration of leakage and a major catastrophic event with a collapse.

Response to Comment No. 162-3

As noted in the comment, the Project proposes construction of a subterranean reclaimed water tank to serve the Mixed-Use Residential Area. Section IV.F, Geotechnical, of the Draft EIR provides specific mitigation measures in connection with a proposed underground recycled water tank to be located in the Mixed-Use Residential Area. The mitigation measures include Mitigation Measure F-18 which provides design requirements to capture any leakage resulting from a tank rupture.

Additionally, other subterranean reclaimed water tanks may be located in the Studio, Entertainment or Business Areas. These additional tanks in the Studio, Entertainment and Business Areas would be 50,000 gallons or less in size and would be installed pursuant to regulatory requirements.

Comment No. 162-4

Permeability is at question here. Fill and permeability are no [sic] compatible.

Response to Comment No. 162-4

Please see Response to Comment No. 162-1 regarding the analysis of Project geotechnical issues in the Draft EIR.

Comment No. 162-5

Groundwater contamination issues and mitigation are important as the Groundwater in the San Fernando Basin has diminished and has been reported by the County of Los Angeles 2009-2010 Grand Jury report. The City Council has been given a report and that reporting remains pending (CFI 10-1187).

Response to Comment No. 162-5

Section IV.G.2, Water Resources – Groundwater, of the Draft EIR evaluates the relationship between the Project Site and the regional and local groundwater hydrology, quality, and applicable regulations. It includes a discussion of regional groundwater quality issues in the San Fernando groundwater basin. As discussed in Section IV.G.2, Water

Resources - Groundwater, of the Draft EIR, no significant areas of groundwater contamination have been identified at the Project Site and the majority of the Project Site does not overlay or have a connection with the San Fernando Groundwater Basin. Therefore, as explained in more detail in Section IV.G.2, Water Resources - Groundwater, of the Draft EIR, a less than significant impact would occur with respect to groundwater hydrology and groundwater quality.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 162-6

Methane migration from the landfill should be addressed along with any dewatering needs from that landfill. What are the ongoing monitoring and what qualified personnel will be conducting, analyzing and reported on that issue?

Response to Comment No. 162-6

Section IV.M, Environmental Safety, of the Draft EIR discusses the closed landfill features and evaluates landfill methane hazards and mitigation. With respect to methane monitoring, the Project Site complies with the South Coast Air Quality Management District Rule 1150.1 landfill monitoring regulations. According to the landfill's compliance plan, methane sampling events are required on a quarterly basis to monitor landfill emissions and the operation of the methane collection and control system. Details of the monitoring/sampling/reporting requirements are included in the quarterly compliance reports provided to the South Coast Air Quality Management District. The monitoring and reporting of methane gas is conducted by qualified engineering consultants.

The design, construction, and operation of Project uses over, or in proximity of, the landfill would occur in accordance with applicable Federal, State, and local regulations related to environmental safety. While Project construction still has the potential to expose people and the environment to potentially hazardous conditions (including explosive and toxic concentrations of landfill gas and leachate from the landfill), if encountered, with implementation of mitigation, potential impacts would be less-than-significant. No significant exposure of people to substantial risk resulting from the release or explosion of any hazardous material (including methane) is anticipated.

Operation of the Project in the area of the closed landfill would be undertaken in accordance with the identified project design features as well as all applicable laws and regulations. Therefore, operation of the Project would not expose people to substantial risk resulting from the release or explosion of a hazardous material (including methane), or from exposure to a health hazard, in excess of regulatory standards. Therefore, no

significant impacts associated with the closed landfill are anticipated from operation of the Project.

See Section IV.M, Environmental Safety, of the Draft EIR at page 2025 and 2026 for landfill related mitigation measures. The commenter is also referred to Response to Comment No. 162-1 regarding dewatering.

Comment No. 162-7

Beneficial uses of water MUST be considered.

Response to Comment No. 162-7

The Draft EIR contains comprehensive analysis of water resources and uses in the following sections: Section IV.G.1a, Water Resources –Surface Water – Drainage; Section IV.G.1b, Water Resources –Surface Water – Surface Water Quality; and Section IV.G.2, Water Resources – Groundwater. As explained in more detail in those sections, the Project would have less than significant impacts with respect to drainage, surface water quality and groundwater quality.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 162-8

Dewatering would have to be permitted by the County of Los Angeles as they hold the main permits to the flood channel. There appears to be an April hearing on the County permit with the California Regional Water Quality Control Board.

Response to Comment No. 162-8

Please see Response to Comment No. 162-1 regarding dewatering.

Comment No. 162-9

This project is part of another groundwater basin. You have not identified that basin, but it appears to be Hollywood Basin. Hollywood Basin is a non-adjudicated basin and responsibilities for water contamination lies with the property owner. Groundwater monitoring would have to be supplied to the State, according to new groundwater monitoring regulations, by you, as property owner.

Response to Comment No. 162-9

Please refer to Response to Comment No. 162-5. As described in the Project Site Conditions of the groundwater analysis (beginning on page 1410 of the Draft EIR), the

majority of the Project Site is in the eastern Santa Monica Mountains, which is not part of the San Fernando groundwater basin. Portions of the Project Site considered to be within the San Fernando groundwater basin include the northwestern area and a narrow portion of the Project Site along the Los Angeles River Flood Control Channel. The Project Site is located entirely within the San Fernando Watershed Boundary within which the Upper Los Angeles River Area Basins are located. The Hollywood Basin lies within a different watershed boundary. See Figure 2-1 of Appendix I-3, Groundwater Technical Report of the Draft EIR. No portion of the Project Site lies within the Hollywood Basin which is separated from the Project Site by mountains.

Comment No. 162-10

The LA Department of Water and Power has allowed you groundwater allocations from other basins, therefore, depleting any available to supply, if needed, to the basin in which, people or property is contained. There are no spreading ground basins in the Hollywood Basin.

Response to Comment No. 162-10

Section IV.L.2, Utilities – Water, of the Draft EIR provides a comprehensive discussion and analysis of the potential environmental impacts related to water services and supply. The discussion and analysis includes groundwater relied upon by DWP as part of their water supply. The Section is based on the Water System Technical Report prepared by Incedon Consulting Group (May 2010), which is included as Appendix N-1-1 to the Draft EIR, and the Water Supply Assessment prepared by the City of Los Angeles Department of Water and Power (DWP), dated April 27, 2010, included as Appendix N-1-2 to the Draft EIR.

Water is supplied to the Project Site by the Department of Water and Power (LADWP). As stated in Section L.2, Utilities – Water, of the Draft EIR, and Appendix N-1-2, Water Supply Assessment, the Los Angeles Aqueducts, local groundwater, purchased water from the Metropolitan Water District and recycled water are the primary sources of water supplies for LADWP. In addition, to meet the water demands of the Project, the Applicant would provide replacement water pursuant to the terms of the Surplus Water Supply Augmentation Agreement between the Applicant and LADWP. Under this agreement, the Applicant would provide water rights to LADWP that LADWP does not currently possess, thus increasing the water supply sources to which LADWP has access. The Surplus Water Supply Augmentation Agreement contemplates that the water rights will be from the Central and West Coast Basins. As indicated in the Water Supply Assessment for the Project, the Central and West Coast Basins are adjudicated groundwater basins. Under the adjudications, LADWP has specified, limited water rights in these basins. The water rights that the Applicant would provide LADWP under the Surplus Water Supply

Augmentation Agreement would be in addition to LADWP's existing rights. As further noted in the Water Supply Assessment, there are active groundwater rights sales and lease markets in the Central and West Coast Basins. Based on the data for the Central and West Coast basins, LADWP determined that the Project demands could be offset through the purchase of annual adjudicated water rights in these basins.

Comment No. 162-11

Not mentioned is the Environmental Protection Agency Docket No. EPA-R09-0AR-2009-0366-0001 which indicates the disapproval of the PM 2.5 and NOX aspects of the 2007 AQMD Air Quality Management Plan. This needs to be addressed in this document.

Response to Comment No. 162-11

This comment does not identify a specific concern with the Draft EIR's air quality analysis. Project air quality impacts were fully analyzed and disclosed in the Draft EIR in accordance with the South Coast Air Quality Management District's California Environmental Quality Act (CEQA) Air Quality Handbook (CEQA Handbook), including impacts related to particulate matter and nitrogen oxides, as discussed on pages 1455–1520 in Section IV.H, Air Quality, of the Draft EIR.

The comment references “Environmental Protection Agency Docket No. EPA-R09-0AR-2009-0366-0001” but does not specify how it relates to the Draft EIR. The comment appears to be referencing a proposed rule by the United States Environmental Protection Agency. The comment states without specificity that the reference “indicates the disapproval of the PM_{2.5} and NO_x aspects of the 2007 AQMD Air Quality Management Plan.” In accordance with the South Coast Air Quality Management District CEQA Handbook, the Draft EIR determined that the Project would be consistent with all applicable plans and policies, including the 2007 Air Quality Management Plan, as discussed on pages 1510–1516 in Section IV.H, Air Quality, of the Draft EIR. The South Coast Air Quality Management District CEQA Handbook does not require the Draft EIR to analyze rules proposed by the United States Environmental Protection Agency related to the State Implementation Plan.

It is unclear from the comment how the reference directly applies to the Project or the Draft EIR and it is noted that the proposed rule is not a final agency action.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 162-12

Upon analysis of the LADWP Power Plan, we find:

Commercial loads actual and forecast for the period 2000-2040:

1. 36% increase from base year 2000
2. Peak capacity at 16,496 in 2031 from 12,107 in 2000 with an increase load of 4,389

We find the LADWP Generation forecasts, upon analysis of their figures, at:

Maximum- 8,479,039 kW

Net Dependable- 7,207,745 kW

In-Basin Thermal Generation:

Maximum-40.27%

Net Dependable- 46.30%

Coal-Fired Thermal Generation:

Maximum- 19.80%

Net Dependable- 21.14%

Nuclear-Fueled Thermal Generation:

Maximum- 4.57%

Net Dependable- 5.28%

Large Hydroelectric Generation:

Maximum- 20.79%

Net Dependable- 32.49%

Renewable Resources and Distributed Generation-Wind

Maximum- 10.08%

Net Dependable- 1.19%

Renewable Resources and Distributed Generation-Small Hydro Electric

Maximum- 2.46%

Net Dependable- 1.88%

Renewable Resources and Distributed Generation-Other

Maximum- 2.03%

Net Dependable- 2.03%

Renewables Total:

Maximum- 14.57%

Net Dependable- 5.10%

Leaving the Major Sources at:
Maximum- 85.43%
Net Dependable- 94.90%

We question the reliability of power to this project.

Response to Comment No. 162-12

The comment refers to data that it states is from the Los Angeles Department of Water and Power Power Plan and questions the electrical utility analysis in the Draft EIR without specifying a basis. Section IV.L.4, Utilities – Electricity, of the Draft EIR contains a comprehensive analysis of electric utility related impacts from the Project. The Section is based on the *Electrical System Technical Report* prepared for the Project by Incedon Consulting Group (2010) The full text of the report is included as Appendix N-3 to the Draft EIR.

For electrical service, the County portions of the Project Site are served by Southern California Edison and the City portions of the Project Site are served by the Los Angeles Department of Water and Power. As shown in Table 172 on page 1937 in Section IV.L.4, Utilities – Electricity, of the Draft EIR, the projected electrical demand associated with the operation of the proposed Project would be 17,338 kVA for the portion of the Project Site that would be located within the City’s jurisdiction, and therefore served by the Los Angeles Department of Water and Power. The Los Angeles Department of Water and Power has indicated that the existing electrical system would need to be reinforced and a new distribution system would need to be installed for the Mixed-Use Residential Area in the City portion of the Project Site. As discussed on pages 1952–1953 in Section IV.L.4, Utilities – Electricity, of the Draft EIR, Project Design Feature L.4-3 provides for a new Los Angeles Department of Water and Power electrical distribution station on the Project Site. In addition, additional electrical lines would be installed both on and off the Project Site. These electrical lines may be added to existing above-ground electrical poles or may be undergrounded. (Draft EIR, Section IV.L.4, Utilities – Electricity, pages 1936–1938.) Thus, although implementation of the proposed Project would result in increased electrical consumption and demand, with implementation of the project design features, Project impacts with respect to electricity would be less than significant. (Draft EIR, page 1954.)

As shown on Table 172 on page 1937 of the Draft EIR, the projected electrical demand associated with the operation of the proposed Project would be 9,499 kVA for the portion of the Project Site that would be located within the County jurisdiction, and therefore served by Southern California Edison. Southern California Edison has indicated that it has the capacity in its existing supply system to handle the increase in demand for power supplied by its facilities. However, in order to deliver this increased demand to the Project Site, a new 66 kV line would need to be installed, and this installation would require

expansion of the existing Southern California Edison facilities on-site. With this new 66 kV line and expanded existing on-site substations, and new and expanded on-site distribution substation, increased electrical loads can be supplied and distributed on-site, thereby resulting in a less than significant impact. (Draft EIR, Section IV.L.4, Utilities – Electricity, pages 1938–1939.)

In addition, as noted in the Draft EIR, the Project includes project design features and energy conservation measures outlined in the Draft EIR. (Draft EIR, Section IV.L.4, Utilities – Electricity, Project Design Features L.4-4 through L.4-11, pages 1953–1954.) The projection of the proposed Project’s electrical consumption does not account for the Project’s incorporation of the project design features and energy conservation measures, which would decrease the proposed Project’s electrical consumption. (Draft EIR, pages 1935–1936.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 163

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smdodge@earthlink.net

Comment No. 163-1

Attached are my person [sic] public comments on the NBC Universal Evolution Plan ENV-2007-02S4-EIR.

Response to Comment No. 163-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 163-2

I have several concerns regarding the NBC Universal Evolution Plan (the Project) as currently proposed. The Draft EIR omits several areas that should be addressed in a Supplemental EIR.

Response to Comment No. 163-2

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

Comment No. 163-3

Section IV.J.1 lists Historic Resources in the vicinity on p. 1633; however Griffith Park, Historic-Cultural Monument # 942 is not listed. I realize that Griffith Park was designated an HCM in January, 2009, after most of the Project was written; however they have had adequate time to include Griffith Park in the list of historic resources. Griffith Park must be added to that list and any changes that impact the park must be approved by the Cultural Heritage Commission.

This is particularly important as Mitigation Measure B-7 (p.63) proposes the widening of Forest Lawn Drive where it goes through Griffith Park. This is certainly a violation of Col. Griffith's intent when he donated the park land to the city to provide an escape valve for the teeming masses from the stress of urban life. Making the road a major street and an

alternate to the clogged freeways certainly does not fit into Griffith's vision. One must also consider the impact on wildlife who use that area to access the Los Angeles River. We humans are guests on their land and we must tread lightly. It is unconscionable that NBC Universal would attempt to resolve its traffic congestion by dumping it into Griffith Park. Both the humans who seek refuge in the tranquility of the Park and its wildlife residents deserve more consideration than that.

Response to Comment No. 163-3

Griffith Park was designated as a Historical Cultural Monument in 2009. This is acknowledged as a correction and addition to the Draft EIR (see Correction and Addition No. IV.J.1.B, Section II, of this Final EIR).

Project construction is confined to the Project Site, therefore, no direct impacts to the Griffith Park Historic Cultural Monument are anticipated. Mitigation Measure B-7 includes widening of portions of Forest Lawn Drive and Zoo Drive. These segments of Forest Lawn Drive, Zoo Drive and the Ventura Freeway are within the northernmost boundaries of Griffith Park. Forest Lawn Drive is an existing Major Class II Highway. As shown on the Forest Lawn Layout Exhibit presented in Appendix Q of the Transportation Study (attached as Appendix E-1 to the Draft EIR), the recommended widenings would occur within the existing right-of-way of Forest Lawn Drive and Zoo Drive and would consist of a varied width of up to 10 feet of additional pavement within the right-of-way. As the roadway improvements would occur within the existing right-of-way, no impact is anticipated to the character-defining features of the Griffith Park Historic Cultural Monument and, therefore, there would be a less than significant impact on the cultural monument. The limited additional pavement within the existing right-of-way that would result from the implementation of Mitigation Measure B-7 and incremental increase in traffic volume along these roadways are not of a sufficient magnitude to alter the existing wildlife movement patterns.

Comment No. 163-4

The Draft EIR fails to examine the impact of increased traffic on areas east of Forest Lawn Drive and the 134, in Griffith Park, or on streets such as Los Feliz Blvd. and Franklin Avenue. These are certain to become alternate routes as drivers attempt to escape the congestion guaranteed on the Hollywood Freeway. The area of study must be expanded to include these areas.

Response to Comment No. 163-4

As set forth in Section IV.B.1.2.a of the Draft EIR and Chapters I and II of Transportation Study for the NBC Universal Evolution Plan Environmental Impact Report

(Gibson Transportation Consulting, Inc. and Raju Associates, Inc., March 2010) (the “Transportation Study”) included as Appendix E-1 to the Draft EIR, the Study Area used in the Transportation Study was designed to ensure all potentially significantly impacted intersections, prior to any mitigations, were analyzed. The Study Area was adjusted as necessary to confirm that there were no impacts at or outside the boundary of the Study Area. The Study Area was developed in conjunction with the Los Angeles Department of Transportation (LADOT).

The proposed Project is forecasted to generate a very limited number of additional vehicle trips through Griffith Park. These vehicle trips would occur within the existing roadways, including Forest Lawn Drive, Griffith Park Drive, Zoo Drive, the Ventura Freeway and the Golden State Freeway. The additional vehicle trips on these existing roadways from the Project represent a very small incremental increase in traffic volume along these roadways. The Project is not expected to add enough traffic to streets within Griffith Park to result in a significant traffic impact within Griffith Park or through the park to the eastern portion of the Los Feliz community. As shown in Figures 66 and 67 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Figures 31 and 32 in Chapter IV of the Transportation Study, the Project is not expected to result in a significant traffic impact at any intersections along the Forest Lawn Drive corridor east of Zoo Drive. Further, the Project does not result in a significant impact at the two intersections closest to the southwestern boundary of the Los Feliz community—Cahuenga Boulevard & Hollywood Boulevard (Intersection 70) and Vine Street & Franklin Avenue/US 101 southbound off-ramp (Intersection 71). As shown in Figure 62 in Section IV.B.1 of the Draft EIR and Figure 27 in Chapter IV of the Transportation Study, the Project adds a maximum of 5 trips to one direction on Hollywood Boulevard and 8 trips to one direction on Franklin Avenue. This level of traffic translates to a maximum increase of 0.006 in V/C ratio assuming the lowest lane capacity of 1,325 vehicles per hour per lane (vphpl) per the “Critical Movement Analysis—Planning” (Transportation Research Board, 1980) methodology. Per LADOT’s significant impact criteria, this level of increase would not result in a significant impact even if the intersections along these two corridors were operating at Level of Service F. With regard to the SR 134, as shown in Figures 71 in Section IV.B.1 of the Draft EIR, the Project is not expected to result in a significant impact at the referenced segment during either peak hour.

Comment No. 163-5

The Project, by its own admission has “significant and unavoidable impacts” on the environment. That, with the fact that it requires 17 discretionary approvals plus any others that are necessary, tells you that this project is too big and inappropriate. It should be reduced in scale and scope in order to reduce its impact on the environment.

Response to Comment No. 163-5

The proposed Project includes amendments to the City and County General Plans, as well as the Sherman Oaks–Studio City–Toluca Lake–Cahuenga Pass Community Plan and the Mulholland Scenic Parkway Specific Plan, and proposes two Specific Plans: (1) the proposed Universal Studios Specific Plan; and (2) the proposed Universal City Specific Plan. The proposed Specific Plans would create new zoning regulations and establish land use standards that would replace existing zoning regulations and land use standards for the affected areas. The requested zone changes to the proposed Specific Plan zones would also establish pre-zoning, as required for the implementation of the proposed annexation/detachment actions. The Draft EIR discusses these issues extensively in Sections IV.A.1, Land Use – Land Use Plans/Zoning, and explains how the proposed Project would be consistent with existing plans and policies, and determines that with adoption of the requested discretionary actions, the Project’s land use impacts would be less than significant.

