II. RESPONSES TO COMMENTS

A. OVERVIEW

The purpose of the public review of the Draft EIR (DEIR) is to evaluate the adequacy of the environmental analysis in terms of compliance with CEQA. Section 15151 of the CEQA Guidelines states the following regarding standards from which adequacy is judged:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among experts. The courts have not looked for perfection but for adequacy, completeness, and a good faith effort at full disclosure.*

The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) raised by each comment. This typically requires clarification of points contained in the Draft EIR. Section 15088 (b) of the CEQA Guidelines describes the evaluation that CEQA requires in the response to comments. It states that:

> *The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.*

Section 15204(a) (Focus of Review) of the CEQA Guidelines helps the public and public agencies to focus their review of environmental documents and their comments to lead agencies. Case law has held that the lead agency is not obligated to undertake every suggestion given them, provided that the agency responds to significant environmental issues and makes a good faith effort at disclosure. Section 15204.5(a) of the CEQA Guidelines clarifies this for reviewers and states:

> *In reviewing draft EIRs, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or*

> *mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.*

The guideline encourages reviewers to examine the sufficiency of the environmental document, particularly in regard to significant effects, and to suggest specific mitigation measures and project alternatives. Given that an effect is not considered significant in the absence of substantial evidence, subsection (c) advises reviewers that comments should be accompanied by factual support. Section 15204(c) states:

> *Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

B. LIST OF THOSE WHO COMMENTED ON THE DRAFT EIR

The City of Los Angeles Department of City Planning received a total of 73 comment letters on the Draft EIR. Each comment letter has been assigned a corresponding number, and comments within each comment letter are also numbered. For example, comment letter "1" is from Ellen Kahn. The comments in this letter are numbered "1-1", "1-2", "1-3", etc.

Written comments made during the public review of the Draft EIR intermixed points and opinions relevant to project approval/disapproval with points and opinions relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. The response "comment noted" is often used in cases where the comment does not raise a substantive issue relevant to the review of the environmental analysis. Such points are usually statements of opinion or preference regarding a project's design or its presence as opposed to points within the purview of an EIR: environmental impact and mitigation. These points are relevant for consideration in the

subsequent project approval process. In addition, the response "comment acknowledged" is generally used in cases where the commenter is correct.

During and after the 45-day public review period, the following organizations/persons provided written and oral comments on the Draft EIR to the City of Los Angeles Department of City Planning:

	Commenters	**Date**
1.	Ellen Kahn	January 22, 2003
2.	George Wolfberg, Chairman, Pacific Palisades Community Council	January 31, 2003
3.	Mr. and Mrs. Gus Haggstrom	February 4, 2003
4.	Jeffrey Smith, AICP, Sr. Regional Planner, Intergovernmental Review, Southern California Association of Governments	February 5, 2003
5.	Barbara S. Blinderman	February 11, 2003
6.	L. Randall and Billy Eve Koenig	February 12, 2003
7.	Gerald Watkins	February 17, 2003
8.	John and Paula Williams, Secretary & Treasurer, OWT Homeowners Assoc.	February 20, 2003
9.	Carolyn See	February 21, 2003
10.	David Potter	February 21, 2003
11.	Andrew Martin, President, Castellammare Mesa Home Owners (CMHO)	February 23, 2003
12.	Betty Hudson	February 23, 2003
13.	Robert Italia	February 24, 2003
14.	Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles	February 25, 2003
15.	George Wolfberg, Chairman, Pacific Palisades Community Council	February 25, 2003
16.	Vahe Simonian	February 26, 2003
17.	John and Margetta Rabbitt	February 27, 2003
18.	Robert and Alice Krysa	February 27, 2003
19.	George Katz	February 28, 2003
20.	Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation	February 28, 2003
21.	Michael and Norma Spak	March 1, 2003
22.	Robert Glushon	March 3, 2003
23.	Mr. and Mrs. Gaby Goubran	March 3, 2003
24.	Laurie Rosenthal	March 4, 2003
25.	Terry Roberts, Senior Planner, State Clearinghouse, Governor's Office of Planning and Research	March 5, 2003
26.	Mr. and Mrs. Irvin Spielberg	March 21, 2003

	Commenters	**Date**
27.	Mrs. Robert Beagles	March 24, 2003
28.	Eve and Sam Coquillard	March 24, 2003
29.	Cort Wagner	March 25, 2003
30.	Deborah and Derek Hydon	March 25, 2003
31.	John and Elaine Power	March 25, 2003
32.	Marilyn Pecsok	March 25, 2003
33.	Robert Shaffer, Jr.	March 26, 2003
34.	Thomasine and Peter Tilden	March 26, 2003
35.	Sarah and Sam Stavro	March 26, 2003
36.	Arthur and Hermine Kovacs	March 26, 2003
37.	Bernard and Judy Orsini	March 27, 2003
38.	Reuel Sutton, Architectural Committee, CMHO	March 27, 2003
39.	Martin Alpert	March 27, 2003
40.	Ruth White	March 27, 2003
41.	Mary Elisabeth and Robert Kors	March 28, 2003
42.	Audrey Ann Boyle, Co-Chair, Miramar Homeowners' Association	March 28, 2003
43.	Steve Cofoloff	March 28, 2003
44.	Michael Downer and Jessica Johnson	March 28, 2003
45.	Lise and Bo Svenson	March 28, 2003
46.	Danny Cohen	March 30, 2003
47.	Hildegarde Heidt and William Imhoff	March 30, 2003
48.	Karen and Bob Marrs	March 31, 2003
49.	Harriet Wyre and James Wheeler	March 31, 2003
50.	Amy Lemoine	March 31, 2003
51.	Francis and Cornelia Knotz	March 31, 2003
52.	Peter Knotz	March 31, 2003
53.	Alan Siegel	March 31, 2003
54.	Robert Fink	March 31, 2003
55.	Madison Siegel	April 1, 2003
56.	Julien Heart	April 1, 2003
57.	Matthew Hensley	April 1, 2003
58.	Matthew Schow	April 1, 2003
59.	William Grieb, Jr	April 1, 2003
60.	William Grieb, Jr	April 1, 2003
61.	William Grieb, Jr	April 1, 2003