With regard to significant and unavoidable impacts of the Project, in all environmental issue areas where significant impacts were identified to potentially occur in the Draft EIR, project design features and mitigation measures to reduce or eliminate those impacts have also been identified. All significant impacts that are reduced to a less than significant level via recommended project design features and mitigation measures are discussed in detail in Section IV of the Draft EIR. In some cases, the project design features and mitigation measures would not be sufficient to completely eliminate the significant impacts. As such these impacts are considered significant and unavoidable.

Regarding the remaining significant and unavoidable Project impacts, as described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.” (Public Resources Code Section 21002.1(a).) “Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).)

In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or substantially lessened, the lead agency

must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA.

Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation (see CEQA Guidelines Section 15126.6). Alternatives analyzed in Section V, Alternatives to the Proposed Project, of the Draft EIR, included substantial reductions in development compared to the proposed Project. The commenter is referred to Section V of the Draft EIR for additional information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 164

Michael Dorian
13114 Magnolia Blvd.
Sherman Oaks, CA 91423-1529

Comment No. 164-1

Please consider these comments as you review the NBC Universal Draft Environmental Impact Report.

First, the DEIR is exhaustive – it appears to cover every conceivable impact from the project. Second, it is possible to conclude from this exhaustive report that the project has been thoughtfully balanced, that neighborhood issues have been carefully considered, and that the economic investment will be overwhelmingly beneficial for the community, the City and the County.

The few significant impacts pale in comparison to the project's benefits, and frankly, there will be more negative impacts from things like increasing traffic congestion even if the project isn't built.

I hope you will move forward with it quickly.

Response to Comment No. 164-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 165

Monica Dozier
10823 Whipple St., Apt. 1
North Hollywood, CA 91602-3266

Comment No. 165-1

The environmental review for NBC Universal's proposed project is very comprehensive, but as a local resident I believe there are just a few very important points: I'm convinced that the proposals for investment in improving traffic conditions and establishing transit links are the only ways we're ever going to get anything done about traffic congestion here. No major road improvements have been made in this community for decades, and without this project there won't be any for the foreseeable future. Since the City can't afford to make these changes, at least private industry is stepping up.

I'm also heartened to see that NBC Universal plans to expand opportunities for employment in the entertainment business. It would be a tragedy to lose the chance for increasing the number of high-paying jobs in this economic climate. And it's smart to anchor more entertainment productions in Los Angeles instead of watching them disappear to other places.

I'm sure there will be complaints about the size of the project and its potential impacts, but in my opinion none of them outweigh the benefits which will come from its approval. The jobs, transportation improvements, and greater tax revenue to the City and County which will come from this project are too important, and it ought to be supported by all of us.

Response to Comment No. 165-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

For informational purposes only, roadway improvements, such as those implemented along Cahuenga Boulevard (North) in the City of Los Angeles as well as Olive and Alameda Avenues in the City of Burbank, have been made in the community in recent decades.

Comment Letter No. 166

Nicholas Dragga
11041 Hesby St., Apt. 111
North Hollywood, CA 91601-5613

Comment No. 166-1

More and more lately we are hearing about budget problems and cutbacks in the essential services which make life bearable in a big city like Los Angeles. One of the important points covered in the NBC Universal Draft EIR addresses exactly this point. The project includes new facilities for public safety, fire protection and libraries. It recognizes that the demands of new development (and frankly, existing communities) can't be met unless the project provides them. I think this is a rational way to permit economic growth while making sure that our public services aren't overwhelmed.

It's also important to remember that with the approval of this project, our community will be getting what few others will see: improved public safety and libraries, rather than the continuing decline we are currently witnessing as budgets tighten. I'm glad Universal is making this investment in the area since otherwise we would be suffering more losses.

I hope you will approve the project without delay so that the local community will start seeing its benefits.

Response to Comment No. 166-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 167

Janice Eaton
10432 Valley Spring Ln.
Toluca Lake, CA 91602
jse06@sbcglobal.net

[Note: A duplicate of the letter provided below was received on 2/4/11]

Comment No. 167-1

Please see the attached comment letter regarding the Universal Evolution Plan DEIR.

Response to Comment No. 167-1

The introductory comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the Draft EIR are provided and responded to below.

Comment No. 167-2

As a long-time resident of the Toluca Lake community, I have been affected by the noise from NBC Universal for over 10 years with no appreciable resolution. The DEIR does not sufficiently address the ongoing nuisance noise that we have to deal with on a daily basis from the theme park. Construction noise is already audible from one project (Transformers) that has already been started. Due to the location of NBC Universal, noise from the property reverberates throughout our community, with the summer of 2010 being the worst noise levels ever. This project along with long term construction will make it unbearable. The County and City Noise Ordinances are not sufficient to control the sound from Universal currently. The Project must be required to monitor the sound at the source and assure that the residents will not hear the daily activities and events from NBC Universal. There is no reason with the technology of today that the surrounding communities should have to hear anything from the site.

Response to Comment No. 167-2

As explained on page 971–74, and shown on Figures 92 and 93 on pages 972–73, in Section IV.C, Noise, of the Draft EIR, and explained in the Noise Technical Report provided in Appendix F-1 of the Draft EIR, the noise consultant identified 12 noise receptor areas surrounding the Project Site. The 12 areas represent the diversity of conditions found around the Project Site and include areas from which community members have raised concerns regarding noise from the Project Site, including Toluca Estates and Toluca Lake. The purpose of the monitoring was to measure ambient noise levels existing around

the Project Site in order to compare the future Project sound levels to the ambient conditions.

The Draft EIR, Section IV.C, Noise, provides a comprehensive analysis of the Project's potential noise impacts. As noted in the summary of the proposed Universal Studios Specific Plan on page 994 of the Draft EIR, the Project's operational and construction sound sources in the County portions of the Project Site would comply with Title 12, Chapter 12.08 of the Los Angeles County Code, which is the County's Noise Ordinance and which provides regulations addressing both daytime and nighttime noise levels. Similarly, as discussed on page 996 of the Draft EIR, the proposed Universal City Specific Plan states that operational sound sources in the City portions of the Project Site would be subject to the LAMC's noise regulations, as well as the noise limits for daytime and nighttime noise, which are based on the County Noise Ordinance's L_{50} and L_{max} standards. The City's construction sound sources will be subject to the LAMC's noise regulations, which also limit daytime and nighttime noise. The Draft EIR also provides a comprehensive analysis of both potential daytime and nighttime impacts resulting from the Project's construction and operation on pages 998–1019 in Section IV.C, Noise, of the Draft EIR.

With respect to noise during construction, the Project would implement Project Design Feature C-1 and Mitigation Measures C-1 through C-5, which would reduce the daytime noise levels attributable to the Project. However, depending on the receptor location and ambient noise levels at the time of construction, these activities could increase daytime noise levels at nearby noise-sensitive uses above the established threshold. This is considered a significant and unavoidable short-term impact when grading and construction activities occur near noise-sensitive uses. Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when exterior nighttime construction, as allowed by the exceptions noted in Mitigation Measure C-2, occurs. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. It is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur are limited, and when they do occur, the extent of this significant impact would be limited in duration. With the implementation of Mitigation Measure C-4, noise from Project-related hauling would be reduced to a less than significant level. The proposed mitigation measures are detailed on pages 1033–1035 of the Draft EIR. These mitigation measures shall be enforced by the City or County, as applicable, and as described in the Mitigation Monitoring and Reporting Program.

Regarding the Project's potential operational noise impacts, as noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise would result in less than significant

impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-3

The DEIR states that the project will generate a net increase of 36,451 daily trips. The Toluca Lake community and the surrounding areas cannot handle that amount of traffic. It is difficult enough now to navigate Riverside Drive, Cahuenga and Moorpark during peak hours. Page 740 of the DEIR states that the current Level of Service for Forman Avenue and Riverside Drive (41) is rated an A. No one who has ever driven through that intersection during peak hours in the last few years would ever consider it an "A". The traffic study must have been done on a Sunday or a holiday. The DEIR states that the Level of Service after the project will be an E or F. This would make it impossible to drive in and around Toluca Lake. The alleys and neighborhoods are already being used as alternate routes to escape the stopped traffic. The same can be said for Cahuenga Blvd. and Moorpark Street. The traffic will make prisoners of the residents of these neighborhoods. The freeway system cannot handle this amount of traffic.

Response to Comment No. 167-3

As shown in Table 36 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project is forecasted to generate a net total of 36,451 daily trips on a typical weekday before considering trip reductions due to the proposed Transportation Demand Management Program, and would generate a net total of 28,108 daily trips on a typical weekday, with the incorporation of Transportation Demand Management trip reductions. The potential transportation impacts of the Project were analyzed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. An extensive series of project design features and mitigation measures have been identified to address the Project's traffic impacts. The Draft EIR notes that while these measures would substantially reduce the Project's intersection impacts, significant and unavoidable impacts would remain at nine intersections, including Cahuenga Boulevard and Riverside Drive (both peak hours); Cahuenga Boulevard and Moorpark Street (both peak hours); Lankershim Boulevard and Cahuenga Boulevard (morning peak hour); Lankershim Boulevard and Main Street (afternoon peak hour); Lankershim Boulevard and Jimi Hendrix Drive (afternoon peak hour), and Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (morning peak hour). The Project's mitigation program includes all feasible mitigation measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible

mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

The Project's traffic impact analysis is consistent with the lead agency's adopted methodologies and consistent with those used for other developments in the City of Los Angeles, which uses capacity calculation analyses as the "Critical Movement Analysis—Planning" methodology. Intersection turning movement counts for the typical weekday morning (7:00 A.M. to 10:00 A.M.) and afternoon (3:00 P.M. to 6:00 P.M.) peak hours for typical weekdays and fieldwork (intersection lane configuration, signal phasing, etc) for the analyzed intersections were collected in the spring and the fall 2006 and spring 2007. The traffic analysis presented in Section IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR, and the Transportation Study attached as Appendix E-1 to the Draft EIR was reviewed and approved by the Los Angeles Department of Transportation.

With regard to the intersection of Forman Avenue and Riverside Drive, the commenter is correct that page 740 of the Draft EIR indicates the intersection of Forman Avenue and Riverside Drive operates at LOS A under existing conditions. However, contrary to the statement in the comment, as noted on page 804 of the Draft EIR, after implementation of project design features and mitigation measures the intersection peak hour level of service with the Project would be "D" in both the morning and afternoon peak hours, and there would be no residual significant impact at this intersection.

With respect to potential impacts to residential streets from "cut-through" traffic, including streets in Toluca Lake, as discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR, a detailed analysis of the Project's potential impacts on nearby residential neighborhoods was conducted. Figure 73A on page 903 of the Draft EIR illustrates the areas in Toluca Lake that may be subject to significant neighborhood intrusion impacts before Transportation Demand Management trip reductions and mitigation. With the Transportation Demand Management trip reductions and mitigation, five of the nine potentially impacted neighborhoods in the overall transportation study area would still be subject to potential impacts. Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR) would provide for the development of neighborhood traffic management plan(s) in the five potentially impacted neighborhoods, including those in Toluca Lake. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for additional detail regarding neighborhood intrusion impacts.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-4

Page 740 also states that intersection 36, Lankershim Boulevard & Campo de Cahuenga Way/Universal Hollywood Drive is LOS “A” at peak hours. Again, no one who has had to sit in stopped traffic that backs up down Cahuenga and Lankershim daily from this intersection would ever consider it an “A”. [sic] The pedestrian bridge or tunnel from the MTA to Universal that should have been in place long before now MUST be required to be built before this project is even considered to move forward. This is now and has always been a dangerous intersection for pedestrians and vehicles.

Response to Comment No. 167-4

The Commenter is referred to Response to Comment No. 167-3 regarding the Project’s traffic impact analysis.

With regard to a pedestrian bridge across Lankershim Boulevard at its intersection with Universal Hollywood Drive/Campo de Cahuenga Way as discussed on page 652 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the mitigation program for the original Universal City Metro Red Line Station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line Station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed Project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of Directors authorized the full budget to design and construct the bridge.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-5

Page 626 shows percentages on the key travel corridors that the project trips are projected to use. These projection percentages are just that – projections. They cannot predict accurately the direction vehicles will take when faced with grid locked conditions. **Why isn’t Barham Blvd. shown as a key travel corridor**, especially since it will be near one of the main entrances to the project? Barham Blvd. has traffic currently that allows pedestrians to walk faster than the vehicles. Why isn’t the 12 percent for SR 170 and the 12 percent for SR 134 added to the 9 percent for Lankershim Blvd., Cahuenga Blvd., and Vineland Avenue since the only way to get to the project from SR 170 and SR 134 is by using one of those three streets? Why isn’t part of the percentage of Moorpark Street, Magnolia Blvd, and Burbank Blvd. also not added to the 9 percent for Lankershim, Cahuenga and Vineland as those would also be the streets that would be used to go to and

from the project? Does this mean then that 33 to 44% of the projected traffic volume would be using Lankershim, Cahuenga and Vineland? How else do the vehicles coming from SR 170 and SR 134 get to the project without using Lankershim, Cahuenga and Vineland? Bringing all of these corridors to main entrances will cause tremendous congestion on all the streets leading up to the project.

Response to Comment No. 167-5

With regard to the assignment of traffic to roadways and freeways, as noted in Section IV.B.1.2.c.(2) of the Draft EIR, the analysis presented in the Draft EIR is based on a detailed travel demand forecasting model, the Universal City Transportation Model, that was developed for the Study Area using the Southern California Association of Governments' Regional Transportation Plan 2004 Transportation Model and the City of Los Angeles' General Plan Framework model as the base:

The City's model network was modified to include the following:

- “1. Network detail (to add all directional ramps, collector streets in addition to the City's network of freeways, and major and minor arterials in the Study Area, and update link characteristics such as number of lanes, capacity, and speed parameters).
2. Traffic Analysis Zone system refinements to include more detail in the Study Area in order to obtain improved travel forecasts.
3. Updated network assignment features to simulate traffic patterns very close to actual traffic patterns observed in traffic counts.

These model modifications were included to offer more detailed and reliable future traffic forecasts in the Study Area. Existing conditions were simulated using the model, and the results of the traffic flows were compared to existing traffic counts. The model parameters were calibrated within three percent of the existing traffic counts, in compliance with Los Angeles Department of Transportation standards. Detailed descriptions of the model development and calibration/validation processes are provided in Appendix H of the Transportation Study dated March 2010 included in Appendix E-1 of this Draft EIR.”

The Universal City Transportation Model was developed and calibrated/validated to the satisfaction of the Los Angeles Department of Transportation. (See the City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010, attached as Appendix E-2 of the Draft EIR). Similar to analysis conducted with the Southern California Association of Governments' regional model, the analysis accounts for the unique nature of the street system within and around the Study Area, and the traffic conditions on both the freeway and street networks. The traffic volumes were assigned to

the intersections and streets after a thorough investigation of traffic patterns and in collaboration with the Los Angeles Department of Transportation and Caltrans. The Universal City Transportation Model assignments of Project traffic account for the traffic volumes and operating conditions on the freeway system and route Project traffic based on the shortest time paths that reflect traffic congestion. The model therefore did take into account the existing and projected future levels of congestion on the roadway system, and the new trips to/from the Project were assigned to the street system based on the anticipated congestion levels. The commenter is referred to Appendix H of the Transportation Study (see Appendix E-1 of the Draft EIR) that provides a detailed description of the Universal City Transportation Model's development and validation process.

With regard to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham Boulevard corridor. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along this corridor to a level below significance, based on Los Angeles Department of Transportation's significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. The transportation project design features and mitigation measures include, for example, a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor and a new public roadway, the "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. (See Mitigation Measure B-5 and Project Design Feature B-2 in Section IV.B.1, Traffic/Access – Traffic/Circulation.)

The comment quotes travel patterns for project traffic as outlined on page 626 of the Draft EIR and in Figure 26 of the Transportation Study attached as Appendix E-1 to the Draft EIR. The patterns depicted in Figure 26 show the general directions of approach/departure and the travel corridors for Project traffic. The comment correctly suggests that much of the approach data shown in Figure 26 will accumulate as traffic moves closer to the Project Site. Figures 27 and 38 in the Transportation Study included as Appendix E-1 to the Draft EIR shows the accumulation of Project traffic through each of study intersections, without and with the Project's Transportation Demand Management program, respectively. Thus, as requested in the comment, the Project traffic analysis analyzed the Project traffic from the corridors approaching the Project Site to the individual entrances to the Project and evaluated the impacts of each trip as the trips accumulated on the street network. The Transportation Study impacts analysis and recommended

mitigation measures are based on a careful tracking of all of the Project trips throughout the street and freeway network.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-6

On Page 642-643, Neighborhood Intrusion Impact the DEIR states:

Cahuenga Boulevard between Lankershim Boulevard and the Ventura Freeway eastbound ramps – The four intersections along the Cahuenga Boulevard corridor from Lankershim Boulevard to the Ventura Freeway eastbound ramps **projected to operate at Level of Service E or F are:**

- Cahuenga Boulevard at Ventura Freeway eastbound ramps;
- Cahuenga Boulevard at Riverside Drive;
- Cahuenga Boulevard at Moorpark Street; and
- Cahuenga Boulevard at **Valley Spring Lane**.

A potential alternative route that would avoid the Cahuenga Boulevard & Riverside Drive, Cahuenga Boulevard & Moorpark Street, and Cahuenga Boulevard & Ventura Freeway eastbound ramps intersections could be **Valley Spring Lane** to Ledge Avenue to Sarah Street and back to Cahuenga Boulevard. Therefore, there is a potential for a significant neighborhood intrusion impact in this area, before Transportation Demand Management trip reductions and mitigation. No parallel alternative routes via local residential streets are available as bypass to Cahuenga Boulevard around the Valley Spring Lane intersection. Therefore, no significant neighborhood intrusion impacts in this area would be anticipated.

I live on Valley Spring Lane and it is ridiculous and arrogant to say that there will be *no significant impact* WHEN our street is used as an alternate route due to LOS E or F on Cahuenga Blvd. Our neighborhood streets, Valley Spring Lane, Whipple, Woodbridge, and Bloomfield are already used as cut-throughs to bypass existing traffic on Cahuenga Blvd. These are small, residential streets that should not and cannot handle this level of traffic intrusion.

Response to Comment No. 167-6

As discussed in Section IV.B.1.3.d.(5) and Section IV.B.1.5.j, Traffic/Access – Traffic/Circulation, of the Draft EIR and Chapter VIII of the Transportation Study attached as Appendix E-1 to the Draft EIR a detailed analysis of the Project's potential impacts on

nearby residential neighborhoods was conducted. The methodology used in this analysis is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. The methodology identifies those residential neighborhoods that might be significantly impacted by Project traffic according to LADOT criteria for neighborhood streets. The portion of the Draft EIR referenced in the comment does not suggest that there are no potential neighborhood intrusion impacts along Valley Spring Lane, but that there are no parallel alternative routes via local residential streets available to specifically bypass the Cahuenga Boulevard and Valley Spring Lane intersection. As explained in Chapter VIII of the Transportation Study (Appendix E-1 to the Draft EIR), and Figure 73B on page 904 of the Draft EIR, which is superseded by Figure 73B (Revised) (see Correction and Addition No. IV.B.1.K, Section II, of this Final EIR), illustrates the potential addition of 1,200 daily trips along each of the corridors leading to/from the Project Site under the Future With Project with Funded Improvements (with Transportation Demand Management trip reductions and mitigation measures), including Cahuenga Boulevard. The presence of congested cumulative conditions and the availability of local streets providing a parallel route of travel in the vicinity of congested portions of the corridor were then investigated for each of the corridors. As shown in Figure 73B (Revised) and Figure 68 of the Transportation Study (see Appendix E-1 of the Draft EIR), Valley Spring Lane, Whipple Street, Woodbridge Street, and Bloomfield Street between Cahuenga Boulevard and Ledge Avenue have been identified as potentially significantly impacted streets under the Future with Project with Funded Improvements scenario and are therefore eligible for the neighborhood mitigation fund described in Section IV.B.1, Traffic/Access – Traffic/Circulation, Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR).

Also refer to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for further detail.

Comment No. 167-7

The data used for noise and traffic are out-dated and, therefore, misrepresent current conditions. These studies need to be re-done with current information that is up-to-date. Many noise issues have increased and do not reflect current data (as evidenced by recent meetings with NBC Universal) and traffic has obviously become more congested since the traffic data was taken.

Response to Comment No. 167-7

As discussed in the CEQA Guidelines, an “EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published.... This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is

significant.” (CEQA Guidelines, Section 15125(a).) The Notice of Preparation for the Project was prepared on July 10, 2007, and thus the existing measurements included in the Draft EIR properly set the baseline for environmental conditions.

The existing ambient noise measurements, which serve as the baseline for the noise analysis, were taken between February and July 2007. As explained on pages 971–974, and shown on Figures 92 and 93 on pages 972–973, in Section IV.C, Noise, of the Draft EIR, and explained in the Noise Technical Report included as Appendix F-1 of the Draft EIR, noise monitoring was conducted in 2007 at 47 locations within 12 receptor areas that represent the diversity of conditions found around the Project Site. While the existing measurements included in the Draft EIR properly set the baseline for environmental conditions, nonetheless, in response to comments, in May and June of 2011, Veneklasen Associates performed supplemental noise monitoring at 12 locations, which included one receptor in each of the Receptor Areas analyzed in the Draft EIR. The supplemental noise monitoring indicated that the current ambient noise levels were similar to the ambient noise levels measured during the 2007 monitoring. Please see Appendix FEIR-6 of this Final EIR.

The City of Los Angeles Department of Transportation requires the use of traffic counts that are less than two years old from the date of the issuance of the Project’s Notice of Preparation. As noted in Section IV.B.1.2.a.(2) of the Draft EIR, intersection turning movement counts for typical weekday morning (7:00 A.M. to 10:00 A.M.) and afternoon (3:00 P.M. to 6:00 P.M.) peak periods and fieldwork (intersection lane configurations, signal phasing, etc.) for the analyzed intersections were collected in Spring and Fall 2006, and Spring 2007. The Notice of Preparation for the Project was issued in July 2007. Therefore, all traffic counts conducted in 2006 and 2007 meet the Los Angeles Department of Transportation’s requirement.

Comment No. 167-8

All traffic mitigations agreed upon by the community MUST be in place before any construction is started.

Response to Comment No. 167-8

The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project’s Mitigation Monitoring and Reporting Program. With regard to traffic mitigation phasing, under the traffic mitigation sub-phasing plan, the Project has been preliminarily divided into four development phases with traffic mitigations tied to each phase. The timing and sequencing of each of the proposed developments in the sub-phases are approximate. The primary focus of this sub-phasing plan analysis is to provide a plan that requires the implementation of transportation improvements in tandem with the

traffic impacts of the development. As noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR on pages 687–689 and Chapter V of the Transportation Study, the Project’s transportation mitigation sub-phasing plan has been developed using trips as thresholds. The trip generation of development of each phase would be monitored by the City of Los Angeles Department of Transportation. As noted in of the City of Los Angeles Department Transportation’s Assessment Letter of April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-9

NBC Universal should use an off-site parking area for construction workers and they should be shuttled to the site in order to avoid adding congestion to the community. NBC Universal should also invest in off-site parking for employees far beyond the congestion areas and use shuttles for the employees.

Response to Comment No. 167-9

As stated on page 950 in Section IV.B.2, Traffic/Access – Parking, of the Draft EIR, during construction an adequate number of on-site parking spaces would be available at all times or the Project would provide a shuttle to an off-site parking location for the construction workers. Pursuant to Mitigation Measure B-40, all construction workers shall be prohibited from parking on neighborhood streets offsite. To the extent that parking would not be available on-site, parking shall be provided by the Applicant or its successor at offsite locations. A construction worker shuttle service shall be provided if an offsite parking lot is not within reasonable walking distance of the Project Site. Furthermore, as provided in Mitigation Measure B-44 (Mitigation Measure B-41 in the Draft EIR), the Project Applicant or its successor shall prepare construction traffic management plans satisfactory to the affected jurisdiction. The construction traffic management plan shall, among other elements, provide, as appropriate, that construction-related vehicles shall not park on any residential streets.

With respect to Project operational parking, as explained in Section IV.B.2, Traffic/Access – Parking of the Draft EIR, under existing conditions, the parking that is available on-site is sufficient to meet the Project Site’s existing parking demand via the implementation of the Applicant’s site wide parking management program. This program takes advantage of the sharing of parking among uses that have daily and seasonal patterns that are complementary with regard to the sharing of parking. As new development would be supported by an expanded on-site parking supply based on the proposed Specific Plans, and the Applicant or its successor would extend its current site-wide parking management program to include all proposed County land uses, it is anticipated that the planned expansion of the existing on-site parking supply would be sufficient to meet the Project’s parking demand, including employee parking. Therefore, as concluded in the Draft EIR, a less than significant parking demand impact would result.

The Project’s potential traffic impacts were thoroughly analyzed as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. With regard to the comment’s suggestion that NBC Universal should develop a series of off-site employee parking locations and provide shuttle service, NBC Universal currently supports specific programs with regard to the issue raised by the commenter in that employees are offered subsidized transit passes and NBC Universal sponsors a shuttle to the Burbank Metrolink station. In addition, NBC Universal currently sponsors two shuttles to bring employees and customers from the Universal City Metro Red Line Station to the theme park/CityWalk area. These shuttles carry over one million passengers per year, thus increasing transit use and achieving the goal of reduced traffic near the Project Site as cited in the comment.

These concepts are also embodied in the proposed Project. As noted in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the Project’s transportation features and recommended mitigation measures include several measures that reduce vehicle travel and promote other modes of travel such as transit, bicycling, and walking. Further, specific elements of the proposed Project’s Transportation Demand Management program also address these issues such as the provision of employee transit passes.

In addition, as described in Mitigation Measure B-2 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR:

“The Project Applicant or its successor shall provide a local shuttle system which provides enhanced transit service for Project residents, visitors, employees, and the surrounding community, focusing on providing connections to key destinations such as the Universal City Metro Red Line Station, downtown Burbank, Burbank Media District, Hollywood, Universal CityWalk, and other nearby destinations.”

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-10

What guarantee does the community have that the land used for the housing project will not be sold off quickly and construction started earlier than planned? Why would a developer buy the property and not start developing as soon as possible? NBC Universal implies that the housing will be purchased by their employees, who will in turn use the facilities within the project. Really? They will never want to leave and contribute to the congested area caused by the project? What guarantee does the community get that the housing will be purchased by employees who will basically never leave the project site? Selling off or re-zoning land designated for production space doesn't seem like an intelligent way to bring jobs into the project.

Response to Comment No. 167-10

As stated in Section II, Project Description, of the Draft EIR, the timing of actual Project development would be in response to market conditions. Implementation of the proposed Project, including the proposed Project's residential development, would require approvals from both the City of Los Angeles and the County of Los Angeles, as described in Section II, Project Description, of the Draft EIR.

While it is anticipated that some Project employees may seek to live within the proposed Mixed-Use Residential Area, the Draft EIR analyses are not based on an assumption that Project employees will live and remain on the Project Site. Moreover, such an issue is not a comment regarding the impact analyses in the Draft EIR.

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses.

Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet. (Draft EIR, Table 2, page 280.) Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR

estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs related to film and television production. (Draft EIR, Table 186, page 2044, and Draft EIR Appendix P.)

With regard to the portion of the comment regarding the residential component of the Project, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-11

The DEIR states numerous times that construction 200 to 500 feet from residences will not have an impact or that mitigations can be used to make the impact less than significant. As a resident that lives substantially further than 200 to 500 feet and already clearly hears theme park noise and construction noise, this statement is ludicrous as well as insulting. What mitigations could possibly be used to make the impact less than significant and why aren't they being used now if they are successful?

Response to Comment No. 167-11

The noise analysis in the Draft EIR thoroughly analyzes the existing noise environment within the Project area, the future noise levels estimated at surrounding land uses resulting from construction and operation of the proposed Project, and proposes project design features and mitigation measures to reduce significant impacts. As noted on page 982 in Section IV.C, Noise, of the Draft EIR, based on detailed noise modeling of all on-site Project noise sources, including sources within the theme park and the Mixed-Use Residential Area, the new Project operational sound sources would be in compliance with the proposed Specific Plan regulations and would not result in a significant impact in any of the receptor areas.

With regard to construction noise impacts, pages 998 to 1010 in Section IV.C, Noise, of the Draft EIR summarize the construction noise impacts under all potential construction scenarios. However, it is important to note that the proposed City Specific Plan, the proposed County Specific Plan, and the Draft EIR propose several noise reduction measures for general construction activities. The proposed County Specific Plan and City Specific Plan require a Construction Noise Mitigation Plan that includes such measures as the use of construction equipment with sound-reduction equipment, ensuring

that construction equipment is fitted with modern sound-reduction equipment, use of air inlet silencers on motors and enclosures on motor compartments, staging certain high noise-generating activities to take place during times of day when less people are home or ambient noise levels are at their highest levels, and shielding and screening of construction staging areas. Further, as noted on page 1033 in Section IV.C, Noise, of the Draft EIR, when Project construction occurs within 500 feet of an occupied residential structure outside of the Project Site, stationary construction equipment must be located away from the residential structures or a temporary acoustic barrier around the equipment must be installed (Mitigation Measure C-1). Mitigation Measure C-2 also limits the time and days during which construction can take place. The construction mitigation measures would “reduce the daytime noise levels associated with grading and construction activities attributable to the Project [but] depending on the receptor and ambient noise levels at the time of construction these activities could continue to increase the daytime noise levels at nearby noise-sensitive uses above the established threshold.... Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when exterior nighttime construction is allowed by the Exceptions noted in Mitigation Measures C-2 occurs.” (Draft EIR, page 1036.) It is important to note that while a significant impact could result under these limited circumstances, the likelihood that these circumstances would actually occur is limited, and when they do occur, the extent of this significant impact would be limited in duration.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-12

The DEIR states that Valley Spring Lane is not affected because of vegetation along Lakeside Golf Club. A few trees, bushes and some vegetation do not block out the views of buildings, stop air pollution from construction and traffic, nor block out the noise.

Response to Comment No. 167-12

The physical land use analysis in Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, references existing vegetation within the Lakeside Golf Club and along Valley Spring Lane that serve to buffer the Toluca Lake area from the Project Site, in addition to the physical separation provided by the Los Angeles River Flood Control Channel and intervening distance. Contrary to the comment’s suggestion, the Draft EIR does not suggest that existing vegetation serves as a buffer with respect to noise or air quality.

As discussed on page 983 in Section IV.C, Noise, of the Draft EIR, the primary noise model used to calculate future Project noise levels incorporated inclusion of building

structures, terrain, and sound sources, and used the calculation methods documented in International Standard ISO 9613-1 to calculate noise at defined receptor locations. Importantly, in order to analyze the maximum potential impacts that would result from development of the Project, the model did not take credit for reductions in noise resulting from existing trees and landscaping. Only major buildings that are between sources and receptor areas were entered into the model in order to conservatively assess noise impacts in the surrounding area. Please refer to Section IV.C, Noise, of the Draft EIR, for a detailed analysis of the Project's potential noise-related impacts and proposed project design features and mitigation measures that would reduce noise.

With regard to air quality impacts, Project impacts related to air quality were analyzed and disclosed in Section IV.H, Air Quality, of the Draft EIR, in accordance with the South Coast Air Quality Management District's California Environmental Quality Act (CEQA) Air Quality Handbook, as discussed on pages 1455 – 1520 of the Draft EIR. Project air quality impacts were fully analyzed, feasible mitigation measures were proposed, and potentially significant impacts were disclosed in accordance with CEQA, as summarized on pages 1523 – 1527 of the Draft EIR. The commenter is referred to Section IV.H, Air Quality, of the Draft EIR, for a detailed analysis of potential Project air quality impacts and proposed project design features and mitigation measures .

With regard to views, as explained in Section IV.D, Visual Qualities, of the Draft EIR, views of the Project Site from within the Toluca Lake area, as shown in Figure 124 on page 1154 of the Draft EIR, are limited, although a few of the larger structures within the Entertainment Visual Quality Area can be seen. Views from the Toluca Lake geographic area are intermittent because of the extensive vegetation and mature trees within the Lakeside Golf Club located between the residences in this area and the Project Site. While intermittent views are available, the combination of the distance between the Project Site and the extensive vegetation serve to reduce the overall visibility of the Project Site. Therefore, views of the Project Site from Toluca Lake would not be substantially affected by Project development or potential signage. As shown in Figure 123 on page 1153 of the Draft EIR, no views of valued visual resources in the direction of the Project Site are available from the Toluca Estates area due to the low elevation of this geographic area and the mature stands of trees in the neighborhood. The Draft EIR concludes that Project impacts with regard to views and visual resources from the Toluca Lake and Toluca Estates geographic areas would be less than significant.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-13

Page 1173 of the DEIR states that 22, 23 and 24 Toluca Estates Drive will be affected by shade. The trees that shade some of the area do not block out sun the way that a multi-level building would do. What mitigation would be able to make this less than significant for these residences? Lights from the existing property already affect this neighborhood and the vegetation will not be enough to block any new lighting.

Response to Comment No. 167-13

As explained in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, during the winter solstice, the proposed 850-foot MSL Height Zone would shade one property at 22 Toluca Estates Drive within the Toluca Estates area for 4.5 hours (between 10:00 A.M. and 2:30 P.M.). This Height Zone would also shade two properties within the Toluca Estates area located at 23 and 24 Toluca Estates Drive for less than 1.5 hours (between 1:30 P.M. and 3:00 P.M.). These shadows would represent incremental increases over existing unshaded conditions. The implementation of Mitigation Measure E.1-2, which requires structures proposed to be built within the 850-foot MSL Height Zone to conform with the height limitations and setback requirements identified in Figure 171 on page 1229 of the Draft EIR, would reduce the Project's potentially significant shading impacts in Toluca Estates to a less than significant level. No other shadow-related impacts would occur in the Toluca Estates area.

With regard to lighting, as discussed in Section IV.E.2, Light and Glare – Artificial Light, of the Draft EIR, and Appendix G, Lighting Technical Report, a technical study was performed to model impacts from Project lighting. The lighting model did not take credit for reductions in lighting resulting from existing trees and landscaping. For example, in order to analyze the maximum lighting impact from proposed buildings, the model did not include any trees or landscaping, but rather only considered the topography of the Project Site. Thus, the model already conservatively assumes that none of the existing trees would mitigate lighting impacts resulting from Project development. Even with the conservative assumption that no trees would block Project Site lighting, the modeling analysis concluded that lighting from Project operations would not result in a significant impact given the regulations in the proposed Specific Plans, the existing light environment, and the distance to certain off-site receptors. (See pages 1277–78 of Section IV.E.2, Light and Glare – Artificial Light, of the Draft EIR.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-14

The traffic noise from haul truck travel and construction vehicles on Cahuenga will be significant to the homes on Toluca Estates. A few barriers will not make this noise or the rattling of homes insignificant.

Response to Comment No. 167-14

The potential for Project-related hauling to create noise impacts is evaluated in Section IV.C, Noise, of the Draft EIR. As explained in the Draft EIR, none of the receptors along any of the haul routes, with the exception of Burbank's "Rancho Neighborhood," would result in an increase in community noise levels above the established threshold of 5 dBA. Thus, as discussed on pages 1000, 1007, and 1010 and shown in Tables 62, 66, and 68 of the Draft EIR, the proposed Project would either not result in an increase of 5 or more dBA during haul activities, or would be mitigated to reduce impacts to below 5 dBA with implementation of Mitigation Measures C-4 and C-5. Cumulative impacts related to hauling are discussed on page 1028 and shown in Table 73 of the Draft EIR, and also determined to be less than significant after the implementation of Mitigation Measure C-5.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-15

As a resident of Toluca Lake and the City of Los Angeles, our police and fire departments are already stretched substantially and will, most likely, be even more so in the future. How will the City of Los Angeles be able to afford to protect the citizens of this community with this increase in population and traffic from this project? Our emergency personnel are already woefully underfunded and understaffed. Why does this community have to suffer from the undoubted increase in crime that we will experience due to this project? The crime in our area has already increased due to the MTA location that mostly benefits NBC Universal. What steps will be taken to ensure that emergency vehicles will not be bogged down in the traffic?

Response to Comment No. 167-15

Sections IV.K.1, Public Services – Fire Protection, and IV.K.2, Public Services – Police/Sheriff, of the Draft EIR both conclude that with the implementation of the identified project design features and mitigation measures that Project impacts would be reduced to less to significant levels. These conclusions are reached independent of any benefits that would accrue to the City and County General and Special Funds which may arise from the various taxes paid by the future users of the Project Site.

As discussed in Section IV.K.1, Public Services – Fire Protection, of the Draft EIR, the City Fire Department has stated that the inclusion of multiple high-rise structures and multiple high-density residential units (i.e., four to six stories in height or greater) would require the expansion of existing fire fighting capabilities to serve the Mixed-Use Residential Area, specifically a City Fire Department truck company within one mile of the Project Site and a City Fire Department engine company within 0.75 mile of the Project Site. Since the City Fire Department has concluded that Fire Station 76 cannot physically house another response vehicle, as the Draft EIR explains on page 1701, construction of a new fire station would be required in order to service the proposed Project and to maintain service for adjoining uses. As such, Mitigation Measure K.1-2 is provided to ensure that the demands for fire services generated by the proposed Project are satisfactorily met. With implementation of Mitigation Measure K.1-2, all potentially significant impacts related to City Fire Department facilities would be reduced to acceptable levels. (Draft EIR, page 1701.) With regard to County Fire Department facilities, as discussed on pages 1704–1705 of the Draft EIR, at Project build-out, the County Fire Department would require expanded County fire fighting facilities, which may be a new fire station or remodeling of the existing Fire Station 51 on the Project Site to accommodate additional equipment and staffing (Facility Improvements). Pursuant to Mitigation Measure K.1-5, the Applicant or its successor shall construct or cause to be constructed and furnish the Facility Improvements at no cost to the County as well as providing the quint and ancillary equipment for the quint, or similar equipment, at no cost to the County. After mitigation, no significant impacts with respect to fire protection would occur.

With regard to police/sheriff services, as discussed on pages 1728–1729 in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, the Project Site currently houses a County Sheriff Substation. As further discussed in the Draft EIR, the Applicant shall provide to the City of Los Angeles Police Department at no rent the non-exclusive use of desk space for two officers within a community serving facility in the Mixed-Use Residential Area. (Draft EIR, Mitigation Measure K.2-1.) The Applicant shall also provide a new facility of up to 16,000 square feet within the County portion of the Project Site, for the shared use of the County Sheriff’s Department, contract security, and corporate security for the Project Site. (Draft EIR, Mitigation Measure K.2-2.) Additionally, pursuant to Mitigation Measure K.2-3, the proposed Project shall provide private security services during important entertainment events at the Project Site. Further, as explained on page 1736 of the Draft EIR, the proposed Project would include design features that would include recommendations included in the City Police Department’s Design Out Crime Guidelines and may include an on-site security force, illuminating parking lots with artificial lighting, and the use of closed-circuit television monitoring and recording of on-site areas. Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, concludes that with the

implementation of the identified project design features and mitigation measures, Project impacts on police and sheriff services would be reduced to less than significant levels.