	Commenters	**Date**
62.	Francis Shalant, Corresponding Secretary and Robert Cavage, Board Member, Pacific Palisades Residents Association (PPRA)	April 1, 2003
63.	Kim Coleman	April 1, 2003
64.	Kristen and Douglas McCormick	April 1, 2003
65.	Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles	April 2, 2003
66.	Alexander Man, Board of Directors, PPRA	April 2, 2003
67.	Michele Shafroth and Marker Wiegand	April 2, 2003
68.	Thomas Stewart, Law Offices of Thomas A. Stewart	April 2, 2003
69.	Victoria and Richard Miller	April 2, 2003
70.	Rudy and Sirilak Hirschmann	April 2, 2003
71.	Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation	April 7, 2003
72.	Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles	April 11, 2003
73.	Terry Roberts, Senior Planner, State Clearinghouse, Governor's Office of Planning and Research	April 17, 2003

C. TOPICAL RESPONSES

Many of the comments submitted on the Draft EIR repeatedly focused on a particular set of issues. Accordingly, "Topical Responses" have been prepared for such issues. Each topical response provides a complete discussion of the general concern raised, and incorporates in one location the information requested from the various permutations of the comment received from the different commenters. Consequently, a particular topical response may provide more information than requested by any individual comment. Chapter II (Responses to Comments) of the Final EIR refers the reader to the Topical Responses section when appropriate.

Topical responses in this Final EIR address the following concerns:

1. Views
2. Revello Landslide
3. Mello Act Interim Ordinance
4. Short-Term Noise

5. Road Maintenance
6. Traffic
7. Access
8. Building Heights
9. Bonds
10. Construction Schedule

Topical Response 1: Views

Commenters expressed concern about the proposed project's impacts to public and private views as well as the appearance of the proposed project as viewed from off-site properties.

Post-Project Views of and Towards the Project Site

Due to the height, increased density and location of the proposed project on a hillside overlooking Sunset Boulevard, PCH and the Pacific Ocean, the proposed townhomes and apartment flats would be visible from a variety of viewing locations. Such viewing locations include portions of Sunset Boulevard, PCH and local streets in the project area (e.g. Castellammare Drive, Tramonto Drive, and to a lesser extent, Los Liones Drive and Paseo Miramar), as well as from some of the commercial and/or residential uses along these roadways. Distant views of the proposed project would also be available from portions of Will Rogers State Beach (including bike path), PCH, the Pacific Ocean, and to a lesser extent from some areas of Topanga State Park and Santa Monica Mountains north of the site. Similar to the existing apartment buildings on the project site, the proposed project would not be visible from the beaches immediately to the south of the site near the Gladstones restaurant due to the grade separation between PCH and the shoreline. Excluding the single- and multi-family residential uses above the site, the proposed project would not be visible to motorists on PCH and residential areas further west of the site (or west of Sunset Boulevard) due to intervening natural and man-made features, such as hillside topography, native vegetation, residential land uses and landscaping. The proposed project would not be visible from areas to the northeast and east for the same reasons cited above (e.g. Palisades Drive, Sunset Boulevard between Paseo Miramar and Palisades Drive, etc.). Visibility of the proposed project from adjacent land uses and roadways, including two City-designated Scenic Major Highways II (PCH and Sunset Boulevard), is not considered to be a significant impact. This is because the project area is highly urbanized with a mix of commercial and single- and multi-family residential uses, including multi-story office, apartment and condominium buildings, and because the proposed project is consistent with the site's zoning and height requirements. As described on pages 72 and 73

of the Draft EIR, the applicant is also required to replace all 29 trees that are proposed to be removed from the site (including trees proposed to be removed from public right-of-way) to the satisfaction of the City Street Tree Division of the Bureau of Street Services. The new trees and proposed landscaping would make the project buildings less visible from off-site properties, particularly as the trees and vegetation become more mature.

The proposed project would not result in the obstruction of any public scenic views. While the site would be visible from portions of public areas such Topanga State Park, Will Rogers State Beach, Pacific Ocean, PCH and Sunset Boulevard, it would not obstruct any scenic views (e.g. ocean, mountains, coastline) from these viewing locations. Impacts relative to public scenic views would be less than significant.

Conversely, the proposed project would result in the obstruction and partial obstruction of scenic views from private properties located immediately north-northwest of the project site. The proposed project would obstruct and partially obstruct private views of the Pacific Ocean and shoreline as seen from the four-story condominium building located immediately north of the project site. The proposed project would also partially obstruct private views of the shoreline and Pacific Ocean as seen from the single-family homes located immediately north-northwest of the project site along Revello Drive. The existing on-site apartment units partially obstruct private views of the shoreline and Pacific Ocean from the adjacent four-story condominium building, but not from the adjacent single-family dwellings. The project's obstruction and partial obstruction of scenic views from the adjacent private properties is considered to be a significant unavoidable impact.

Since the preparation of the Draft EIR and in response to concerns raised by the public and City Councilwoman Cindy Miscikowski, the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

The project site is located in an urbanized area characterized by a mix of commercial and residential uses with varying elevations and building heights. The project site is situated in an area where the zoning designations transition (east to west) from commercial to multi-family residential, and then to single-family residential. The project site was rezoned in 1998 from [Q]R3-1 to RD2-1 pursuant to the Pacific Palisades Specific Plan. The proposed project is considered to be visually compatible with the adjacent multi-family residential and office uses. While the project is consistent with the permitted density and building height for the site, the increase in density and height compared to the existing on-site apartments represent a potentially significant building massing impact in relation to the upslope single-family homes located along Revello Drive. Building massing impacts are considered to be

potentially significant but can be mitigated to less than significant levels by implementing the following mitigation measures on pages 99 and 100 of the Draft EIR:

1. The proposed project shall comply with the City's Hillside Development Guidelines.

2. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall provide per the current Street Tree Division standards.

3. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

4. All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the City Planning Department.

5. Landscape buffers shall be planted between the project site and adjacent residential uses.

Topical Response 2: Revello Landslide

Commenters expressed concern regarding the proposed project being developed on a portion of the Revello Landslide, and the potential geotechnical hazards to on-site and off-site residences.