The Draft EIR, in Section IV.K.1, Public Services – Fire Protection, on pages 1699 and 1700, concludes that Project construction activities would have a less than significant impact with regard to fire emergency vehicle response times because construction impacts are temporary in nature and do not cause lasting effects; partial lane closures during construction, if required, would not greatly affect emergency vehicles since flaggers would be used to facilitate the traffic flow until construction is complete and emergency vehicle drivers have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic; and County Fire Department Fire Station 51, which includes an engine company and a paramedic squad, and is located on-site, would be available throughout the duration of Project construction, as well as following the completion of construction. Further, for these reasons, as well as the ability to address emergency vehicle response issues via the Project's construction traffic management plan, it was concluded that Project construction would also have a less than significant impact upon emergency police response times. (Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, pages 1732–1733.)

With regard to Project operations, the Draft EIR, on pages 1702–1703, concludes that while traffic congestion in the Project area may increase emergency vehicle response times, fire emergency vehicles would still be able to navigate congested traffic conditions through a number of standard operating procedures as noted above. Furthermore, under the automatic aid agreements currently in place, the County Fire Department and the Burbank Fire Department can respond with additional units to the Project area, as needed. For these reasons and with implementation of Mitigation Measure K.1-2, which requires the expansion of fire fighting facilities and equipment, impacts to emergency response times during Project operations would be reduced to a less than significant level. For these reasons as well as that the Project's significant traffic impacts occur at limited locations coupled with the availability of alternative routes given the street pattern in the area surrounding the Project Site, the Draft EIR concludes that the Project would also have a less than significant impact with respect to police/sheriff services. (Draft EIR, page 1725.) Also refer to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR.

Comment No. 167-16

NBC Universal should be required to pay now for monitoring equipment to assess the current traffic before beginning construction and to monitor future traffic before each phase. If the traffic is too dense, the next phase should not be allowed to go forward.

Response to Comment No. 167-16

As explained in Response to Comment No. 167-8, under the traffic mitigation subphasing plan, the Project has been preliminarily divided into four development phases with traffic mitigations tied to each phase. The timing and sequencing of each of the proposed developments in the sub-phases are approximate. The primary focus of this subphasing plan analysis is to provide a plan that requires the implementation of transportation improvements in tandem with the traffic impacts of the development. As noted in Section IV.B.1.5.n, Traffic/Access – Traffic/Circulation, of the Draft EIR on pages 687–689 and Chapter V of the Transportation Study, the Project’s transportation mitigation sub-phasing plan has been developed using trips as thresholds. The trip generation of each phase of development would be monitored by the City of Los Angeles Department of Transportation. As noted in the City of Los Angeles Department of Transportation’s Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR):

“Prior to the issuance of any building permit for each sub-phase, all on- and off-site mitigation measures for the sub-phase shall be complete or suitably guaranteed to the satisfaction of LADOT.”

and

“Prior to the issuance of any temporary or permanent Certificate of Occupancy in the final sub-phase, all required improvements in the entire mitigation phasing plan shall be funded, completed, or resolved to the satisfaction of LADOT.”

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-17

This project will significantly impact the current residents with unavoidable and unmitigatable air pollution that will result in considerable health issues for the community. For me and many others, this is not a workable or ethical trade-off.

Response to Comment No. 167-17

Project emissions during construction and operations are analyzed in the Draft EIR and in the related technical report included as Appendix J to the Draft EIR, consistent with the South Coast Air Quality Management District’s California Environmental Quality Act (CEQA) Air Quality Handbook. On pages 1435 through 1441, the Draft EIR discusses potential health risks to sensitive receptors from exposure to air emissions. The Draft EIR proposes feasible mitigation measures to reduce Project emissions, as discussed on pages 1521 to 1523. However, as discussed on pages 1524 to 1527 of the Draft EIR, even with

implementation of feasible mitigation measures, the Project will exceed significance thresholds for criteria pollutant mass emissions during construction and operation. As summarized on pages 1524 to 1527 of the Draft EIR, maximum Project emissions of all criteria pollutants, except sulfur oxides, would be significant and cumulatively considerable during construction, and emissions of volatile organic compounds, carbon monoxide and nitrogen oxides would be significant and cumulatively considerable during operations.

Regarding the remaining significant and unavoidable impacts, as described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. “The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.” (Public Resources Code Section 21002.1(a).) “Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.” (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).) In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-18

The City of Los Angeles currently has a water shortage. This project, due to its size and scope, would further reduce our water supply in the short and long term. This could be devastating to the entire region.

Response to Comment No. 167-18

Government Code Section 66473.7 requires that counties and cities obtain written verification from the applicable public water system of the availability of sufficient water supply for certain subdivisions. California Water Code Section 10910 requires that counties and cities consider the availability of adequate water supplies for certain new large

development projects. Consistent with these requirements, in April 2010, the Board of Water and Power Commissioners approved a Water Supply Assessment for the Project, a copy of which is included as Appendix N-1-2 of the Draft EIR. Specifically, the Board of Water and Power Commissioners found that “LADWP can provide sufficient domestic water supplies to the Project and approves the Water Supply Assessment prepared for the Project ...” Refer also to Section IV.L.2, Utilities – Water, and Appendix N-1-2, Water Supply Assessment, of the Draft EIR, which states that the Project demands could be offset through the purchase of annual adjudicated water rights in Central and West Coast Basins. In addition to the Applicant providing the additional water rights, the LADWP would increase the amount of reliable recycled water supply available to serve the Project Site thereby reducing the amount of potable water needed to support the proposed Project. With the inclusion of the project design features, including the agreement with LADWP to augment the water supply available to LADWP, impacts of the proposed Project on water supply would be less than significant.

During construction of the proposed Project, additional water demand to the Project Site would be required during grading of the Mixed-Use Residential Area. As discussed on page 1874 of the Draft EIR, adequate facilities for the provision of water exist and there would continue to be an adequate supply of water for construction purposes. As concluded in the Draft EIR, potential construction-related impacts with regard to water supply would be less than significant.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 167-19

Adding a project of this size would drastically contribute to an already overwhelmed area.

Response to Comment No. 167-19

The compatibility of the proposed land uses with the existing land uses is discussed in Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR. The analysis as detailed therein concludes that the proposed Project would result in less than significant physical land use impacts. The proposed Project would also result in less than significant impacts on public services (i.e., fire, police/sheriff, schools, parks and recreation, and libraries) after implementation of project design features and mitigation measures (see Section IV.K, Public Services, of the Draft EIR).

Section V, Alternatives to the Proposed Project, of the Draft EIR, analyzed Project alternatives with reduced development. The commenter is referred to Section V of the Draft EIR for further information regarding Project alternatives.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 168

Sandra Edwards
Fred Edwards
sandieedwards@gmail.com

[Note: A duplicate of the letter provided below was received on 1/27/11]

Comment No. 168-1

My husband and I are opposed to any further development on Universal property and the surrounding area. There is so much traffic in the morning already for my husband's commute to downtown via Barham and Lankershim. It takes about twenty minutes just to get to the top of the hill. In the evening we have to allow an hour to get to downtown to the Ahmanson Theater. Noise is also a major factor. We have complained for years to no avail until very recently now that new development is in the works. We have lived in Toluca Lake for forty years, and love our beautiful peaceful neighborhood and want to keep it that way. We are also members of Lakeside Golf Club and do not want anymore [sic] noise while playing golf.

Response to Comment No. 168-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential environmental impacts from traffic and as discussed therein, the Project would incorporate all feasible mitigation measures including measures addressing potential impacts to the Barham Boulevard corridor and the Lankershim Boulevard corridor (see Mitigation Measures B-5 and B-6 in Section IV.B.1 of the Draft EIR). The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for a detailed analysis of the Project's potential traffic impacts and proposed project design features and mitigation measures.

The Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation. (Draft EIR, Section IV.C, Noise, pages 998–1019.) As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise would result in less than significant impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances.

With respect to noise during construction, the Project would implement Project Design Feature C-1 and Mitigation Measures C-1 through C-5, which would reduce the daytime noise levels attributable to the Project. However, depending on the receptor location and ambient noise levels at the time of construction, these activities could increase daytime noise levels at nearby noise-sensitive uses above the established threshold. This is considered a significant and unavoidable short-term impact when grading and construction activities occur near noise-sensitive uses. Mitigation measures proposed for nighttime construction would reduce impacts to a less than significant level, except when exterior nighttime construction, as allowed by the exceptions noted in Mitigation Measure C-2, occurs. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. It is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur are limited, and when they do occur, the extent of this significant impact would be limited in duration. With the implementation of Mitigation Measure C-4, noise from Project-related hauling would be reduced to a less than significant level. The proposed mitigation measures are detailed on pages 1033–1035 of the Draft EIR. Please refer to Section IV.C, Noise, of the Draft EIR, for a detailed analysis of the Project’s potential noise-related impacts and proposed project design features and mitigation measures that would reduce noise.

Comment Letter No. 169

Karen Egidio
10736 Magnolia Blvd., Apt. 14
North Hollywood, CA 91601

Comment No. 169-1

The most important thing in the Draft Environmental Impact Report is the estimate of new jobs which will result from this project: 43,000. With unemployment in this County at 12%, there shouldn't even be a question about going forward with it.

NBC Universal is investing many billions of dollars in our community. The resulting jobs and public improvements will benefit thousands of people – those who live in the neighborhood, those who travel through it, and those who will be hired throughout the County to provide goods and services during construction and afterward. This project will be an economic stimulus with regional effects, creating sustainable, high-level jobs and helping to anchor the entertainment industry in Los Angeles.

All of the public improvements outlined in the DEIR will be a tremendous benefit as well, and demonstrate that the plan was developed in a comprehensive way. But the real value will be putting Los Angeles residents back to work, creating the economic value we need for a healthy thriving community.

I hope the City does its job – please approve this plan.

Response to Comment No. 169-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 170

Connie Elliot
4061 Cartwright Ave.
Studio City, CA 91604

Comment No. 170-1

I spoke at the public meeting on December 13, 2010. I must say that I agree with many of the comments read into the record during that meeting.

A recent article in the Los Angeles Times regarding another development spoke about the city “reacting to, rather than guiding with any real foresight, a major development proposal that seeks to rewrite the planning rules downtown.” This development cries out for the same foresight. We are letting companies controlled by out of state interests and developers with no real stake in the results other than money design our neighborhoods. Please don’t let this happen again.

Response to Comment No. 170-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are responded to below.

With regard to comments made at the public comment meeting on December 13, 2010, the comments are provided in their entirety as Comment No. T1 in this Final EIR. The commenter is referred to Comment No. T1 and responses thereto.

Comment No. 170-2

I live in the neighborhood listed in the Evolution Plan as “The Island.” This document uses the Metro Universal Plan at times to study the effects if it has been built before the Evolution Plan. I object to their referring to that plan as a “buffer” when it is not there and certainly should be described as an irritant rather than a buffer.

Response to Comment No. 170-2

As explained in Section IV, Environmental Impact Analysis, of the Draft EIR, the “Environmental Impacts” section of each environmental subject area analyzed in the Draft EIR provides the analysis of the Project’s potential environmental effects. Under the heading of “Project Impacts” contained within each section of the Draft EIR, separate

analyses are provided, when applicable, that address potential Project impacts during Project construction and Project operations.

The analysis of the Project's potential cumulative effects addresses the impacts of the proposed Project in combination with the impacts of growth that is forecasted to occur through 2030, which includes 256 individual related projects. The Metro Universal project was classified as one of the related projects and, per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental subject areas analyzed in the Draft EIR. The commenter is also referred to Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR), regarding the Metro Universal project.

Comment No. 170-3

Even though I am a long time [sic] neighbor of Universal, my family has longevity. I may very well still be living here when the 20 years is up for Universal to stop providing the transportation from their proposed dwellings to the station. It's not a viable proposal to cut traffic anyway. They try to dazzle us by saying that they will use the double buses "like they have in London." I have spent a lot of time in London and find those buses to be a traffic hazard and a pedestrian hazard. London switched because they are so crowded, and their double decker buses were not handicapped accessible. Why should a transit oriented development only have to provide a way to the subway for only 20 years?

Response to Comment No. 170-3

The comment appears to refer to the shuttle system recommended in Mitigation Measure B-2 in the Draft EIR. Mitigation Measure B-2 establishes a local shuttle system which provides enhanced transit service for Project residents, visitors, employees, and the surrounding community, focusing on providing connections to key destinations, such as the Universal City Metro Red Line Station, Universal CityWalk, downtown Burbank, Burbank Media District, and Hollywood. Connections to regional transit service would be provided at the Universal City Metro Red Line Station and the Downtown Burbank Metrolink Station. Contrary to the suggestion in the comment, it is not proposed that the shuttle use double decker buses.

Pursuant to Mitigation Measure B-2, and the City of Los Angeles Department of Transportation's Assessment Letter, dated April 2, 2010 (Appendix E-2 of the Draft EIR), the shuttle system shall be guaranteed for 20 years. After 20 years, depending on ridership, the shuttle could be integrated into a public transportation system service. Please refer to Topical Response No. 5: Transit Mitigation (see Section III.C of this Final EIR) for further information regarding the proposed shuttle system.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 170-4

A 38 story [sic] building should not be used as an excuse to build other high buildings. How did 10 UCP get built since it appears in the Plan's drawings that it is part in the city and part in the county?

Response to Comment No. 170-4

As discussed in Section IV.A.2, Land Use – Physical Land Use, the Island residential area is located to the west of the City View Lofts, a four-story multi-family residential development above parking that is located along the west side of Lankershim Boulevard between Valleyheart Drive and the Los Angeles River Flood Control Channel. The proposed Project could provide additional office and studio related land uses within the Business Area of the Project Site, across Lankershim Boulevard from these residential areas. Proposed building heights within this portion of the Project Site could fall within the western portions of the 625-foot and 850-foot MSL (Business) Height Zones. As shown in Table 14 on page 558 of the Draft EIR, these Height Zones correspond with building heights of between approximately 70 and 295 feet. As such, the proposed Project would continue the pattern of existing uses with similar building heights within this portion of the Project Site, as this portion of the Business Area is already highly developed with mid- to high-rise office and studio structures that line the east side of Lankershim Boulevard (e.g., the existing three story, 53-foot, Technicolor buildings, 15-story, 185-foot, Lew R. Wasserman building, and 9-story, 103-foot, Carl Laemmle building). In addition, off-site hotel and office towers are also located along the Lankershim Boulevard corridor, at the northeast corner of the Hollywood Freeway and Lankershim Boulevard interchange, ranging from 21 to 36 stories (i.e., 88 to 506 feet in height). While no building setbacks would be required along the Project Site's western edge, the proposed Project would be physically separated from the City View Lofts by the approximately 100-foot Lankershim Boulevard roadway, the lower-density Island residential area would be separated from the Project Site by the intervening higher density multi-family City View Lofts and Weddington Park (South), and Project development would reflect existing on- and off-site development patterns. Therefore, the proposed Project would not substantially and adversely change the existing land use relationships between the Project Site and the City View Lofts and Island residential area and would not disrupt, divide, or isolate this existing residential area west of Lankershim Boulevard. As such the proposed Project would have less than significant physical land use impacts with respect to this area.

As discussed in Section IV.D, Visual Qualities of the Draft EIR, the overall visual character of the City View Lofts/Island area is of an urbanized commercial area with a

variety of urban uses including Project Site uses and activities. Potential buildings associated with the Project would not constitute a substantial change in contrast since existing views of urban development would continue to be visible from this geographic area. Project development within this area along Lankershim Boulevard would help reinforce the character of this area as an entertainment center. Some changes in the prominence of the urban skyline could result from the increased building heights that may occur. Project development would not block a substantial portion of the available field of view, therefore no major changes in coverage would occur. As all three criteria (i.e. coverage, prominence, and contrast) are not substantially affected by the Project, Project impacts to visual character from the City View Lofts/Island area would be less than significant.

The comment also refers to the construction of the existing 10 Universal City Plaza building which is not part of the proposed Project. As such, this is not a comment addressing the environmental analysis in the Draft EIR, but it is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project

Comment No. 170-5

I lived here when the building, formerly called the Getty Building, was built. Now they are proposing a business district very close to the Island Neighborhood. They want to put it in the county so that they can BUILD TALL [sic] As the years go by can't they go back and request a change in the specific plan, and won't they get to just build as high as they want?

Response to Comment No. 170-5

The comment suggests that the Project proposes to change the jurisdictional boundaries in the Business Area in order to increase the heights of the proposed buildings. As shown in Figures 12 and 14 on pages 285 and 290 in Section II, Project Description, of the Draft EIR, the majority of the Business Area currently is within the County and would be within the County under the proposed Project. Further, the proposed Project Height Zones were evaluated in the Draft EIR without regard to jurisdictional boundaries. The proposed City and County Specific Plans define the maximum height buildings may reach, and these heights are consistent with the Height Zones and Height Exceptions summarized in Section II, Project Description and analyzed in the relevant sections in Section IV, Environmental Impact Analysis, of the Draft EIR.

Individual Projects under the proposed Specific Plans will be required to comply with the respective proposed City Specific Plan and proposed County Specific Plan regulations. As part of the Substantial Compliance Analysis in the City and Substantial Conformance Review in the County, the Applicant would have to demonstrate that the individual Project

complies with the requirements of the respective Specific Plan. If the Project fails to comply with the applicable requirements of the Specific Plan, the Director shall deny the application.

Comment No. 170-6

Why are the only SIGNS required not to face residential areas to be located North of the intersection of James Stewart Avenue and Lankershim Bld.? [sic] Signs south of this intersection will easily put light and glare into South Weddington Park as well as the Island Neighborhood. [sic] (p. 136 says they would have no impact).

Response to Comment No. 170-6

Besides the limitation on the placement of the Electronic Message Signs on Lankershim Boulevard north of James Stewart Avenue, the proposed City and County Specific Plans limit the quantity of the signs and lighting of the signs. For example, the proposed City and County Specific Plans would limit the light from Electronic Message signs from sunset to 2:00 A.M., and require that Electronic Message signage be turned off from 2:00 A.M. to 7:00 A.M. Given the existing high illumination levels in this area and the restriction on light levels, potential Project signage would not result in significant artificial light impacts to the Island residential area. Weddington Park is not consider a light sensitive use, however, impacts to Weddington Park would be similar to that of the Island neighborhood.

Comment No. 170-7

The visual impact of the Lew Wasserman building on the Island residential area is significant, especially when the leaves are off the trees. Since it is in the business section, won't anything taller cast SHADE AND SHADOW and provide daytime glare and nighttime light from any signs? Won't it block views of the sun, moon and stars? Come here and view the black tower from my street. Won't there be loss of privacy due to views from the tall buildings? Their new business district allows such tall buildings. Won't the workers in these buildings be able to see into my yard and my home?

Response to Comment No. 170-7

Potential impacts related to visual resources including views, shade and shadow, and light and glare are addressed in the Draft EIR, in Sections IV.D, Visual Qualities; IV.E.1, Light and Glare – Natural Light; IV.E.2, Light and Glare – Artificial Light; and IV.E.3, Light and Glare – Glare.

As discussed in Section IV.E.1, Light and Glare – Natural Light, of the Draft EIR, shadow-sensitive uses that are shaded by on- and off-site buildings under existing

conditions include the Campo de Cahuenga, Weddington Park (South), the Island residences on Willowcrest Avenue, and portions of the Hollywood Manor community from the existing knoll. The only existing use significantly shaded is the Campo de Cahuenga, which is currently partially shaded by a combination of the on-site Jules Stein and the off-site 10 Universal City Plaza buildings for 3.5 hours between 9:00 A.M. and 12:30 P.M. and fully shaded for 3.0 hours between 9:30 A.M. and 12:30 P.M. during the winter solstice. The remaining shadow-sensitive uses are not currently significantly shaded by Project Site or off-site buildings. The proposed Project represents an incremental increase in shading on several of the identified shadow-sensitive uses over existing conditions in at least one season. With implementation of Mitigation Measures E.1-1 through E.1-4, the proposed Project under the Height Zone and Height Exception envelopes would not result in the shading of shadow-sensitive uses for three hours between 9:00 A.M. and 3:00 P.M. during the spring equinox or incrementally increase the amount of existing shading during the winter solstice. No other shadow-sensitive uses would be shaded for four hours or more between 9:00 A.M. and 5:00 P.M. during the fall equinox or summer solstice.

As discussed in Section IV.E.2, Light and Glare – Artificial Light, of the Draft EIR and Appendix G, Lighting Technical Report, a technical study was performed to model both the impacts from Project lighting as well as illuminated signage. Based on this technical analysis, operational and signage lighting impacts were found to be less than significant given the regulations in the proposed Specific Plans, the existing light environment, and the distance to certain off-site receptors. (Draft EIR, pages 1277–1278.)

With regard to glare, as explained in Section IV.E.3, Light and Glare – Glare, of the Draft EIR, the proposed City and County Specific Plans include project design features that govern the respective portions of the Project Site and provide certain regulations with respect to building materials and signage (including thematic elements), which shall reduce the potential for reflectivity on the Project Site. The proposed Project would not significantly impact any glare-sensitive uses as a result of daytime or nighttime glare during either construction or operation. Therefore, the Draft EIR concludes that the proposed Project would not result in any significant and unavoidable environmental impacts with respect to glare.

As discussed in the Draft EIR, the potential for Project structures and signage to substantially obstruct views of valued visual resources from 15 representative geographic areas was analyzed, focusing on the prominence and coverage of the valued view resources. As concluded in Section IV.D, Visual Qualities, of the Draft EIR, available views presently available from Weddington Park (South) and City Views Lofts include limited views of the Santa Monica Mountains to the east, including a small portion of Cahuenga Peak through limited view corridors across the Project Site. Views from the Island residential area are further limited. Even though Project development could result in

changes when viewed from these vantage points, the prominent view would not substantially change. In particular, the degree to which Cahuenga Peak stands out within the context of the entirety of the visual environment would not change under the Project.

The Project Site and vicinity include existing mid- and high-rise buildings. The Project would not substantially alter the relationships between the existing residences and taller structures, some of which are directly adjacent to residential uses, such as the City View Lofts. In addition, the closest Island residence is located at least 450 feet from the nearest on-site location, with the middle of the Island area located approximately 1,000 feet from the Project Site. The Toluca Lake area located north of Valley Spring Lane is over 1,300 feet from the closest point on the Project Site, with the middle of the area located approximately 2,200 feet from the Project Site. These distances are sufficiently large to reduce the visibility of these areas from persons on the Project Site and minimize any perceived privacy issues.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 170-8

Their LIQUOR LICENSE requests are for virtually unlimited ones. They want a wine store with off site consumption. Normally the establishments in a community are used by people in that community so may not increase the number of drunk drivers. However, Universal attracts visitors from all over the world. I don't need someone who normally drives on the other side of the street in the first place leaving Universal with bottles to consume in my neighborhood. The food court is not a single establishment for the purposes of a liquor license. Should it be? It is many establishments. I serve on a committee that meets with Universal as a condition for them having as many as they do already. What are they thinking?! Universal says it gets to choose who sits on this committee. How is this a true oversight under those circumstances, and you're being asked to give them many more liquor licenses?

Response to Comment No. 170-8

The proposed City Specific Plan provides for a maximum of five establishments for the sale of alcoholic beverages for off-site consumptions in the City portions of the Project Site, and proposes that the on-site consumption of alcoholic beverages within a food court with multiple food service establishments be considered a single establishment. It is anticipated that these off-site and on-site service establishments would serve the residents and guests of the proposed Mixed-Use Residential Area. The proposed County Specific Plan provides for an alcohol use approval process for on-site alcohol consumption in connection with the Hotel Use and the existing cinemas at CityWalk. Additional

establishments requesting to sell or serve alcoholic beverages beyond the existing establishments and the Hotel Use and cinemas, would be subject to a Conditional Use Permit. Proposed conditions related to the sale and service of alcoholic beverages on the Project Site are also included within the proposed City and County Specific Plans. See Appendix A and B to the Draft EIR.

Potential impacts related to the sale of alcoholic beverages are addressed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR. As discussed in Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR, with regards to the sale of alcoholic beverages, the proposed City and County Specific Plans provide regulations governing the sale of alcoholic beverages within their respective jurisdictions which include operational conditions, such as hours of operation, requirements for employee training, seating provisions, security features, and consultation with the County Sheriff’s Department and the Los Angeles Police Department. The proposed Specific Plan regulations would provide an adequate approach for minimizing security issues related to the sale of alcoholic beverages. The increase in the sale of alcoholic beverages over existing conditions is included in the analyses of the Project’s potential impacts to police/sheriff services. As stated on page 1749 of the Draft EIR, with implementation of the recommended mitigation measures, impacts to police/sheriff services would be reduced to less than significant levels. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 170-9

I support those who ask you not to let them remove a portion of the property from the Mulholland Scenic Parkway Specific Plan. Won’t they just build a digital sign or billboard to match the one already in the area? Shouldn’t a business put up signs in an existing sign district rather than getting to design the district?

Response to Comment No. 170-9

As one of the requested entitlement actions, the Project proposes revising the boundaries of the Mulholland Scenic Parkway Specific Plan to remove a small portion of the southeastern-most tip of the Project Site. The area that is the subject of this request totals less than 2 acres of the 391-acre Project Site and is proposed to be included within the proposed Universal City Specific Plan area in order to create unified and coherent regulations for all portions of the Project Site to be located within the City.

For informational purposes, the Mulholland Scenic Parkway Specific Plan area is divided into two areas – the Inner and Outer Corridors. The boundaries of these corridors are determined via distance from the Mulholland Scenic Parkway right-of-way, with the outermost boundary of the Outer Corridor extending 0.5 mile outward from the Mulholland

Drive right-of-way. Mulholland Drive reaches its eastern terminus in the Project area where it turns from a primarily east-west road to a north-south road as it connects with Cahuenga Boulevard. Based on these conditions, the strict application of the Outer Corridor boundary places the eight-lane Hollywood Freeway and areas on the north (far) side of the Freeway within the boundaries of the Mulholland Scenic Parkway Specific Plan (see Figure 28 on page 433 of the Draft EIR). As concluded on page 525 of the Draft EIR in Section, IV.A.1, Land Use – Land Use Plans/Zoning, since the context of the Project Site is dominated by the Hollywood Freeway and is not contiguous with other areas within the Mulholland Scenic Parkway Specific Plan Outer Corridor, land use impacts with respect to the intention of the Mulholland Scenic Parkway Specific Plan to preserve the visual quality of natural open space would be less than significant. The analysis goes on to further conclude that the proposed Project would not be inconsistent with existing Mulholland Scenic Parkway Specific Plan policies to preserve the existing residential character of areas along and adjoining the Mulholland Drive right-of-way, to protect all identified archaeological and paleontological resources, and to assure that land uses are compatible with the parkway environment. Therefore, the impact of the Project with respect to the Mulholland Scenic Parkway Specific Plan policies and regulations for the Outer Corridor are concluded in the Draft EIR to be less than significant.

As recognized in the comment, there is an existing sign in this southeastern tip of the Project Site that is approximately 1,000 square feet in size and illuminated. While the proposed City Specific Plan would permit the existing sign to be replaced with a new sign of 1,000 square feet in size, the Draft EIR (Section IV.D, Visual Qualities, pages 1086–1087 and 1129–1131) analyzed the potential impacts of the Project including signage from the Mulholland Ridge and concluded that the overall character of the area as seen from that height and distance would appear similar to current conditions. As there would not be any substantial changes in contrast, coverage or prominence, the impacts to visual character from the Mulholland Ridge area would be less than significant. The Draft EIR (Section IV.E.2, Light and Glare – Artificial Light, pages 1260–1277) also analyzed the potential impact of artificial light including from signage and concluded that impacts would be less than significant due to the regulations in the proposed City and County Specific Plans which include limitations on the placement, size and lighting of signs.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision maker prior to any action on the Project.

Comment No. 170-10

My husband worked in the entertainment industry for over 45 years. I am all for jobs in that industry. Building condos on Universal's historic back lot won't provide that. We are union members who don't think we need to give up our sanity and quality of life to provide some

temporary union construction jobs. If Universal says they need more business space, why can't they put it on existing county property and not close to residences? This would still provide construction jobs.

Response to Comment No. 170-10

An analysis of historic resources on the Project Site, including an analysis of the historic significance of the backlot, is included in Section IV.J.1, Cultural Resources – Historic Resources, of the Draft EIR. Review and analysis of historic resources for the Draft EIR was conducted by Historic Resources Group, which analysis is contained in Appendix L-1 to the Draft EIR, the Historic Resources Technical Report; NBC Universal Evolution Plan. As discussed beginning on page 1618, of Section IV.J.1, Cultural Resources – Historic Resources, of the Draft EIR, the Historic Resources Group investigation determined that the Project Site contains a potential historic district that is eligible for listing on the California Register of Historical Resources, significant for its association with the development of the motion picture industry in the United States. As discussed on page 1629, of Section IV.J.1, Cultural Resources – Historic Resources, of the Draft EIR, the Historic Resources Group also concluded that a portion of the backlot (referred to as the Universal Studios Backlot Site) is a historically significant site that is considered to be a contributor to the historic district. The Universal Studios Backlot Site is depicted in Figure 200 on page 1630 of the Draft EIR. As discussed on page 1637 of the Draft EIR, with the Project, the Universal Studios Backlot Site would continue to retain its historic use and primary character-defining features and ability to convey its important historic associations. Therefore, the Universal Studios Backlot Site would continue to be considered a historic site contributing to the potential Universal Studios Historic District. In addition, pursuant to Project Design Feature J.1-1 and the proposed County Specific Plan, alterations to the Universal Studios Backlot Site would comply with the Universal Studios Historic District Preservation Plan which provides appropriate guidance for the rehabilitation of historic buildings, structures, and sites within the potential historic district and establishes basic criteria for new construction with the potential historic district.

With regard to studio expansion and employment, as noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and

entertainment-related facilities at the Project Site in order for the Project Site to continue its historic role in the evolving entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.)

Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet (Draft EIR, Table 2, page 280). Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs (Draft EIR, Section IV.N.1, Employment, Housing and Population – Employment, Table 186, page 2044, and Draft EIR Appendix P)

Comment No. 170-11

Why would you allow them to design a bicycle path that puts bicycle riders onto Lankershim Boulevard? Since the MTA never built the promised tunnel under Lankershim, isn't this a dangerous addition to an already overcrowded auto/pedestrian corridor?

Response to Comment No. 170-11

As set forth in Appendix A-4 to the proposed City Specific Plan (see Appendix A-1 of the Draft EIR), the Project's streetscape design incorporates Class II bicycle lanes on both sides of Lakeside Plaza Drive which connect to the Class II bicycle lanes on the proposed North-South Road. An off-street, Class I bicycle path would connect the southerly end of the North-South Road to the Class II bicycle lanes along Universal Hollywood Drive through to Lankershim Boulevard, also with a connection to CityWalk. Connecting to this system of Class I and Class II bicycle facilities would be additional Class II bicycle lanes along the various smaller roadways proposed within the Mixed-Use Residential Area. The future bike paths would also be enhanced with improved crosswalks and landscaping buffers where feasible. The Project's proposed bike path configuration would be subject to the review and approval of the City Bureau of Engineering, Los Angeles Department of Transportation, and County of Los Angeles Department of Public Works for the portions of the bicycle facilities within their respective jurisdiction.

With regard to the tunnel under Lankershim Boulevard, as discussed on page 652 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, the mitigation program

for the original Universal City Metro Red Line Station construction by Metro included a pedestrian tunnel beneath Lankershim Boulevard to provide a pedestrian connection between the Universal City Metro Red Line Station and the east side of Lankershim Boulevard. The pedestrian tunnel was never constructed. Pursuant to a settlement agreement unrelated to the proposed project, Metro will construct a pedestrian bridge in lieu of the originally proposed tunnel, and in June 2012 the Metro Board of Directors authorized the full budget to design and construct the bridge.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision makers prior to any action on the Project.

Comment No. 170-12

Universal's transportation consultant has assured me that the wording about reduction of the sidewalk at Main and Lankershim is not reflected in the engineers drawing and that the text will be corrected in the EIR. Could you make sure that happens?

Response to Comment No. 170-12

The proposed Lankershim Boulevard improvements are set forth in Mitigation Measure B-6, on pages 669–670 in Section IV.B.1, Traffic/Access - Traffic/Circulation, of the Draft EIR, and depicted on Figure 52A, on page 265, of the Transportation Study, which is included as Appendix E-1 of the Draft EIR. As shown on Figure 52A, the east side of Lankershim Boulevard would be widened by approximately 4 to 8 feet between James Stewart Avenue and the Los Angeles River Flood Control Channel by using Project Site property. The west side of Lankershim Boulevard would be widened by up to 10 feet south of the MTA driveway and south of Campo de Cahuenga by using existing sidewalk area and MTA property. The potential impacts of these improvements, including traffic impacts during construction and reduction in sidewalk widths, are discussed on pages 694–731 of the Draft EIR. Mitigation Measure B-6 would be implemented consistent with the Project's transportation mitigation sub-phasing plan and the Project's Mitigation Monitoring and Reporting Program. The commenter is also referred to Topical Response No. 8: Mitigation Monitoring and Phasing (see Section III.C, Topical Responses, of this Final EIR).

Comment No. 170-13

In their lighting section, the Evolution Plan asks for an exception for holiday lights from September 1 to January 15. Since this encompasses four and a half months, isn't this practically the rule rather than the exception. Since they have had to turn people away from their Halloween night due to overcrowding, do they really need extra lighting to attract customers?

Response to Comment No. 170-13

The comment addresses the exception for holiday lighting from September 1 to January 15 contained in the proposed Specific Plans. The holiday lighting exception period is intended to provide for decorative lighting for the fall and winter holidays, including Halloween, Thanksgiving, Christmas, Hanukkah, Kwanzaa, and New Year's. The comment does not address the environmental analysis in the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 170-14

Rather than using the Metro Universal Plan in their calculations of combined impacts, shouldn't they just start over and COMBINE THE TWO PLANS into one DEIR?

Response to Comment No. 170-14

As noted in the Project Description of the Draft EIR, the proposed Metro Universal project at the Universal City Metro Red Line Station site was an independent development project and is not part of the proposed Project. As such, pursuant to Section 15130 of the CEQA Guidelines, in this EIR the proposed Metro Universal project was classified as a related project and, per the CEQA Guidelines, was addressed in the analysis of cumulative impacts within each environmental issue included in Section IV, Environmental Impact Analysis, of the Draft EIR. (See pages 269 and 383 of the Draft EIR.)

See also Topical Response No. 3: Defining the Proposed Project (see Section III.C, Topical Responses, of this Final EIR). The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 170-15

In section A.2 page 583 it is stated that "Project would not isolate this existing area West of Lankershim Blvd." Wouldn't the traffic generated by the Evolution Plan isolate an area that has only one way in and one way out, which is to turn on Lankershim?

Response to Comment No. 170-15

While the Project would result in increased traffic along Lankershim Boulevard, the Project would not isolate the residential area to the west of Lankershim Boulevard as vehicular and pedestrian access would be maintained. Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an evaluation of the potential transportation impacts along the Lankershim Boulevard Corridor. An extensive series of project design

features and mitigation measures have been identified to address the Project's traffic impacts. Specifically with regard to Lankershim Boulevard, Mitigation Measure B-6 includes various improvements along the Lankershim Boulevard corridor. While these measures would substantially reduce the Project's intersection impacts, significant and unavoidable impacts would remain at the following intersections along Lankershim Boulevard: Lankershim Boulevard and Cahuenga Boulevard (during the morning peak hour), Lankershim Boulevard and Main Street (during the afternoon peak hour), Lankershim Boulevard and Campo de Cahuenga Way/Universal Hollywood Drive (during the morning peak hour), and Lankershim Boulevard and Jimi Hendrix Drive (during the afternoon peak hour). The Project's mitigation program includes all feasible mitigation measures to reduce the Project's impact at these intersections to a level below significance; however, due to physical constraints and/or existing buildings, no feasible mitigation measures can be implemented to reduce the Project's intersection level of service impact at these locations to a level below significance.

It should be noted that with the proposed project design features and mitigation measures, impacts at the intersection of Valleyheart Drive/James Stewart Avenue/Lankershim Boulevard, which is the access point into the Island area, would be less than significant. (Draft EIR, Figure 86, page 935.)

Comment No. 170-16

How would emergency vehicles get through to this Island neighborhood in a hurry if traffic is stalled as it is on a regular basis already when there is an accident on the 101 freeway?

Response to Comment No. 170-16

The Draft EIR analyzes the potential for the proposed Project to impact emergency access during construction and operation. In both cases, with implementation of proposed project design features and mitigation measures, impacts would be less than significant. Emergency vehicle access is addressed in Sections IV.K.1, Public Services – Fire Protection, and IV.K.2, Public Services – Police/Sheriff. Additionally, any increase in traffic would not greatly affect emergency vehicles, since the drivers of emergency vehicles normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Please also refer to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for additional information regarding the Project's construction traffic management plan, which would include measures to ensure emergency vehicle access during all aspects of Project construction, including, but not limited to, the use of flaggers during partial street closures on streets surrounding the Project Site to facilitate traffic flow until construction is complete.

Comment No. 170-17

Where is the oversight for asbestos removal as they tear down existing structures to make way for the new? I admit that this plan is too long and time too short to find it if it is there. Several years ago the “Los Angeles Times” carried a story about a sound stage that was demolished without proper asbestos removal...oops...we’d been breathing it in the air and it was too late to do anything about it.

Response to Comment No. 170-17

The potential to encounter asbestos and asbestos-containing materials during Project construction is addressed in Section IV.M, Environmental Safety, of the Draft EIR. As discussed on page 2023 of the Draft EIR, the Project proposes Project Design Feature M-1 which provides that “[p]rior to the issuance of any demolition permit or building permit for remodeling of existing buildings, the Applicant or its successor shall provide evidence to the City of Los Angeles or County of Los Angeles Department of Building and Safety, as applicable, that the demolition contract provides for a qualified asbestos abatement contractor/specialist to remove or otherwise abate or manage asbestos during demolition or renovation activities in accordance with all applicable federal, state and local regulations.” With implementation of the project design features and compliance with applicable laws and regulation, no significant impact associated with asbestos and asbestos-containing material is anticipated from Project construction.

Comment No. 170-18

They state that night time CONSTRUCTION impacts would be less than significant. We have found that to be untrue in the past. The sound does travel to the Island Neighborhood from anything along Lankershim, so could you refuse them night construction time? Couldn’t you hold them to their agreed hours that do not include construction on Saturday and Sunday?