The proposed landslide repair and redevelopment of the site with multi-unit condominium and townhome buildings is feasible from a geologic and soils engineering standpoint provided the recommendations provided by the consulting geologist and geotechnical engineer, and the conditions of approval of the City of Los Angeles Department of Building and Safety are included in the plans and are implemented during construction. In a letter dated December 5, 2001 from the City of Los Angeles Department of Building and Safety the following is stated:

> "A favorable report has been received from the Geotechnical Engineering Division of the Bureau of Engineering. Tentative Tract 52928 is approved subject to the following conditions:"

Repair of the existing landslide would help to stabilize the site for the construction of the proposed project. In order to repair the landslide, the landslide debris would be removed down to bedrock. Removal depths could potentially be up to 60 feet. Once the landslide debris is removed, compacted fill would be placed on the bedrock up to the planned grades for Buildings 1 and 2. This compacted fill would be used as primary structural fill to support the proposed buildings.

Soldier piles would be required in order to support vertical excavations along the north, west, and south sides of the removal. These piles would be embedded into the bedrock below the base of the landslide. Additional piles along the upslope property line may also be required to support temporary vertical excavations to construct the required rear yard retaining walls.

The owner of the downslope property (17325 Castellammare Drive) has received City approval to develop a 21-unit condominium complex and also plans to permanently stabilize and develop the toe of the Revello Drive Landslide. Soldier piles along the common property line would be required prior to either project proceeding. Solider piles designed for an equivalent fluid pressure of 65 pounds per cubic foot will be required to support the compacted fill placed within the landslide removal void. Building 2, which is located upslope from these piles, should be founded in approved compacted fill below a 1:1 plane projected up from the downhill base of the slide removal. Deepened foundations consisting of friction piles tied with grade-beams will be required to support portions of Building 2.

Portions of Buildings 1 and 2 will transition across the limits of the slide into the area of the temporary 1:1 back-cut. The portions of the proposed building located on bedrock outside the limits of the slide will be over-excavated 10 feet below the bottom of the footings and replaced with compacted fill.

Subdrains will be required at the base of the landslide repair. These subdrains should discharge via gravity. As discussed above, significant geotechnical impacts from the Revello Drive Landslide would be mitigated to less than significant levels after implementation of the geotechnical mitigation measures listed in the Draft EIR and Chapter IV of the Final EIR.

Topical Response 3: Mello Act Interim Ordinance

Commenters questioned how the applicant would compensate persons being displaced and relocated as a result of the proposed project.

The City of Los Angeles has prepared an Interim Ordinance for the Mello Act. The Interim Administrative Procedures for Complying with the Mello Act in the Coastal Zone Portions of the City of Los Angeles were adopted on January 19, 2000 by the Los Angeles City Council as an action program related to the implementation of the California Government Code Sections 65590 and 65590.1. The Mello Act is a statewide ordinance which implements the preservation of housing for persons and families with low to moderate incomes in the California Coastal Zone. The City Council has directed

the Department of City Planning to develop a permanent Mello Act Implementation Ordinance, which is currently being prepared. Information regarding housing impacts associated with the proposed project is provided in Section IV.H, Population & Housing of the Draft EIR. The exact text of the Interim Administrative Procedures for Complying with the Mello Act is provided in Appendix B to the Final EIR.

Topical Response 4: Short-Term Noise

Commenters expressed concern about the noise levels that would be experienced at nearby off-site properties during the demolition, excavation, grading and construction phases of the proposed project.

Demolition/Construction Noise Impacts

Demolition or construction noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used which changes during the course of the project. Construction noise tends to occur in discrete phases dominated initially by demolition and/or earth-moving sources and later for finish construction. Heavy equipment noise can exceed 90 dB(A) and averages about 85 dB(A) at 50 feet from the source when the equipment is operating at typical loads. Most heavy equipment operates with varying load cycles over any extended period of time. The upper end of the noise generation range thus represents short-term effects, while the longer term averages are most representative of the lower end of the indicated noise curves.

Construction noise exposure can be further worsened when several pieces of equipment operate in close proximity. Because of the logarithmic nature of decibel addition, two equally loud pieces of equipment will be +3 dB louder than either one individually. Three simultaneous sources are +5 dB louder than any single source. Thus, while average operational equipment noise levels are perhaps 5 dB less than at peak power, simultaneous equipment operation can still yield an apparent noise strength equal to any individual source at peak noise output. Whereas the average heavy equipment reference noise level is 85 dB(A), short-term levels from either peak power or from several pieces operating in close proximity can be as high as 90 dB(A).

Point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance. The loudest construction activities would thus require almost 280 feet of distance between the source and a nearby receiver to reduce the peak 90 dB(A) source strength to the generally acceptable 75 dB exterior exposure level specified in Section 112.05 of the City Building Code. Complex terrain around the project site may intermittently shield some nearby receivers from direct line of sight noise propagation such that the construction equipment noise "envelope" may be considerably smaller than 280 feet in many areas. If hillside echo effects are involved, the zone of impact might exceed 280 feet

for brief periods of time. Echo effects tend to occur infrequently unless the work area is within a hard-surfaced, parabolic bowl, which is not the case at the project site.

During heavy equipment operations in close proximity to the project site boundary, the distance buffer needed to reduce the maximum equipment noise to the 75 dBA ordinance limit may not exist. The 75 dBA equipment noise threshold specified in Section 112.05 of the Los Angeles Building Code may be intermittently exceeded.

When construction such as excavation, pouring concrete or similarly noisy activities occur, they may occur for many days in a month. The "10 day per 3 month" significance threshold would apply. This threshold would allow for a +5 dB increase above ambient noise levels before a significant impact would occur. Baseline noise levels in yards surrounding the project site are estimated to be 45 dB (LEQ). A noise level of 50 dB LEQ or more would constitute a potentially significant noise impact. For purposes of analysis, an 85 dB (LEQ) reference noise level was assumed during daytime construction. The distance of the 50 dB LEQ contour, assuming various line-of-sight conditions, is as follows:

Clear line-of-sight	-	2,800 feet from source
Moderately terrain-obstructed	-	890 feet from source
Heavily terrain - obstructed	-	280 feet from source

Even if there is a substantial obstruction to direct line-of-sight noise propagation, the quiet background conditions create a very large noise impact "footprint" during construction. Even with intervening barriers and other noise protection features, reduction of construction noise levels to 50 dB or less in the closest residential rear yards is not feasible. Construction activities will have a significant, unmitigable noise impact during parts of the construction cycle. Because not every construction day will necessarily entail heavy equipment operations, the actual number of days of a potentially significant impact is a small fraction of the total construction period.