Response to Comment No. 170-18

The comment incorrectly describes the Draft EIR analysis of potential noise impacts from nighttime construction. With regard to nighttime noise resulting from construction activities, the Draft EIR analysis found that noise levels may exceed nighttime noise standards at certain locations without any mitigation measures implemented. However, it is important to note that the Draft EIR proposes several construction mitigation measures for general construction activities, as well as mitigation measures specifically designed to generally reduce nighttime construction noise to less than significant levels for the construction scenarios. For example, Mitigation Measure C-2 prohibits nighttime construction and grading activities, except for under limited circumstances. As noted on

page 1036 in Section IV.C, Noise, of the Draft EIR, because “these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, the Draft EIR recognizes that a significant impact could occur. It is important to note that while a significant impact could result under these limited circumstances, the likelihood that these circumstances would actually occur is limited, and when they do occur, the extent of this significant impact would be limited in duration.”

Comment No. 170-19

Page 2439 (vol.5 VI) says that concurrent construction and operations would result in daily emissions of carbon monoxide and other gasses that are significant and unavoidable. Could you find a way to protect the neighbors of Universal Studios from health risks during construction?

Response to Comment No. 170-19

Potential impacts to air quality associated with Project construction and operational emissions are analyzed in the Draft EIR consistent with the South Coast Air Quality Management District’s California Environmental Quality Act (CEQA) Air Quality Handbook. The Project would implement proposed project design features and mitigation measures to reduce emissions during construction, as described on pages 1521–1523 of the Draft EIR. Project Design Features H-1 and H-2 reduce fugitive dust emissions associated with construction activities. Project Design Feature H-3 states that diesel-emitting construction equipment greater than 200 horsepower shall use diesel particulate filters having 85 percent removal efficiency based on California Air Resources Board verified technologies. In addition, in response to comments provided by the South Coast Air Quality Management District (included as Comment Letter No. 18 in this Final EIR), the Project has proposed incorporating supplementary mitigation features into Mitigation Measure H-1 to further address fugitive dust emissions, volatile organic compound (VOC) emissions, and haul truck trip emissions. In addition, the Project has proposed new Mitigation Measure H-2 to address emissions from internal combustion engines/construction equipment used on the Project Site for purposes of the Project construction.

The maximum cancer risk at the nearest residential, worker, and recreational location would be below the South Coast Air Quality Management District’s risk threshold across all construction scenarios, as summarized on page 1525 of the Draft EIR. However, even with implementation of proposed project design features and mitigation measures, the Project would result in certain significant air quality impacts during construction. Maximum daily mass emissions during construction would exceed the South Coast Air Quality Management District’s thresholds of significance for nitrogen oxides, carbon monoxide, volatile organic compounds, PM₁₀ and PM_{2.5}, as summarized on page 1524 of the Draft EIR. Local concentrations of air pollutants based on Project construction would exceed the

South Coast Air Quality Management District's localized significance thresholds for nitrogen dioxide (1-hour and annual), PM₁₀ (24-hour and annual) and PM_{2.5} (24-hour) under certain construction scenarios, as summarized on pages 1524–1525 of the Draft EIR. As discussed on page 1485 of the Draft EIR, because the Draft EIR assumes that both maximum emissions and worst-hour meteorological conditions occur exactly at the same time, there is a low probability that the reported maximum impacts would actually occur. As discussed on page 1523 of the Draft EIR, significant air quality impacts have the potential to result in adverse health effects.

As described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize any significant effects, and describe reasonable project alternatives. "The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided." (Public Resources Code Section 21002.1(a).) "Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." (Public Resources Code Section 21002.1(b).) If economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment, the project may still be approved at the discretion of the public agency. (Public Resources Code Section 21002.1(c).) In approving a project which will result in the occurrence of significant effects which are identified in the final EIR but not avoided or substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the Project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA.

Comment No. 170-20

Page 14F of the noise section states that the Weddington Park (South) /Island receptor area has direct exposure to the Hollywood Freeway and Lankershim. This does not mean that the total Island residential area or the Park actually has direct exposure to the noise of either. Neither the Island nor the Park is located actually on Lankershim. Many of the homes are shielded by City View Lofts, other homes and trees (yes, trees do shield noise in spite of official denials). The park has replacement trees that are growing on the Western edge directly next to the freeway. This was noise mitigation when the MTA project resulted in the loss of trees on Cal Trans [sic] property between the two. Therefore, this can not [sic] be used as an excuse for adding noise to the level that none of these buffers matter. Most of the homes in the Island residential area are in a quiet area unless emergency sirens pierce the tranquility. Stating that the noise from the development would not continue on a 24 hour basis does not make this less than significant as you can wake

someone up and find they may not get back to sleep even if the noise subsides. Does CEQA lack of evaluation of shorter impacts mean that it is not relevant under CEQA?

Response to Comment No. 170-20

As explained in further detail on pages 991-993 in Section IV.C, Noise, of the Draft EIR, the City of Los Angeles CEQA Thresholds Guide evaluates potential noise impacts in terms of a 24-hour period using Community Noise Equivalent level, and it does not address noise events over shorter durations. Given the nature of the Project Site sound sources, use of a Community Noise Equivalent Level would produce lower calculated noise levels (less conservative) than under the City and County noise ordinances. As the City and County noise ordinances are more stringent with regards to addressing stationary noise sources from the Project operations than the City CEQA Thresholds Guide standard, the provisions of the City and County noise ordinances were evaluated further. Based on the analysis, the Los Angeles County Code's noise regulations were determined to be the most restrictive for purposes of the Draft EIR noise analysis.

As explained on page 971-974, and shown on Figures 92 and 93 on pages 972-973, of the Draft EIR, and explained in the Noise Technical Report attached as Appendix F-1 to the Draft EIR, the environmental noise expert identified 12 noise receptor areas surrounding the Project Site, one of which was the Weddington Park (South)/Island receptor area. Monitoring was conducted at 47 receptor locations within the 12 noise receptor areas. The purpose of the monitoring was to measure ambient noise levels existing around the Project Site in order to compare the future Project sound levels to the ambient conditions. The increase in sound levels as compared to the existing ambient conditions and code limits was then evaluated. In order to have the most conservative analysis, the future Project sound levels were compared to the lowest existing ambient levels, as this comparison would indicate the greatest potential impact. Based on these results, the Draft EIR provided a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation (see pages 998-1019 in Section IV.C, Noise, of the Draft EIR). Tables 69 and 70 of the Draft EIR highlight that the Project's operational noise levels would result in less than significant impacts during both daytime and nighttime hours in the Weddington Park (South)/Island receptor area, as well as at all other receptor locations.

Comment No. 170-21

As for the obvious impact upon traffic from the Plan: they have a lot of charts including a phasing chart to show how they will build or not build depending on measured traffic. Just because their statistics say traffic will move doesn't prove that it will move at all, does it? Couldn't we just find ourselves in a pickle with no one in the East Valley or the North part of Hollywood unable to get anywhere most of the time? It kind of reminds me of the Wizard of

Oz (wrong studio, I know) where the man behind the curtain was a fraud. I think basically they really don't know and are making a lot of it up. Recently when the former CEO of Countrywide was interviewed about what caused the failure of the economy, he said he thought it was a Gold Rush mentality. Isn't this is what is driving this Plan, and not real knowledge about how many cars you can put on a road before you can't get anywhere?

Response to Comment No. 170-21

The methodology used in the traffic analysis is explained in Section IV.B.1, Traffic/ Access – Traffic/Circulation, of the Draft EIR and Appendix E to the Draft EIR. The methodology used is consistent with the Los Angeles Department of Transportation (LADOT) guidelines and has been used and accepted for other major development projects in the City of Los Angeles. Additionally, all traffic volumes (future and existing) were reviewed and approved by LADOT and the Los Angeles County Department of Public Works.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project

Comment No. 170-22

The Evolution Plan in its present form pretty much totally can not [sic] be mitigated.

Response to Comment No. 170-22

As discussed in Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, in all environmental issue areas where significant impacts were identified to potentially occur, project design features and mitigation measures to reduce or eliminate those impacts have also been identified. In addition to the regulations in the proposed City and County Specific Plans, the Draft EIR includes over 215 project design features and mitigation measures that reduce the impacts of the Project. In some cases, the project design features and mitigation measures would not be sufficient to completely eliminate the significant impacts. As such, these impacts are considered significant and unavoidable impacts. Based on the analysis contained in Section IV of this Draft EIR, implementation of the Project would result in significant and unavoidable impacts with regard to the following five issues:

- Traffic (during Project operations and cumulative conditions);
- Noise (during Project construction and cumulative conditions);
- Air Quality (during Project construction and operations and cumulative conditions);

- Solid Waste (during Project operations and cumulative conditions); and
- Off-Site Mitigation Measures (during construction and operations).

As discussed in Response to Comment No. 170-19, in approving a project which will result in the occurrence of significant effects which are identified in the Final EIR but not avoided or substantially lessened, the lead agency must state the specific reasons to support its action in a statement of overriding considerations. The decision whether to approve the project and adopt a statement of overriding considerations will be made by the decision-makers consistent with CEQA. Please refer to Response to Comment No. 170-19.

Alternatives analyzed in Section V, Alternatives to the Proposed Project, of the Draft EIR, included substantial reductions in development compared to the proposed Project. The commenter is referred to Section V of the Draft EIR for additional information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 171

Stephen M. Elliott
3224 Oakley Dr.
Los Angeles, CA 90068-1316
smebd@aol.com

[Note: Duplicates of the letter provided below were received on 1/10/11 and 1/27/11]

Comment No. 171-1

I moved to Los Angeles from New York City about four and half years ago. After six months of looking for a home, my partner and I found a house on Oakley Drive that we really loved and wanted to purchase. Prior to purchasing our home, we heard about the Evolution Plan and had some concerns as to what it would mean to the neighborhood. We quickly got information about the plan, and determined that it was well thought out not only in business terms, but also in terms of the impact on the local community. We were impressed with the fact that the Evolution Plan had built in “fixes” for traffic and mass transit concerns. NBC Universal has kept us apprised of the progress of the plan and we feel certain that it will have a positive impact on the neighborhood.

Furthermore, I believe that the Evolution Plan will be a boon for the economy, not only for the local neighborhood but also for all of the greater Los Angeles area. In these troubled economic times, the proposal can play a major role in preventing further monetary decline for the local area. In fact, the Evolution Plan should actually help in the economic recovery of Southern California. For these reasons, and numerous others, I want to express my support for the NBC Universal Evolution Plan.

Should anyone care to contact me regarding my support for the plan, I can be reached by email at smebd@aol.com , [sic] by phone at 323-378-6545 or by mail.

Response to Comment No. 171-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 172

Amy Evans
14358 Magnolia Blvd., Apt. 103
Sherman Oaks, CA 91423-1001

Comment No. 172-1

Recently, I heard how traffic jams cost Americans billions of dollars, create stress for drivers and waste gasoline. Unfortunately, but not surprisingly, Los Angeles is ranked as the third worst city for traffic congestion. This won't change unless we all work to promote the use of new transit options for residents.

The NBC Universal plan will do that by connecting its property with alternative transportation systems such as the Metro, bus lines and new shuttles. The studio's investment will help improve traffic and air quality. And who knows, maybe L.A. will drop its traffic congestion ranking!

Response to Comment No. 172-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 173

Chris Evans
14358 Magnolia Blvd., Apt. 103
Sherman Oaks, CA 91423

[Note: A duplicate of the letter provided below was received on 1/28/11]

Comment No. 173-1

With the shortage of housing we face in Los Angeles, any project that comes along that can provide affordable workforce housing is a real benefit.

I had known that the Evolution Plan project was going to be building nearly 3,000 new residential units. But what I was pleased to learn in the Draft Environmental Impact Report was the green features that they planned to include, such as water conservation measures in faucets and shower heads and washing machines.

The DEIR proves to me that a lot of thought [sic] has gone into this plan and it's certainly an exciting project for our City.

Response to Comment No. 173-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 174

Robert Fabra
4520 Colbath
Sherman Oaks, CA 91423

Comment No. 174-1

I write regarding file number ENV-2007-0254-EIR for NBC Universal's Evolution Plan.

Placing housing near transit can go a long way to get people out of their cars. But let's face it. We live in Los Angeles and we love our cars. Universal's plan of providing incentives like the two monthly transit passes residents [sic] living in the proposed new housing is a terrific idea.

And getting people out of their cars not only reduces traffic congestion, it can go a long way to help with air quality as well. The Draft EIR confirmed how important it is to invest in transit options and how by making this investment and connecting the property to transit options such as the Metro, bus lines and new shuttles, it will do just that.

Response to Comment No. 174-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 174-2

Universal might want to think about some air quality measures that they can take during the construction phase too. I've heard that there are filters that can be placed on certain pieces of construction equipment that can help with emissions from diesel engines – I think it's worth investigating.

Response to Comment No. 174-2

With respect to diesel emissions during construction, Project Design Feature H-3 states that diesel-emitting construction equipment greater than 200 horsepower shall use diesel particulate filters having 85 percent removal efficiency based on California Air Resources Board verified technologies.

Comment Letter No. 175

Lorraine Fadden
3330 Floyd Ter.
Los Angeles, CA 90068
lorrainef@sbcglobal.net

Comment No. 175-1

I want my voice to be heard with regards to my objection to this plan.

As a residence [sic] of this neighborhood it's important to me that consideration has been made to the following issues:

- Traffic in term of counts, cut-through impacts, mitigations, parking, circulation, neighborhood impacts
- Air quality impacts during construction
- Noise
- Environmental changes/adverse effects
- Wildlife impacts
- Population impacts
- Impacts to resources and utilities – water, public services, emergency services, schools and the burdens of infrastructure
- The timing of the project and impacts beyond the 20 year development phase

Response to Comment No. 175-1

The Project's potential traffic, parking, air quality, noise, wildlife, population, utilities and public services impacts were thoroughly analyzed in the Draft EIR. The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation; Section IV.B.2, Traffic/Access – Parking; Section IV.C, Noise; Section IV.I, Biota; Section IV.N.3, Employment, Housing and Population – Population; Section IV.K.1, Public Services – Fire Protection; Section IV.K.2, Public Services – Police/Sheriff; Section IV.K.3, Public Services – Schools; Section IV.K.4, Public Services – Parks and Recreation; Section IV.K.5, Public Services – Libraries; Section IV.L.1, Utilities – Sewer; Section IV.L.2, Utilities – Water, Section IV.L.3, Utilities – Solid Waste; Section IV.L.4, Utilities – Electricity; and Section IV.L.5, Utilities –

Natural Gas, of the Draft EIR, for details concerning the Project's impacts and related project design features and mitigation measures.

As stated in Section II, Project Description, of the Draft EIR, the timing of actual Project development would be in response to market conditions. The implications of Project phasing are addressed through the structure of the mitigation measures and project design features incorporated into each section of the Draft EIR. The timing of the mitigation measures are either set forth in the mitigation measures themselves or through the Project's Mitigation Monitoring and Reporting Program.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 176

Joseph Fallon
14412 Killion St., #311
Sherman Oaks, CA 91401

[Note: A duplicate of the letter provided below was received on 1/25/11]

Comment No. 176-1

I would like to make two comments on the proposed NBC Universal project. First, the benefits of the economic investment which NBCU is willing to make are sorely needed in this City. At a time when so many people are struggling, this project will bring good jobs in both construction and the entertainment industry, providing incomes for residents, and tax revenue for the City and County. It's critically important for this reason alone, that the project be approved as quickly as possible.

Second, the planned investment in traffic and transportation improvements is the only hope for alleviating traffic congestion in the neighborhood. Without these changes and improvements traffic is only going to get worse and the City and State will not be able to afford to do anything about it.

As a local resident for decades, I believe that NBCU has proposed a well-thought-out plan which will provide economic benefits for the next several decades, and which will finally give us some relief from worsening congestion in a sensible way,

Please approve the NBC Universal Plan. Thank you for your consideration.

Response to Comment No. 176-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 177

Christine Farnon
4833 Cahuenga Blvd.
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christinefarnon@sbcglobal.net

Comment No. 177-1

This case project proposes a massive development in a well-established area, not an area which has open spaces that would allow judicious planning with minimized negative impact. The only “open space” in the proposed Project area is owned by Universal (“Universal” is used for brevity) which will be the beneficiary, while the larger surrounding areas will experience an unprecedented scale of disruption for years until completion of the project. The traffic situation itself will be a living hell for commuters who daily endure freeway congestion. According to studies in the DEIR report, the project would leave some communities with permanent traffic problems which are irremediable. It is inconceivable that [sic] City would permit this.

The DEIR Summary shows that the Proposal’s negative impact would reach miles beyond the site. In addition, plans for around 3,500 hotel rooms/residential units plus two million square feet of commercial space will put unfair demands, in perpetuity, upon public services, such as fire and police departments, upon water/sewage, etc. Who pays? Who benefits?: [sic] the Universal project.

Sadly, many people in the Valley and surrounding areas are not aware of the massive scope of this project and the adverse impact it will have on their quality of life. The media has been strangely quiet, and probably so have others who may be reluctant to publicly voice their concerns.

Response to Comment No. 177-1

The introductory comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

As described in the Draft EIR (Section II, Project Description, pages 309–313), the proposed Universal City Specific Plan includes the creation of three open space districts that would provide a total of approximately 35 acres of open space with a variety of open space uses in designated areas. The open space provided at the Project Site within the

Mixed-Use Residential Area is intended to meet the park and recreational needs of the on-site residents and would also be available to the broader community.

The Draft EIR analyzed the Project's potential impact on City public services (Fire, Police, Parks, and Libraries) and utility (Water, Sewer, and Electricity) infrastructure. See Section IV.K.1, Public Services – Fire Protection (pages 1694–1721); Section IV.K.2, Public Services – Police/Sheriff (pages 1729–1749); Section IV.K.4, Public Services – Parks and Recreation (pages 1788–1806); Section IV.K.5, Public Services – Libraries (pages 1818–1831); Section IV.L.1, Utilities – Sewer (pages 1840–1852); Section IV.L.2, Utilities – Water (pages 1868–1883), and Section IV.L.4, Utilities – Electricity (pages 1931–1964). The Draft EIR concluded that with the incorporation of the described project design features and recommended mitigation measures the Project's impacts would be less than significant with regard to these City services and City-provided utilities. Section IV.L.3, Utilities – Solid Waste (pages 1906–1925), of the Draft EIR also analyzed solid waste and concluded that the Project's potential impacts related to construction solid waste would be less than significant with the incorporation of the project design features. However, due to the uncertainty of future capacity of landfills outside of the City (the City does not have operating landfills within the City), the Draft EIR conservatively assumes that the Project's impacts related to solid waste during operations would remain significant and unavoidable after incorporation of the project design features.

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

With regard to the public being informed of the project, consistent with the requirements of CEQA, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was originally circulated for public review for a 61-day period, or 16 days more than the CEQA required 45-day review period. This 61-day comment period began on November 4, 2010, and ended on January 3, 2011. In response to requests to extend the review period, on November 18, 2010, the City of Los Angeles extended the comment period by an additional 32 days to February 4, 2011. Thus, the Draft EIR was circulated for a 93-day public review period, which is more than double the 45-day public review period required by CEQA Guidelines Section 15105 when a Draft EIR is submitted to the State Clearinghouse for review by state agencies. In addition, a public comment meeting was held on December 13, 2010. See also Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR).

As described in Sections 15121(a) and 15362 of the CEQA Guidelines, an EIR is an informational document which informs public agency decision-makers and the public of the significant environmental effects of a project, identifies possible ways to minimize any

significant effects, and describes reasonable project alternatives. In July 2007, the City filed and circulated for a 30-day public review period a Notice of Preparation that a Draft EIR was going to be prepared and to allow the public to provide input on the scope of the Draft EIR. In addition, a public scoping meeting was held on August 1, 2007. Based on public comments and an Initial Study of the Project's potential environmental issues, the Draft EIR analyzed 15 potential environmental impact areas.

Comment No. 177-2

Among the Many Issues:: [sic]

1. It is pie-in-the sky to believe, as it is claimed by supporters, that the majority of the new residents and employees will use public transit links. This claim is similar to expectations of the Community Redevelopment Agency and City when they encouraged large scale condo developments adjacent to the Lankershim Metrolink station. Many of these condos remain empty, and a new supermarket which bought into that dream was recently forced to close and almost brought down the parent company.