In later phases of finish construction of the project, equipment such as generators, compressors, saws, etc., are 10 dB quieter than the earth movers. Humans perceive 10 dB changes to be an apparent halving of noise levels. The physical barrier created by partially completed on-site facilities will further break up line-of-sight propagation. Whereas peak noise impacts will be clearly audible within a radius of several hundred feet during demolition and major earthworks, lesser intensity noise during finish construction would be intrusive only at those homes in the very closest proximity to the activity itself.

In addition to on-site equipment noise generation, truck traffic to/from the site would affect the off-site noise environment. Heaviest truck traffic will occur for four to six months during landslide repair and slope stabilization. Peak truck activity and associated noise generation would occur during soil export.

Truck noise along project haul routes was calculated using the California vehicle noise curves (Calveno) in the federal highway traffic noise prediction model (FHWA-RD-77-108). The calculation was made for trucks using the proposed haul route that proceeds northward on Tramonto Drive, east on Los Liones Drive, south on Sunset Blvd., eastward along PCH, and to the Santa Monica Freeway.

Vehicle noise/land use compatibility is expressed in terms of the community noise equivalent level, or CNEL. CNELs are a weighted 24-hour factor where nocturnal traffic activity is penalized ten-fold. Haul trucks will not be allowed on-site until after 7 A.M. such that all haul traffic will have only a daytime impact. CNELs due to haul traffic will be much lower than the hourly average noise level when the late afternoon, evening and nocturnal periods of zero construction traffic are averaged in with the daytime haul hours.

The City of Los Angeles CEQA Threshold Guidelines specify that that a noise increase of five dB or greater for ten days in a three-month period would be a significant impact. If soil hauling activity exceeds 70 loads per day (10/hour), a significant noise impact may result along Tramonto Drive because the noise level would increase by five dB. If soil hauling activities exceed 112 loads per day (16/hour), truck noise impacts would be significant along both Tramonto Drive and Los Liones Drive. Because the excavation phase of the proposed project may involve up to 128 truck loads per day, noise impacts from soil truck hauling activities are considered to be significant.

Topical Response 5: Road Maintenance

Commenters expressed concern about the current physical integrity of Tramonto Drive and how heavy trucks used during the grading and construction phase could damage Tramonto Drive. Commenters also questioned how the applicant would fix roads that may be damaged during the grading and construction phases of the proposed project.

Development of the project site would involve the use of an 18-wheel semi-trailer truck during construction to transport heavy equipment (i.e., bulldozers, graders, backhoes, etc.) and building materials to the project site. The number of trips necessary to transport heavy equipment used in the construction and grading of the proposed project would generally be limited to two trips per piece of heavy equipment, one to the project site and one back to the equipments owner's storage area. All heavy equipment used in the construction and grading of the proposed project would be stored at the project site during the construction phase.

Under the conceptual grading plan, the proposed project would require 30,000 cubic yards (cy) of cut and 5,000 cy of fill. The maximum amount of soil to be exported for landslide repair would be 100,000 cy and the maximum amount of soil to be imported for landslide repair would be 75,000 cy. Grading of the project site would require 3,500 cy of exported soil per day. Exported soil is not

suitable for backfill, therefore, ten-wheel dump trucks would export the soil from the project site down the Santa Monica Freeway to the nearest landfill facility, such as the Calabasas, Azusa, or Bradley Landfills, (via Tramonto Drive/Los Liones Drive/Sunset Boulevard/Pacific Coast Highway).

Due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials (particularly the number of trips necessary for the soil exportation), roads used for the proposed truck haul route (i.e. Tramonto Drive, Los Liones Drive, Sunset Boulevard, and the Pacific Coast Highway) could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Prior to the commencement of construction, the applicant and the Bureau of Street Services shall survey and photograph the existing road conditions. The applicant would be responsible to repair any damage to the roads caused by the heavy trucks used for the construction of the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

Topical Response 6: Traffic

Commenters suggested that the proposed project would result in significant traffic congestion on local roadways and study intersections.

Analysis of Future (2005) Traffic Conditions ("Without" and "With Project")

The analysis of future traffic conditions at the study intersections for the year 2005 was performed using Critical Movement Analysis methodology. Traffic volumes for this analysis were developed as summarized below:

1. As described earlier, future 2005 "Without Project" traffic volumes were developed by combining growth-factored existing volumes and traffic volumes attributable to related projects.

2. Traffic volumes generated by the project were then combined with the "Without Project" volumes to form the future 2005 "With Project" volumes. These volumes were used to determine intersection traffic impacts directly attributable to the proposed project.

The proposed project would not significantly impact any of the four study intersections. Therefore, no intersection mitigation analysis is required.

As indicated in Figure IV.J-3 of the Draft EIR, no project traffic is expected to use Porto Marina Way. The project trips added to the intersections of Sunset Boulevard/Pacific Coast Highway, Sunset Boulevard/Castellammare Drive and Sunset Boulevard/Los Liones Drive would have a cumulative but less than significant project impact, as shown in Table IV.J-10 of the Draft EIR.

Several commenters believe that traffic may shift to using Porto Marina Way in lieu of Tramonto Drive during the project construction period. This would increase the traffic demand at the intersection of Porto Marina Way/Pacific Coast Highway and the need for a longer green traffic light cycle for vehicles making left turns from Porto Marina Way onto Pacific Coast Highway. These comments will be forwarded to the decision makers for consideration. Caltrans is responsible for the signal timing at Porto Marina Way/Pacific Coast Highway. Caltrans' traffic signal investigation unit phone number is (213) 897-0340.

Local/Residential Street Impact Analysis

LADOT has concluded that the project would cause a significant residential street traffic impact on both Tramonto Drive and Los Liones Drive. However, it should be noted that the project site is near the downstream terminus of Tramonto Drive. The approximate 470-foot long segment of Tramonto Drive between the project driveway and Los Liones Drive, which is expected to be used entirely by project traffic, is undeveloped on both sides. Consequently, the flow of project traffic on this segment of Tramonto Drive would not be affecting any residential or other developed use.