Response to Comment No. 177-2

With regard to projections of public transit use by residents and employees of the Project Site, the Transportation Demand Management credits accounted for in the Project's trip generation assumptions under the "Future with Project with Transportation Demand Management Program" and "Future with Project with Funded Improvements" scenarios were developed in conjunction with and approved by the City of Los Angeles Department of Transportation. A detailed review of recent studies of Transit-Oriented Developments and Transportation Demand Management Programs employed at other locations in California was conducted as part of the Transportation Study. Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR) details the locations and levels of trip reductions attained by the California Transit-Oriented Development projects. Table K-1 in Appendix K of the Transportation Study (see Appendix E-1 of the Draft EIR), provides a summary of the characteristics and trip reduction percentages achieved by various Transportation Demand Management Programs and a comparison to the trip reduction estimates assumed for the Project. As shown in the table, the amount of credit assumed in the Project's trip generation for each of the Transportation Demand Management strategies is lower than those achieved by other developments. Therefore, the overall 11.4 percent Transportation Demand Management credit assumed by the Project represents a conservative estimate of the potential effectiveness of a Transportation Demand Management Program for a Transit-Oriented Development located in the vicinity of a rail station. Based on the 2004 and 2006 studies of California Transit-Oriented Development projects near rail stations, the average trip reduction is in the 19 percent to 22 percent range. Thus, the analysis presented in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and

Chapter V of the Transportation Study (see Appendix E-1 of the Draft EIR) represents a conservative approach. Additionally, as noted in City of Los Angeles Department of Transportation's Assessment Letter dated April 2, 2010 (see Appendix E-2 of the Draft EIR), the Project's Transportation Demand Management Program would be required to include:

"[A] periodic trip monitoring and reporting program that sets trip-reduction milestones and a monitoring program to ensure effective participation and compliance with the TDM goals; non-compliance to the trip-reduction goals would lead to financial penalties or may require the implementation of physical transportation improvements[.]"

Further, the provision of a shuttle system, pursuant to Mitigation Measure B-2, is intended to directly link the Project's development to the Universal City Metro Red Line Station. The commenter is referred to Topical Response No. 5: Transit Mitigation (see Section III.C, Topical Responses, of this Final EIR), for further information regarding the proposed shuttle system.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-3

2. Universal claims that the northern boundary of the Project Site is adequately separated from the residential areas of Toluca Lake by the Los Angeles River and/or by the Lakeside Golf Club and therefore would not adversely change the land use, etc. Fact: Ensuing constructions, noise, loss of privacy if tall buildings overlook private properties, all will have negative impact on the Toluca Lake area. The river channel and the golf course are hardly barriers.

Response to Comment No. 177-3

The comment appears to reference the physical land use analysis in Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, which refers to existing vegetation within the Lakeside Golf Club and along Valley Spring Lane that serve to buffer the Toluca Lake area from the Project Site, in addition to the physical separation provided by the Los Angeles River Flood Control Channel and intervening distance. As explained on pages 584–587 in Section IV.A.2, Land Use – Physical Land Use, of the Draft EIR, although the proposed Project may provide building massing greater than that of the structures within the Lakeside Golf Club, Toluca Estates, and Toluca Lake areas, future development along most of the northern Project Site boundary would be similar to land uses (studio and office) and building heights that currently exist along the majority of the northern edge of the Project Site. The Los Angeles River Flood Control Channel would continue to serve to

physically separate the uses and activities within the northern portion of the Project Site from these areas such that, similar to existing conditions, land uses and activities within the northern portion of the Project Site under the proposed Project would not have a substantial land use connection with these areas. The Project would not adversely change the existing relationship between the Project Site and these areas and would not disrupt, divide, or isolate these areas. As concluded in the Draft EIR, physical land use impacts with respect to these areas would be less than significant.

As detailed in Section IV.C, Noise, of the Draft EIR, on-site construction activities have the potential to result in significant impacts during daytime and nighttime hours. The potential noise impacts of construction in the Studio, Entertainment and Business Areas, construction in the Mixed-Use Residential Area assuming both single phase and multi-phase horizontal construction activities, and a composite construction scenario in which construction occurs throughout the Project Site at the same time were evaluated and are described in detail on pages 998–1010 of Section IV.C, Noise, of the Draft EIR. The analysis also evaluated the impacts from simultaneous construction of the off-site related projects and the Project (cumulative analysis).

The Draft EIR also recommends mitigation measures to reduce daytime construction noise levels. The mitigation measures would reduce noise levels, however, depending on the receptor location and ambient noise levels at the time of construction, the construction activities could exceed the thresholds. Mitigation measures proposed for nighttime construction would reduce impacts to less than significant levels except for when exterior nighttime construction is permitted under one of the following exceptions to the restrictions on hours of construction: construction activities which must occur during otherwise prohibited hours due to restrictions imposed by a public agency; roofing activities which cannot be conducted during daytime hours due to weather conditions; emergency repairs; and construction activities which cannot be interrupted, such as continuous pours of concrete. As these limited types of nighttime construction activities would have the potential to exceed the established significance thresholds, a significant impact could occur. As discussed in the Draft EIR, it is important to note that while a significant impact would result under these circumstances, the likelihood that these circumstances would actually occur is limited, and when they do occur, the extent of this significant impact would be limited in duration.

The Draft EIR provides a comprehensive analysis of both potential daytime and nighttime noise impacts resulting from the Project's operation. (Draft EIR, Section IV.C, Noise, pages 998–1019.) As noted on Tables 69 and 70 of the Draft EIR, the Project's operational noise would result in less than significant impacts during both daytime and nighttime hours, with nighttime noise levels falling well below the significance threshold in most instances.

As explained in Section IV.D, Visual Qualities, of the Draft EIR, views of the Project Site from within the Toluca Lake area, as shown in Figure 124 on page 1154, are limited, although a few of the larger structures within the Entertainment Visual Quality Area can be seen. Views from the Toluca Lake geographic area are intermittent because of the extensive vegetation and mature trees within the Lakeside Golf Club located between the residences in this area and the Project Site. While intermittent views are available, the combination of the distance between the Project Site and the extensive vegetation serve to reduce the overall visibility of the Project Site. Therefore, views of the Project Site from Toluca Lake would not be substantially affected by Project development or potential signage. The Draft EIR concludes that Project impacts with regard to views and visual resources from the Toluca Lake geographic area would be less than significant.

The Project Site and vicinity include existing mid- and high-rise buildings. As noted above, the Project would not substantially alter the relationships between existing residences and taller structures. In addition, the Toluca Lake area located north of Valley Spring Lane is over 1,300 feet from the closest point on the Project Site, with the middle of the area located approximately 2,200 feet from the Project Site. These distances are sufficiently large to reduce the visibility of this area from persons on the Project Site and minimize any perceived privacy issues.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-4

3. Page 48 of the Summary writes “Nine neighborhoods identified may be subject to Neighborhood intrusion impact...five have the potential to experience intrusion impacts...Potential significant neighborhood impact could remain significant and NO other feasible mitigation was identified”. [sic] How could City possibly sanction these conditions? “Potential significant neighborhood impact” would lower property values; statistics show that that deteriorating neighborhoods attract crime.

Response to Comment No. 177-4

As explained in the Draft EIR, based on the transportation study analyses, it is possible to identify those neighborhoods that might be susceptible to neighborhood intrusion impacts (cut-through traffic) as a result of the Project. It is not, however, possible to predict with a reasonable degree of certainty whether such neighborhood intrusion traffic will occur at a level sufficient to result in a significant adverse impact in any of the identified neighborhoods as the changes in traffic patterns are based on a number of factors, including individual driver perception of the likely reduction in travel time on alternative routes (neighborhood streets). Nor is it possible to predict in which neighborhoods or on

which streets within each neighborhood any such potentially significant neighborhood intrusion traffic impacts might occur. In addition, because of the fact that such assessments cannot be made at this time, it also cannot be determined whether any feasible mitigation measures could be implemented that would lessen or eliminate any such potentially significant impacts or determine what neighborhood measures the local community would prefer over the potentially significant neighborhood traffic intrusions.

A potentially significant neighborhood traffic intrusion impact on a particular residential neighborhood can only be determined after a project or portions of a project are completed and operating. Prior to a project becoming operational it is virtually impossible to quantify potential impacts. Once a project is operational, a neighborhood can be assessed to determine if any impacts are occurring, the nature of the impacts and whether those impacts can be addressed through a Neighborhood Traffic Management Plan. The Los Angeles Department of Transportation has developed a process over many years to assess whether impacts are occurring, the nature of the impacts and a range of traffic measures designed to address potentially significant impacts. The Los Angeles Department of Transportation process is an iterative process through which the impacted neighborhood is included in the process to help assess which traffic-calming options are preferred by the community at issue, to balance the relative desirability of the options, and ultimately to let the community itself make the decision whether to implement the traffic-calming measures. In some neighborhoods, the potential significant impact never materializes. In locations where a significant impact does occur, the community may decide to implement traffic-calming measures that reduce the impact to below a level of significance and, in other neighborhoods, the measures themselves are considered to be undesirable and so the community prefers not to implement them and the neighborhood intrusion traffic remains significant and unmitigated.

Pursuant to Mitigation Measure B-45 (Mitigation Measure B-42 in the Draft EIR) the Applicant or its successor shall provide funding of up to \$500,000 for implementation of the City of Los Angeles Department of Transportation's Neighborhood Traffic Management Process set forth in Appendix T to the Transportation Study (Appendix E-1 of the Draft EIR). As explained in the Neighborhood Traffic Management Process, the Los Angeles Department of Transportation determined that a budget of up to \$500,000 is appropriate for the development of Neighborhood Transportation Management Plans for the eligible neighborhoods based on its experience implementing Transportation Management Plans. In addition, as noted in Section IV.B.1.3.d.(5) of the Draft EIR and Chapter VIII of the Transportation Study (see Appendix E-1 of the Draft EIR), the neighborhood intrusion impacts may remain significant only in the event that the community is unable to reach a consensus on which measures should be implemented. The commenter is also referred to Topical Response No. 7: Neighborhood Intrusion (see Section III.C, Topical Responses, of this Final EIR), for further detail.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-5

Most if not all DEIR traffic mitigation proposals for intersections are based on maps which do not necessarily show accurate measurements. There should be NO changes or designs unless each recommended mitigation is based on an on-sight inspection and validation of the map measurements.

Response to Comment No. 177-5

Traffic mitigation at intersections would be implemented based on detailed construction and engineering plans subject to review and approval by the Los Angeles Department of Transportation.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-6

4. Increased traffic over the Barham Bridge would substantially add to long-time concerns that the Bridge is inadequate to handle traffic volume. If the Bridge needs new construction, who pays?

Response to Comment No. 177-6

The Project's proposed improvements described in Mitigation Measures B-18 (for the intersection of Barham Boulevard & Cahuenga Boulevard) and B-19 (for the intersection of Barham Boulevard & Buddy Holly Drive/Cahuenga Boulevard) in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, fully mitigate the Project's impacts at both intersections serving the Barham Boulevard bridge. The recommended Project mitigation measures have been reviewed and approved by the Los Angeles Department of Transportation and would help in alleviating traffic congestion on the Barham Boulevard bridge. As shown in Table 39 in Section IV.B.1 of the Draft EIR, the Project's impact at both intersections is mitigated to a less than significant level with these mitigation measures. The proposed Project would be responsible for the implementation of the mitigation measures required as part of the Project's approvals.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-7

5. The many areas identified in the DEIR report as requiring new left turn or right turn signals or lanes do not show if existing properties will lose portions of their parkways and landscaping. If such is the case, it needs to be known now.

Response to Comment No. 177-7

Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR, includes an analysis of the potential environmental impacts resulting from implementation of the Project's off-site roadway improvements. Conceptual drawings showing details of the proposed physical improvements overlaid on an aerial photomap base are provided in Appendix Q of the Transportation Study attached as Appendix E-1 to the Draft EIR. With regard to signals, signal system and phasing enhancements include provision of additional/upgraded equipment and/or providing connections to existing traffic control systems. Signal upgrades themselves do not require parkways or private property use.

As explained on page 696 of the Draft EIR, implementation of the US 101 southbound on-ramp at Universal Studios Boulevard improvement would require a small portion of a privately-owned parcel.

As discussed in the Draft EIR, the roadway improvements identified on pages 706-709 of the Draft EIR may require minor roadway widenings but would occur within the existing roadway right-of-way and would not impact private property. The roadway improvements listed on pages 715-716 of the Draft EIR would also only affect existing roadway right-of-way and would not impact private property. As discussed in the Draft EIR, while the majority of these improvements would occur within the boundaries of the existing roadway, in a limited number of locations increasing roadway capacity within the existing street right-of-way can only be achieved by reducing the width of the existing sidewalks. Details regarding these sidewalks are provided on pages 717-718 of the Draft EIR.

Comment No. 177-8

6. Jobs the Project will provide: Universal periodically sends flyers to the community praising the great number of jobs this project will create. We need to know how many of these jobs are will [sic] vanish as the projects are completed, and how many are estimated to be permanent job opportunities.. [sic] Everyone needs to know.

Response to Comment No. 177-8

As discussed in Section IV.N.1, Employment, Housing, and Population – Employment, of the Draft EIR, the Project would provide new direct and indirect employment opportunities during the Project construction period and during Project

operations. As noted on page 2042 of the Draft EIR, approximately 16,559 jobs would be directly associated with the construction of the Project over the entire buildout period; these direct jobs would support another 7,668 indirect jobs in a wide range of industries resulting from purchases of construction-related supplies, goods, and services. Compensation paid to direct and indirect workers would support another 7,170 induced jobs in the County economy.

With respect to Project operations, it is estimated that the Project would add 5,193 new on-site jobs (i.e., direct jobs) once Project build-out has occurred by the year 2030. In addition, approximately 1,718 new direct jobs would be created due to new households spending for goods and services (i.e., indirect jobs). As indicated on page 2043 of the Draft EIR, the Project's variety of jobs would provide important employment opportunities for students, part-time and entry level workers, whose numbers are increasing and who are not likely to find sufficient employment in the region's new high technology sectors. The Project would also create career paths to higher-skilled, higher wage positions in the increasingly multi-dimensional entertainment industry.

Comment No. 177-9

7. I am heartily opposed to annexation of Los Angeles County property.

Response to Comment No. 177-9

The comment does not address the environmental analysis in the Draft EIR. To clarify, the property proposed for detachment from the County of Los Angeles and annexation into the City of Los Angeles is owned by the Applicant. The proposed Project involves the annexation of approximately 76 acres of the Project Site from the County's jurisdiction into the City of Los Angeles, which would accommodate all of the proposed residential uses in the City of Los Angeles, and detachment of approximately 32 acres of the Project Site from the City's jurisdiction into the County, for an overall net change of the approximately 44 acres from the County to the City. Should the annexation process be completed, approximately 139 acres of the Project Site would be located within the City of Los Angeles and the remaining approximately 252 acres of the Project Site would be located within the unincorporated area of Los Angeles County. If the proposed annexation and detachment do not occur, the 95 acres of the Project Site currently located within the City of Los Angeles would remain located in the City, while the other 296 acres would remain under the jurisdiction of the County. The discussion within each environmental impact section of the Draft EIR was conducted based on proposed jurisdictional boundaries (i.e., the proposed Project) and existing jurisdictional boundaries (i.e. No Annexation scenario). (Section II, Project Description, of the Draft EIR, pages 282–286.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 177-10

Many additional impassioned concerns and oppositions to the Project were raised at the December 13, 2010 Public Comment Meeting at the Universal Hilton, and were made available by Patch (<http://northhollywood.patch.com/articles>), beginning at the bottom of P. 14. Such comments are additionally revealing and invaluable if City is to make a reasonable decision on this Project. City's credibility is on the line and people depend on its decision-makers to represent all interests fairly.

Response to Comment No. 177-10

The comment does not address the environmental analysis in the Draft EIR. The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. It should be noted that per CEQA requirements, all comments on the Draft EIR for the Project, including comments made at the public comment meeting on December 13, 2010, are addressed in the Final EIR. The comments provided at the December 13, 2010 public comment meeting and their corresponding responses are provided in their entirety as Comment No. T1 in this Final EIR. The referenced Patch comments were submitted by the Greater Toluca Lake Neighborhood Council and are included in this Final EIR as Comment Letter No. 8. Please refer to Comment Letter No. 8 and responses thereto.

Comment Letter No. 178

Norman Feinstein
5332 Ben Ave., Apt. 108
Valley Village, CA 91607-4969

Comment No. 178-1

I am writing to comment on the Draft EIR for the NBC Universal Evolution Plan. While this is a big project by anyone's standards, it is also true that a tremendous effort has been made to emphasize sustainability in both design and operation of the new facilities.

New technology, efficient machinery and appliances, and on-site DWP facilities will all help to reduce the energy footprint of the project, and this is critically important to all of us. I believe that the measures proposed by Universal should be standard for all new projects, to minimize the impact on our energy resources and to provide an example for the entire region.

Los Angeles will continue to grow, and if we don't build wisely and sustainably, as proposed by this project, precious resources will be wasted. I urge you to recognize the responsible steps taken by Universal to conserve water and power, and approve the project without delay.

Response to Comment No. 178-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 179

Alan Forney
10677 Valleyheart Dr.
alanforney@aol.com

Comment No. 179-1

As a long-time resident (22 years) of “The Island” community/Valleyheart Drive adjacent to Campo De Cahuenga, I would like to express some concerns. There are few traffic corridors between the San Fernando valley [sic] & Los Angeles proper: The 405, Laurel Canyon & Cahuenga Pass. During rush hours, these all become pretty much a ‘gridlock’. The traffic currently moving through Cahuenga Pass/101 freeway comes from or filters into Barham, Lankershim, or Ventura Blvd. if not originating on the 101 from a farther point. Adding a substantial number of residential units as well as commercial expansion in this area will only increase an already untenable traffic problem as well as significantly affect the quality of life in the neighboring communities. I ask that you please reconsider the impact the planned expansion will bear on the surrounding area & burden to public services.

Response to Comment No. 179-1

The Project’s potential traffic impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

With regard to public services, Section IV.K, Public Services, of the Draft EIR, includes analyses of potential impacts to public services under the Project. See Section IV.K.1, Public Services – Fire Protection (pages 1694–1721); Section IV.K.2, Public Services – Police/Sheriff (pages 1729–1749); Section IV.K.3, Public Services – Schools (pages 1759–1769); Section IV.K.4, Public Services – Parks and Recreation (pages 1788–1806); and Section IV.K.5, Public Services – Libraries (pages 1818–1831). The Draft EIR concluded that with the incorporation of the described project design features and recommended mitigation measures the Project’s impacts would be less than significant with regard to these public services.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 180

Liliya Frye
10862 Bloomfield St., #203
Toluca Lake, CA 91602

[Note: A duplicate of the letter provided below was received on 2/3/11]

Comment No. 180-1

NBC Universal's Draft Environmental Impact Report put to rest any concerns I might have had about the company's Master Plan. I support this project 100 percent.

Please don't delay moving this project forward so work can begin on all of the transportation improvements they plan to do. The neighborhoods surrounding Universal will definitely benefit, and for that matter, so will all the people who travel through the area.

Response to Comment No. 180-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 181

Hanri Galoyan
1733 N. Alexandria Ave., Apt. 3
Los Angeles, CA 90027

Comment No. 181-1

As a long time resident of Studio City, I am writing to support the NBC Universal project.

After all these years of planning and study, NBC Universal has come up with a project that will work for them, for the community, and for the region. I believe that we must do everything possible to create and sustain good-paying entertainment jobs, which in turn contribute to the success of local businesses. And when the theme park and City Walk [sic] are improved, tourists will stay longer and spend more while they're here.