Regional Traffic Impacts

The Congestion Management Program (CMP) for the County requires that all freeway segments where a project is expected to add 150 or more trips in any direction during the peak hours be analyzed. The nearest CMP freeway monitoring location is the Santa Monica (I-10) Freeway at Lincoln Boulevard, more than four miles from the project site. As no more than 7 project trips in either direction would be traversing this freeway, no significant impact would occur and no further CMP freeway analysis is necessary.

An analysis is also required at all CMP intersections where a project would likely add 50 or more trips during the peak hours. The nearest CMP monitoring intersection is PCH/Sunset Boulevard, which has already been analyzed and no significant impact was found. In addition, the project would add no more than 14 peak hour trips to this intersection, well below the threshold requiring further analysis.

Two additional CMP intersections are farther from the project site. These are PCH/Chautauqua Boulevard and PCH/Topanga Canyon Boulevard. The amount of project trips at these intersections would be even less than at PCH/Sunset Boulevard. Therefore, no CMP analysis is necessary at these locations.

Project Construction Traffic

Grading and construction of the proposed project will take approximately 18 to 19 months (6-7 months for grading and 12 months for construction). The number of construction-related trips generated during this period will fluctuate as the number of workers needed for the different steps of construction will vary. The peak times for construction traffic are expected to occur during the final completion of construction for each building, when electrical, mechanical, plumbing, painting, etc., contractors are on-site. At these times, it is estimated that up to approximately 100 construction workers will be on-site during these times. It is estimated that the following will be occurring for project grading and construction:

- Approximate 18 to 19-month duration;
- 25 inbound and 25 outbound delivery truck trips per day (peak times); and
- 85 inbound and 85 outbound construction worker and miscellaneous trips per day (peak times).

It is anticipated that the trucks bringing building materials to the site will use Tramonto Drive, Los Liones Drive, Sunset Boulevard, Pacific Coast Highway (including possibly Pacific Coast Highway to the west) and the Santa Monica Freeway.

Although construction traffic is a temporary condition, it is recognized that it may contribute to traffic congestion on Tramonto Drive and Los Liones Drive. The mitigation measures listed below are required to minimize the disruption and inconvenience to residents, businesses and other traffic in the vicinity:

- No construction equipment shall be started in or in operation on-site outside the allowable construction hours of 8:00 a.m. – 4:30 p.m.
- Trucks and construction equipment shall not be staged in adjacent residential areas during the overall period of construction.
- Temporary "Truck Crossing" warning signs shall be placed approximately 300 feet in advance of the construction driveway in each direction on Tramonto Drive.
- Up to two flag persons shall be used at the project site to assist the truck operators in and out of the project area, as well as minimize conflicts with motorists.

- Construction workers shall not be allowed to park on Sunset Boulevard or any residential or local street in the vicinity, except Los Liones Drive.

- A construction worker ridesharing plan shall be implemented in order to reduce construction-related trips and parking demand.

Refer below to Topical Response 7 (Access) for a discussion of the ingress and egress impacts associated with the proposed project.

Topical Response 7: Access

Commenters expressed concern about ingress and egress to the project site via Tramonto Drive during operation of the proposed project. Commenters also expressed concern about the potential traffic hazard associated with the ingress and egress of vehicles near the sharp curve on Tramonto Drive at the site entrance.

Driveway Visibility

Vehicular access for the project is to be via an existing driveway serving the multiple-family development at 17337-17339 Tramonto Drive. This driveway is located approximately 470 feet south of Los Liones Drive. It will continue to provide one ingress lane and one egress lane, with all turning movements allowed. Adequate driveway visibility is provided at the project site. However, existing visibility for the inbound (uphill) left-turn motorists from Tramonto Drive onto the project site driveway is partially obstructed by existing vegetation located on the north-northwest side of Tramonto Drive. The existing vegetation is located on the convex side of the curve at Tramonto Drive, within a City of Los Angeles slope easement and on undeveloped private property. LADOT conducted a field investigation of the project site and concluded that existing visibility for the inbound left-turn motorists from Tramonto Drive onto the project driveway "appears to be inadequate due to the hairpin curve protruding from across the street." This is considered to be a potentially significant traffic hazard impact that can be mitigated to a less than significant level via implementation of the following new mitigation measure which replaces the first three traffic mitigation measures listed on page 245 of the Draft EIR:

> The following new mitigation measure has been approved by LADOT and is required to improve the existing line of sight distance on Tramonto Drive at the project driveway. This measure will adequately improve the visibility between motorists making left turns into the project driveway and motorists traveling in the opposing direction on Tramonto Drive, and would reduce the significant access impact to a less than significant level.

1. The project applicant shall, at his own expense and to the satisfaction of the Department of Transportation and the Department of Public Works: A) remove any existing vegetation within the right-of-way between the roadway edge and the property line along the convex curve of Tramonto Drive, approximately eighty feet arc length, in the vicinity of the project driveway; and B) install a permanent aesthetic surface or material along this portion of the roadway that prevents the growth of vegetation within this right-of-way.

Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

Emergency Access

The demolition, grading and construction phases of the proposed project would add construction employee vehicles and heavy trucks on the project area roadways, including Tramonto Drive which fronts the project site. Such activities could increase response times for emergency calls further uphill on Tramonto Drive and in the Castellammare area. These are considered to be potentially significant impacts that can be mitigated to less than significant levels via the implementation of the traffic mitigation measures included in the Draft EIR and Chapter IV of the Final EIR.

Implementation of the proposed project would increase the need for fire protection and emergency medical services in the project area due to the increased number of residents and visitors to the project site. The proposed project site is located 0.3 miles from the nearest fire station. Because this response distance is within City Fire Code requirements, there are no impacts with respect to distance criteria. However, the proposed project would incorporate a number of fire safety features in accordance with applicable City fire-safety code and ordinance requirements for construction, access, fire flows, and fire hydrants.

The Los Angeles Fire Department does not have a formal emergency evacuation plan for the project area. According to Los Angeles Fire Station No. 23 which serves the project area, Tramonto Drive is wide enough that their vehicles may pass if another vehicle is in the roadway.

Topical Response 8: Building Heights

Commenters suggested the proposed project is not consistent with the City's height requirements for the site and that the building heights of the proposed project are excessive.

The project site is located in Height District 1, which allows a maximum height of 45 feet above grade. With the possible exception of chimneys, the proposed project would not exceed 45 feet in height above grade. However, as detailed below, the City of Los Angeles Municipal Code and Building Code provides height limit exceptions for features like chimneys, HVAC equipment, etc.

Base Height Limit:

- 45’ per section 12.21.1 (Paragraph 3 of section 12.21.1 does not apply to this site because the site is in a Hillside Area, as defined by section 12.03)

Definition of Height (zoning code):

- *Height* is measured from *grade* to highest point of roof, structure, or parapet wall.
- *Definition of grade*: Lowest point of *ground, paving, or sidewalk* within 5' of the building.
- Retaining walls shall not be used for the purpose of raising the effective grade level for height computation. However, *grade* may be "artificially raised" grade as long as retaining walls are not used. (Zoning interpretation memo – 11/22/94)

Height Limit Exceptions (zoning code):

- If lowest and highest adjacent grades (within 5' of building) are more than 20' apart, total allowable height increases to 57'. However, no part of the building should have a height more than 45' above the ground surface directly below.
- Stairway enclosures can exceed the 45' height limit by 10'. (If building is 4 or more stories high, one stair is required to go up to the roof, unless roof has a pitch is 1:4 or more.)
- Elevator enclosures can exceed the 45' height limit by 10', provided they are set back one foot from roof edge for every foot above the height limit and are a minimum of 5' from the roof edge.
- Chimneys and ventilation shafts can exceed the height limit by 5'.
- HVAC equipment, skylights, towers, steeples, or similar structures can exceed height limit by 5' provided they are a minimum of 5' from the roof edge.

Basis for determining the number of stories:

- A first story cannot be more than 6' above adjacent *grade* (grade within 5' of building) along 50% of its perimeter or more than 12' above *grade* at any point around its perimeter. If it is, then the space below it – even if unoccupied – is considered the first story. Basements are defined as levels below the first story. (Building Code)

Topical Response 9: Bonds

Commenters questioned if the applicant would post a bond which would indemnify off-site property owners of any damage which might occur as a result of the proposed project.

The Los Angeles Municipal Code, Division 70, Section 91.7006.5 requires that bonds be secured for projects that grade 250 cubic yards or more of earth. The project applicant is required to file a surety or cash bond with the Department of Building & Safety in order to ensure that the applicant comply with all requirements as set forth by the Department. In the case that the project is not completed according to specifications, the Department of Building & Safety or the Department of Public Works may use the posted bond to complete necessary work on the area. As expressed in Comment Letter 72 from Councilwoman Cindy Miscikowski, the ability of the City to intervene if necessary would ensure the safety of the hillside and surrounding properties. However, the bond does not cover damage to off-site properties that might occur as a result of project site development. The amount of the bond is determined according to the amount, in cubic yards, to be excavated or filled.

Topical Response 10: Construction Schedule

Commenters expressed concern regarding the duration of the proposed demolition, grading and construction phase associated with the proposed project. Pages 69 and 218 of the Draft EIR suggest that the demolition, grading and construction phases of the proposed project would require a total of approximately three years. However, approximately twelve months of the three years would be required for the planning and design of the proposed project; therefore, the demolition, excavation, grading and construction phases of the proposed project are anticipated to require approximately 20 to 26 months instead of three years.[1] Specifically, the planning/design phase of the proposed project would require approximately twelve months; demolition would require approximately two months; excavation and grading (including export and import of soil) would require approximately six months; and construction would require approximately twelve months. It should be noted that these time frames are approximate and subject to change due to a variety of conditions such as weather conditions, traffic, permitted hours of grading or construction per day, etc. Pages 69 and 218 of the Draft EIR have been revised accordingly.

[1] *Source: Morley Builders, Alan Merson, July 24, 2002.*

Comment Letter 1

January 22, 2003

Ellen Kahn

Comment 1-1:

I am writing with regards to the Draft Environmental impact report No. ENV-2000-2696-EIR for Site Location: 17331--17333 Tramonto Drive. As a resident of the area within 500 feet of the proposed construction, I must express my extreme concern about this development project for the numerous environmental impacts it imposes. The area and its community have already been affected my the enormous problems dues to excessive development. This most recent proposal will not only create more traffic congestion and noise pollution around our homes, but will endanger our air, water and energy resources.

Please do not approve this developmental project. There has already been enough done to our area and its precious surrounding areas that has made permanent changes to the landscape.

Thank you for your consideration.

Response:

The commenter is referred to Section IV.G of the Draft EIR, Noise, where on page 188 it is stated that the maximum noise increase (CNEL) from project implementation along each of the area streets compared to the cumulative growth no-project scenario is +1 db CNEL. The maximum cumulative noise increase along Los Liones Drive is +3 db, but noise levels will remain well below 60 dBA CNEL at the 50-foot reference distance along this street.

At +1 dB for a project-related traffic noise impact, such an increase will be undetectable even under laboratory conditions. A +3 dB cumulative noise impact will not exceed City of Los Angeles significance thresholds, nor will it create any noise exposure exceeding the most stringent City noise/land use compatibility guideline. The project is too limited in scope, and the Palisades are too built out, to experience traffic noise change that differ substantially from existing conditions. Operational traffic noise impacts are individually and cumulative less than significant.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Operational Traffic Section which states daily site-related travel by project residents will generate approximately an additional 348 vehicle trips per day. For typical Southern California fleet, it requires about 2,000 daily

vehicle trips for enough exhaust emissions to be generated to equal the SCAQMD significance threshold. The project is less than 20 percent of the size/scope of a project that would create a potentially significant air quality impact.