NBC isn't looking for a bailout to stay in business. They're looking to make a huge investment in our community. We should say thank you, and let them get on with it.

Response to Comment No. 181-1

The comments in support of the Project are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment Letter No. 182

Tony & Rebecca Gama-Lobo
3161 Lindo St.
Los Angeles, CA 90F068
tondef72@aol.com

[Note: A duplicate of the letter provided below was received on 2/3/11]

Comment No. 182-1

I am writing on behalf of myself and my wife. We have been residents of the Hollywood Knolls for the past eight years and love it here. The proposed Evolution Development Plans for the NBC Universal properties will have a hugely negative impact on our neighborhood. We are certainly in favor of development, especially development that would benefit the entertainment industry - which we both work in. However, this proposal looks to cause a lot more harm to our community than any benefit it could bring. Specifically:

Response to Comment No. 182-1

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. Specific comments regarding the environmental analysis in the Draft EIR are provided and responded to below.

Comment No. 182-2

- The massive increase in traffic to the Barham Pass and surrounding communities without a proper and well-thought out expansion of roadways and outlets.

Response to Comment No. 182-2

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Sections IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is referred to that section for a detailed discussion of the potential impacts and proposed project design features and mitigation measures.

Specifically with regard to Barham Boulevard, as shown in Figure 86 in Section IV.B.1, Traffic/Access – Traffic/Circulation, and Figure 59 of the Transportation Study, the Project does not result in any significant and unavoidable impacts along the Barham

Boulevard corridor. As shown in Tables 39 and 40 in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR and Tables 25 and 26 in Chapter V of the Transportation Study, the proposed transportation project design features and mitigation measures mitigate the Project's impacts along this corridor to a level below significance, based on Los Angeles Department of Transportation's significance criteria. In addition, as shown in Table 39 in Section IV.B.1 of the Draft EIR, the traffic operations (volume-to-capacity ratios) at the intersections along the Barham Boulevard corridor generally improve with the Project and implementation of its proposed mitigation measures as compared to the Future without Project conditions. The transportation project design features and mitigation measures include, for example, a third southbound through lane along Barham Boulevard to improve traffic congestion along the corridor and a new public roadway, the "North-South Road," which would be built in the Mixed-Use Residential Area parallel to Barham Boulevard. (See Mitigation Measure B-5 and Project Design Feature B-2 in Section IV.B.1, Traffic/Access – Traffic/Circulation.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 182-3

- The noise, traffic, and air quality impact of the prolonged construction.

Response to Comment No. 182-3

The Project's potential air quality, noise, and traffic impacts during construction were thoroughly analyzed, as detailed in Sections IV.H, Air Quality; IV.C, Noise; and IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is referred to those sections for a detailed discussion of the potential impacts. The Project would be required to implement the project design features and mitigation measures required as part of the Project approvals, which would reduce impacts during construction to the extent feasible. However, as discussed in Section VI, Summary of Significant and Unavoidable Impacts, of the Draft EIR, residual significant impacts would still occur with respect to traffic (cumulative), noise, air quality, and off-site mitigation measures during Project construction.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 182-4

- The visual and audio impact on our quiet community of the huge new residential/commercial space and 3,000 new homes (blights, billboards, lights, noise).

Response to Comment No. 182-4

With regard to noise, light and visual qualities, the Draft EIR concluded that operational impacts on the Hollywood Knolls community would be less than significant. (Draft EIR, Section IV.C., Noise, page 1015; Section IV.E.2, Light and Glare – Artificial Light, pages 1264 and 1274–1275; and Section IV.D, Visual Qualities, pages 1085–1086.)

Within Section IV.D, Visual Qualities, of the Draft EIR, the potential impacts attributable to the Project's signage program are addressed in the analyses of each of the 25 vantage points included within the Draft EIR. For the specific reasons set forth therein, and as concluded on page 1102 of the Draft EIR, Project signage from all viewpoints would not result in substantial adverse changes to the environment and, as such, impacts regarding visual resources attributable to Project signage would be less than significant.

Further, as discussed in Appendix G of the Draft EIR, Artificial Light Technical Report, the impact of the illuminated signs was evaluated at various receptor sites around the Project Site which have a prominent view of the Project Site. (See Appendix G of the Draft EIR, pages 129–137.) The modeling analysis confirmed that with implementation of the signage regulations in the proposed City and County Specific Plans, the proposed signage would not result in significant light trespass or brightness impacts at any of the modeled viewpoints. Therefore, light trespass impacts from the Project's potential signage lighting would be less than significant. (Draft EIR, page 1275; Appendix G, pages 134 and 136–137.)

As discussed on pages 986–987 of the Draft EIR, new on-site noise sources were evaluated in Section IV.C, Noise, of the Draft EIR. As discussed in the Draft EIR, the model specifically took into consideration the development of the eastern portion of the Project Site (the Mixed-Use Residential Area) into a mixed-use development with 2,937 residential units and 180,000 square feet of community-serving commercial uses. As described on pages 994–997 of the Draft EIR, the Project includes various project design features to minimize noise during Project construction and operation. In addition, other than emergency address systems, no outdoor amplified sound associated with retail uses, community-serving uses, and sound systems for common areas of residential uses shall be permitted in the Mixed-Use Residential Area. As detailed in Section IV.C, Noise, of the Draft EIR, with implementation of the proposed City and County Specific Plans, Project operational noise impacts at off-site receptors would be less than significant.

The comment is noted and has been incorporated in the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 182-5

- The loss of the historic Universal Studios backlot and the possible future film production that it could support.

Response to Comment No. 182-5

An analysis of historic resources on the Project Site, including an analysis of the historic significance of the backlot, is included in Section IV.J.1, Cultural Resources – Historic Resources, of the Draft EIR. As discussed on page 1637 of the Draft EIR, with the Project, the Universal Studios Backlot Site would continue to retain its historic use and primary character-defining features and ability to convey its important historic associations. In addition, pursuant to Project Design Feature J.1-1 and the proposed County Specific Plan, alterations to the Universal Studios Backlot Site would comply with the Universal Studios Historic District Preservation Plan which provides appropriate guidance for the rehabilitation of historic buildings, structures, and sites within the potential historic district and establishes basic criteria for new construction with the potential historic district.

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, pages 275–276.) More specifically, the proposed Project includes a development strategy which would expand and contribute to the existing on-site motion picture, television production and entertainment facilities while introducing new complementary uses. The Project would continue the Project Site's important role in the entertainment industry by providing for studio, studio office and office uses on the Project Site to meet the growing and changing needs of the industry. Furthermore, the Project seeks to maintain and enhance the existing studio and entertainment-related facilities at the Project Site in order for the Project Site to continue its historic role in the evolving entertainment industry. (Draft EIR, Section II, pages 275–276.)

The Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet. (Draft EIR, Table 2, page 280.) Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other

related office floor area would generate a net increase of 3,415 full-time and part-time jobs. (Draft EIR, Table 186, page 2044, and Draft EIR, Appendix P.)

With regard to the portion of the comment regarding the use of the Back Lot, a new alternative has been included in the Final EIR that deletes the residential portion of the proposed Project while increasing the Studio Office, Entertainment, and Hotel uses of the proposed Project. This alternative, Alternative 10: No Residential Alternative, is included in Section II of this Final EIR. Please refer to the analysis of Alternative 10 in Section II for further information.

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 182-6

The Hollywood Knolls is a unique and special pocket community in the heart of Los Angeles. It is so close to the urban and business centers of Hollywood, Universal City and Burbank, yet retains a quiet out-of-the-way feel. This is my wife's and my first home. We loved this area and have started a family here. It is a true neighborhood of young, old, families, couples. Please reconsider the NBC Universal Development as it currently exists and work with the community groups to find a reasonable compromise to the size and design of the development in order to preserve the Knolls and surrounding neighborhoods.

Response to Comment No. 182-6

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project. See also Topical Response No. 1: EIR Process (see Section III.C, Topical Responses, of this Final EIR).

Comment Letter No. 183

J. Patrick Garner
10211 Valley Spring Ln.
Toluca Lake, CA 91602
jpgarner@sbcglobal.net

Comment No. 183-1

My name is John Patrick Garner. I live at 10211 Valley Spring Lane – just across the golf course from Universal City. I have been involved in noise issues at Universal since 1989 – as the founder of the Toluca Lake Residents Association during the last Universal Master Plan process and currently as Chairman of the Universal Noise Committee of the Toluca Lake Homeowners Association.

THE ISSUE

The DEIR is correct in mandating the establishment of a noise monitoring system for years of construction related noise if the current Master Plan is approved.

The DEIR is absolutely wrong that the majority of the other noise sources at Universal City do not impact the nearby community as they do not generate enough noise to be audible above ambient noise levels at the receptors in the project area. The issue is not decibels it is noise that disturbs Universal's neighbors in a major way.

THE REMEDY

NBC Universal (NBCU) has itself recognized that even existing noise from Universal City is a problem for the surrounding community and has therefore established a senior management level task force to deal with existing noise. This NBCU Core Response Team composed of two Senior Vice Presidents and two Director level NBCU management employees is in the process of setting up a very comprehensive program to deal with the current non-construction noise that the DEIR says will not be a problem in the surrounding community.

The remedy that should be mandated in the DEIR is to make the process now being developed by senior management at NBCU to deal with community complaints about noise from Universal City permanent as a condition of the approval of their Master Plan.

HISTORY

Residents living close to Universal City have been involved with NBCU on the issue of noise in our community for at least 30 years. The pattern has been – a problem develops

and action is taken to solve that problem. What has been lacking is a sustainable on-going program at NBCU to effectively deal with noise issues.

Early on our community's efforts resulted in the Universal Amphitheater being covered. In the late 1990's local residents were very involved in Universal's proposed Master Plan. Many filings were made through our attorney at Sheppard Mullin Richter and Hampton on issues related to noise. Universal eventually ceased pursuing that Master Plan but as a result of the interaction with local residents during the process NBCU recognized that noise was a problem (even though the DEIR for that project stated that it was not) and many constructive changes were made to lessen the impact of noise on our community.

Several months ago noise from Universal City again reached a level that caused local residents to mobilize. The community established its own "noise hot line" and scores of noise problems were documented. The result has been a process involving senior executives from NBCU and the leadership of Toluca Lake homeowner groups to once again deal with noise from Universal City in our community. Unfortunately, last Saturday the new process broke down entirely and we had one of the worst full days of noise in recent memory. The procedure to get on top of the noise quickly outlined below was not executed and the senior management team does not yet know why there was so much noise.

CURRENT MASTER PLAN

NBCU is again pursuing a new master plan for Universal City and will soon be taking direction from the SIXTH OWNER in the last 20 years. Local residents are very concerned that once the current NBCU noise initiative has run its course we will be dealing with years of new noise issues from construction and new venues without a process that NBCU and its latest owners are mandated to keep in place. We know from the noise issues that arose during the recent reconstruction of NBCU's back lot after the fire that there will absolutely be serious noise issues to deal with.

NBCU'S CURRENT SENIOR MANAGEMENT LEAD COMMUNITY NOISE INITIATIVE

The initiatives underway and in review by the senior level NBCU Core Response Team related to noise include:

- A Noise Hotline staffed 24/7 by a company representative will take calls and emails related to noise. Immediately following the complaint, an email will be sent to the NBCU Core Response Team (currently two Senior Vice Presidents and two Director level NBCU employees). Within 24 hours, the complainant will receive a call or email from the Core Team with a response to their complaint. This new response process has been reviewed and approved by top NBCU management and the Core Team will be held accountable for adhering to it. This

process was recently put in place and the community has been notified but it must be made permanent.

- A monthly newsletter will be distributed to community residents which will include a report on the number and nature of calls related to noise and what has been done. This initiative was recently implemented but must be made permanent.
- NBCU will create a computer mapping program to identify current and potential noise generators at Universal City and will use this program to identify and correct existing noise problems and in planning all future construction and venues. This initiative has begun but it must be completed, used during the proposed master plan construction period and be made permanent.
- NBCU will use the best available noise suppression technology to retrofit existing sources of noise and in all new construction and venues. This initiative has begun but must be completed for all existing sources of noise and all new construction and be made permanent.
- NBCU will establish allowable decibel levels for all sources of noise at Universal City. Noise levels will be measured on site. NBCU will insure that they are not exceeded. This initiative has not been agreed to by NBCU but is essential for dealing with noise now and in the future.
- NBCU will host regular meetings of community leaders to discuss noise issues. This initiative is underway. These meetings must be held monthly during any period of new construction or venue modification and must be made permanent.

SUMMARY

Over 30+ years of our community's dealings with NBCU on noise issues NBCU has eventually taken action to address current problems. What is required now is a permanent and effective on-going process that NBCU is required through this Master Plan to implement. This is especially critical now as our community is facing years of serious construction related and other noise if the current Master Plan is approved. History has proven that without this requirement our community has no option except waiting for the next noise problem and then prodding NBCU to take action.

Response to Comment No. 183-1

The comment is a duplicate of a letter attached to a comment card submitted by a private individual at the public comment meeting on December 13, 2010, that is provided and responded to as Comment Letter No. CC-22 in this Final EIR. Please refer to Comment Letter No. CC-22 and responses thereto.

Comment Letter No. 184

Robin Garner
4241 Forman Ave.
Toluca Lake, CA 91602-2907

[Note: A duplicate of the letter provided below was received on 1/29/11; two additional duplicates were received on 2/1/11]

Comment No. 184-1

Many speakers at the December 13th meeting argued that this expansion will bring jobs and therefore raise real estate values and improve the quality of life in the area. I ask you to consider that Toluca Lake is a gem of the San Fernando Valley...a neighborhood with a real neighborhood feel. Part of this can be attributed to the fact that efforts have been put in place in the past to mitigate traffic running through the neighborhood, with various barriers or traffic diverting methods along Pass and Olive Avenues to the east and on Moorpark Street to the west, as well as traffic bumps on Moorpark and Valley Spring Lane and an additional stop sign on Forman Avenue meant to slow traffic. All of these measures would be rendered ineffective if there were to be an extension of Forman Avenue through Lakeside Golf Course and up to the expanded Universal Development. Would it help mitigate some of the traffic on Lankershim and Barham? Possibly. Would it destroy the neighborhood of Toluca Lake? Absolutely. Would property values in the area rise? Absolutely not. The very reason I chose to buy where I did was that the location of the golf course insured that I would not end up with major traffic running through my neighborhood. Forman Avenue is not wide enough to turn into a four lane road without eliminating parking and/or taking away from existing residential properties. Not one person I heard speak at this meeting in support of this project lives in a neighborhood directly impacted by it. And let's talk about quality of life. Toluca Lake is a neighborhood of walkers, and most of them take to the streets rather than the sidewalks, alone or in groups, often walking their dogs. Add a steady stream of cars cutting down Forman Avenue and filtering out across the other streets, and this would become a huge safety problem along with destroying this special feature of the neighborhood.

Response to Comment No. 184-1

The Project's potential traffic impacts were thoroughly analyzed, as detailed in Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR. The commenter is referred to that section for additional information regarding the Project's potential traffic impacts and proposed project design features and mitigation measures. The comment appears to object to the Forman Avenue extension and the East-West Road, a proposed roadway on the County Highway Plan. Contrary to the implication in the comment, the

Project is not proposing the Forman Avenue extension. Rather, one of the discretionary actions requested to implement the proposed Project is the deletion of the East-West Road from the existing County Highway Plan. Under CEQA, an EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. (CEQA Guidelines Section 15126.6.) As discussed on page 2413 in Section V, Alternatives to the Proposed Project, of the Draft EIR, Alternative 9, which evaluates the East-West Road as a connection between Barham and Lankershim Boulevards, with the Forman Avenue extension, serves to inform the decision makers in the evaluation of the Project's requested deletion of the East-West Road from the existing County Highway Plan. As concluded on page 2429 in Section V, Alternatives to the Proposed Project, of the Draft EIR, "Alternative 9 impacts with regard to traffic, air quality, noise, and historic resources would be greater than those that would occur under the proposed Project." In addition, a number of residents within the Toluca Lake neighborhood that would be directly impacted by the implementation of this Alternative have also expressed concern that Alternative 9 would cause a notable disruption to the community beyond that analyzed in the Draft EIR. The commenter is also referred to Topical Response No. 10: East-West Road Alternatives (see Section III.C, Topical Responses, of this Final EIR), for further information.

Comment No. 184-2

Furthermore, removal of the back lot to make way for new construction may mean more, temporary, construction jobs, but when these film environments need to be duplicated for films, it will likely result in fewer local film jobs as productions are forced into other areas for filming.

Response to Comment No. 184-2

As noted in the Draft EIR's Project Description, among the Project's objectives are to: (1) expand entertainment industry and complimentary uses of the Project Site; and (2) maintain and enhance the site's role in the entertainment industry. (Draft EIR, Section II, Project Description, pages 275–276.) Accordingly, the Project includes a net increase of 307,949 square feet of studio facility floor area, resulting in a new total of 1,536,069 square feet, a net increase of 437,326 square feet of studio-related office space, for a new total of 1,379,871 square feet, and a net increase of 495,406 square feet of other supportive office space, for a new total of 958,836 square feet. (Draft EIR, Table 2, page 280.) Therefore, although under the proposed Project, substantial portions of the Back Lot Area would become the Mixed-Use Residential Area, there would not be a net loss of film and television production and support facilities. Rather, the Project would result in a net increase of 1,240,681 square feet of studio-related floor area, for a new total of 3,874,776 square feet. The Draft EIR includes estimates that the Project's net new floor area for film and television production, studio-office and other related office floor area would generate a net increase of 3,415 full-time and part-time jobs. (Draft EIR, Table 186, page 2044, and Draft EIR, Appendix P.)

The Draft EIR also includes separate projections of the number of direct, indirect, and induced jobs that would be associated with Project construction. As explained on pages 2040–2041, Section IV.N.1, Employment, Housing and Population – Employment, of the Draft EIR, ‘direct’ jobs include those resulting directly from the Applicant’s substantial investment in development and construction of the Project that would occur on the Project Site. ‘Indirect’ jobs are those that are created by business purchases of goods and services used during the construction process (e.g., purchase of drywall) and ongoing operation of the completed Project. ‘Induced’ jobs are those that are created when direct and indirect employees spend their earnings for a variety of household goods and services. Those projections include 16,559 jobs associated with Project construction, and 14,838 “multiplier-effect” jobs, for a total of 31,387 jobs in the Los Angeles County economy related to Project construction. (Draft EIR, Section IV.N.1, page 2042, and Draft EIR, Appendix P.)

The comment is noted and has been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.

Comment No. 184-3

One of the great things about Los Angeles is the huge array of activities available...activities which, unfortunately, we often are unable to partake in because traffic makes participation incredibly laborious. This is a huge quality of life issue. The day I left the expansion meeting, at 5:30pm., it took me 25 minutes to arrive home...a distance that takes me only 20 minutes to walk.

More density results in lower quality of life, more frustration, and I believe it will lead to more crime as more people filter through the neighborhood, and incidents of road rage as there becomes no outlet for the additional traffic.

Response to Comment No. 184-3

The commenter is referred to Section IV.B.1, Traffic/Access – Traffic/Circulation, of the Draft EIR for a detailed analysis of the Project’s potential traffic impacts and proposed project design features and mitigation measures, and Section IV.K.2, Public Services – Police/Sheriff, of the Draft EIR for a detailed analysis of safety and security issues and proposed project design features and mitigation measures. Quality of life is not an environmental topic addressed under CEQA. Environmental issues set forth under CEQA (e.g., traffic, land use, air quality) are addressed throughout the Draft EIR by subject category.

The comments are noted and have been incorporated into the Final EIR for review and consideration by the decision-makers prior to any action on the Project.