This conclusion was confirmed with the California Air Resource Board (ARB) urban emissions computer model called URBEMIS7G. "New" emissions from an 82-unit condominium complex for a year 2005 completion date are shown in Table IV.C-5. New emissions will represent less than 10 percent the daily emissions that would qualify as a potentially significant project. The proposed project is also too limited in scope to create a regionally significant air quality impact. If any adverse air quality consequences were to be associated with the proposed project, they would be concentrated on microscale effects of project proximity to the PCH, as discussed below.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 116, On-Site Air Quality Analysis Section discussed the air pollution screening model that was used. The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 117, which states that the project-related CO increment is 0.1 ppm less. Hourly CO levels are reportable to the nearest whole part-per million. The SCAQMD CEQA Handbook defines a +1.0 ppm CO increase as a "substantial" contribution. Project impacts are ten percent or less of a substantial addition to localized exposures. The project traffic contribution to local CO exposures is less than significant.

The commenter is also referred to Topical Response 6: Traffic, and Topical Response 4: Short-Term Noise. Finally, the commenter is referred to sections IV.K and IV.L, pages 254, 262, and 264 respectively of the Draft EIR which state that impacts to water quality, electricity, and natural gas would be less than significant.

Comment Letter 2

January 31, 2003

George Wolfberg, Chairman, Pacific Palisades Community Council (PPCC)

Comment 2-1:

I recently received a copy of the Draft EIR for the reference project. I noticed that only a portion of the thoughtful letter written by my predecessor, Harry Sondheim, was contained in my copy. I do not know whether this was a collating error affecting only my copy, the letter was misfiled, or only a portion of the comments were considered in the Draft document.

I have printed out and enclosed a copy from files I inherited from Mr. Sondheim. Please insert it in the proper file. Also, please let me know whether all of Mr. Sondheim's comments were considered and, if not, please forward me revised Draft EIR pages to reflect proper consideration.

Response:

The letter from Harry Sondheim of the Pacific Palisades Community Council, dated June 15, 2002, was included in two places in Appendix B of the Draft EIR. In one location of Appendix B, a complete version of the letter was inadvertently not provided. However, near the end of Appendix B the letter is included in its entirety. The issues identified in this letter were addressed in the Draft EIR in the following sections: slope stability in Section IV.D, Geology and Soils; views and aesthetics in Section IV.B, Visual Resources; increased traffic and access to the area in Section IV.J, Traffic; and concerns associated with eviction of existing tenants in Section IV.H, Population and Housing.

Comment Letter 3

February 4, 2003

Mr. and Mrs. Gus Haggstrom

Comment 3-1:

Tramonto Drive is the primary egress / access road for all the residents of the Castellammare area. People living in over 300 homes in this area depend on emergency vehicles reaching our homes via Tramonto Drive. Minutes can mean the difference between life and death.

This massive project involving the demolition of two buildings and construction of six new larger buildings proposes to use one driveway located upgrade on a curve of Tramonto Drive. The construction vehicles will no doubt frequently block traffic and degrade this fragile substandard road. After construction, all vehicles entering or exiting the proposed 205 parking spaces will again impact Tramonto Drive traffic. Tramonto Drive was rebuilt after the landslide of 1965 destroyed it and buildings on this site. In its current condition, what is the total number of vehicles that Tramonto Drive is capable of handling? If the City of Los Angeles approves this project, Castellammare residents will hold the City responsible for the problems on Tramonto Drive. Is the City willing to accept the liability for the safety of Castellammare residents and the integrity of Tramonto Drive?

Response:

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. While vehicular accidents may occur on Tramonto Drive, they are temporary conditions that any street can experience. Although it is not anticipated, should Tramonto Drive be blocked or closed beyond a temporary condition, the City would work as quickly as possible to remedy the situation so that adequate vehicular access is provided.

The most current LADOT five-year accident history report available for Tramonto Drive in the vicinity of the project site was reviewed. This review did not find any reported accidents on Tramonto Drive in this vicinity, including near the hairpin curve or site driveway location, indicating a very low accident rate. The additional 348 trips per day generated by the project is not expected to significantly change this accident rate.

It is anticipated that the trucks bringing building materials to the site will use Tramonto Drive, Los Liones Drive, Sunset Boulevard, Pacific Coast Highway (including possibly Pacific Coast Highway to the west) and the Santa Monica Freeway.

Although construction traffic is a temporary condition, it is recognized that it may contribute to traffic congestion on Tramonto Drive and Los Liones Drive. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. Refer to Section III of the Final EIR, Corrections and Additions to the Draft EIR, for the new mitigation measure. This mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. The applicant is also willing to investigate other feasible options from the City to enhance visibility and safety at this location. The commenter is referred to Topical Response 5: Road Maintenance, and Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The commenter is also referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each grading permit required of the project applicant by the city, the applicant is responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

The commenter is referred to Topical Response 6: Traffic and to Topical Response 7: Access.

Comment 3-2:

This geologically unstable area was devastated by a massive slide in 1969 and suffered earthquake damage in 1994. Is the City conducting independent comparative soil studies in the areas of soil stability, water seepage, and land creep? If the City relies on the geologist hired by the developer, is the City willing to accept liability for the safety of its residents?

Response:

The City will not be conducting additional independent comparative soil studies. The Department of Building and Safety has reviewed and approved the geotechnical reports prepared for the proposed project by a licensed geologist. They have concluded that with implementation of the numerous mitigation measures, geotechnical impacts will be less than significant. No further studies are needed at this time. The comment regarding the City's liability is beyond the scope and will be forward to the decision makers.

Comment 3-3:

Area residents and visitors to the neighboring California State Park will be subjected to noise, air pollution, and other health hazards during and following construction. How will vehicle pollution from the garages be dissipated? Into the air?

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts. The reader is also referred to Section IV.G of the Draft EIR, Noise, where on page 185 it is stated that to abate potential construction noise impacts, especially in very close proximity to any adjacent noise-sensitive development, the City of Los Angeles Noise Ordinance (Municipal Code Ordinance No. 144,331) limits the hours of allowable construction activities and prohibits loud, unnecessary and unusual construction noise within 500 feet of any residential zone. After mitigation measures are implemented, a significant construction noise impact will result. If the project is approved, prior to certifying the EIR, the decision makers will be required to make a statement of overriding considerations.

The commenter is referred to Response to Comment 1-1 regarding the operational impacts of the proposed project on noise and air quality. Air pollution from vehicles in the garages would be dissipated into the atmosphere. The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 101 Atmospheric Setting which states that locally generated air pollutants will be rapidly dispersed beyond the Pacific Palisades area. Traffic densities in the Santa Monica Mountains with are very low; however, with the exception of intersections along the Pacific Coast Highway (PCH), there is little potential for any local "hot spots" in the project area.

Comment 3-4:

How will waste water be disposed of without polluting the nearby ocean?

Response:

The commenter is referred to Section IV.K.1 Sewer, page 249. The proposed project would convey waste water to the Hyperion Treatment Plant via the existing sewer lines. Once wastewater reaches the

HTP, it is put through a treatment process. After the treatment, the water is clean enough to be released into the Santa Monica Bay. Some of the treated water is put through another treatment process at a water reclamation plant after which it is used to irrigate golf courses and parks and to provide industrial water to local businesses.

Comment 3-5:

What and. where are the utility easements and how will they be affected by this proposed project?

Response:

The commenter is referred to Sections IV.K Utilities and IV.L Energy Conservation of the Draft EIR. Construction of the proposed project could result in a short-term disruption of water and/or electrical services to surrounding areas when the project site is connected to these utilities. However, service disruptions would be temporary. Please note that Section IV.K has been amended to include Figure IV.K-1 Easement Map, which illustrates the various locations of the utility easements. Figure IV.K-1 is provided in Section III Corrections and Additions of the Final EIR.

Comment 3-6:

What variances is the developer requesting? What justifications are there for granting any variances or approving this huge project on a currently active slide?

Response:

No variances are being requested as a part of the proposed project. The applicant is, however, requesting approval from the City of Los Angeles for several discretionary actions including: Site Plan Review Findings, a Coastal Development Permit, a Grading Permit, Tentative Tract Map, a Haul Route Permit, and a Demolition Permit. The Deputy Advisory Agency will take the size of the project and location on a landslide into consideration when deciding whether to approve or deny the application.

Comment Letter 4

February 5, 2003

Jeffrey Smith, AICP, Senior Regional Planner, Intergovernmental Review, Southern California Association of Governments

Comment 4-1:

Thank you for submitting the Palisades Landmark Condominium Project to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the Palisades Landmark Condominium Project, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). The proposed project is not a residential development of more than 500 dwelling units. Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's, January 16-31, 2003 Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator.

Response:

Comment noted that the proposed project is not regionally significant per SCAG Intergovernmental Review and CEQA Guidelines. There has been no change in the scope of the proposed project since the publication of the Draft EIR. The project title and SCAG Clearinghouse number will be used for any future correspondence with SCAG concerning the proposed project.

Comment Letter 5

February 11, 2003

Barbara Blinderman

Comment 5-1:

I am in receipt of the City's Notice of Completion and Availability of Draft Environmental Impact Report No. ENV-2000-2696. The site location is 17331-17333 Tramonto Drive.

I have reviewed the draft report and would like to know why correction of the Revello Drive Landslide is limited to on-site locations and does not include a requirement for correction of the entire landslide area.

Response:

The property owner cannot be legally required to perform remedial work to stabilize the offsite portions of the Revello Drive Landslide. The property owner can only make improvements to the property line. Therefore, until the adjacent properties are improved, landslide debris will remain on three sides of the property. Drainage devices are planned to collect and convey water from upslope properties to Castellammare Drive. The drainage devices will be located at the property line and designed in conformance with the Building Code. All drainage devices require periodic maintenance and cleaning to remain effective and to function as designed. The developer is not allowed to install drainage devices onto offsite, private properties. It should be noted that drainage is currently not controlled. It is the opinion of The J. Byer Group that the proposed drainage devices will greatly improve drainage within the bulk of the slide mass, thus improving stability.

Based upon exploration, testing, analysis, and conservative assumptions, it is the opinion of The J. Byer Group, the geologic and geotechnical conditions at the site are known and well understood, and the proposed project and landslide repair will be stable.

The commenter is referred to Topical Response 2: Revello Landslide.

Comment 5-2:

I would also request that the document entitled "Preliminary Results of Geologic and Geotechnical Research, Revello Drive Landslide, Los Angeles, California" prepared by Grover/Hollings and dated February 29, 2000, be analyzed in order to consider the environmental impacts of either failure to or

benefits of correcting the entirety of the landslide in connection with the corrections currently being required for the Tramonto site.

The report by Grover/Hollings is referenced at pages 8 and 9 in the report by The J. Byer Group on the project and appears in Appendix I to the DEIR. The Environmental Quality Act requires that "all documents referenced in the draft environmental impact report" be made available for public inspection. (Health & Safety Code § 21092(b)(1).) The Grover/Hollings report should be made available for public review.

I would also note that neither the person to whom these comments should be addressed, nor the dates within which continents should be received were included in the Notice of Completion that I obtained, as required by CEQA (Health & Safety Code §21092(b)(1). I am therefore addressing this comment to the Department of City Planning, as printed on the Notice of Completion. I would also like to know the time period for making comments.

Response:

The document entitled "Preliminary Results of Geologic and Geotechnical Research, Revello Drive Landslide, Los Angeles, California" prepared by Grover/Hollings and dated February 29, 2000 has been made available for public review by the City of Los Angeles. The Draft EIR included a one-page notice regarding to whom and where comments on the Draft EIR should be submitted to and also identified the public review period as did the notice of completion and notice of availability. The City of Los Angeles complied with all applicable CEQA requirements regarding the noticing of availability of the Draft EIR and how interested parties could comment on the Draft EIR.

Comment Letter 6

February 12, 2003

L. Randall and Billy Eve Koenig

Comment 6-1:

The location of this project, 17331-17333 Tramonto Drive, is crucial for those of us who live in the Castellammare neighborhood of Pacific Palisades.

We have lived here since February 1964 and since that time there have been several slides, which have resulted in the closing of streets in Castellammare. We are now reduced to 2 streets for ingress and egress -- Porto Marina and Tramonto Drive. Both of these streets have been closed because of slides and were later restored; thankfully, these slides did not occur at the same times.

In the winter of 1965 -1966 Tramonto Drive became unstable because the adjoining condo building was in danger of collapsing due to sliding mud. With quick action of the lender, stabilization began, but Tramonto Drive was impassable for about a year while the apartment building was worked on. All the residents of the 300 homes on Castellammare could only use Porto Marina, a narrow road that due to earth slippage is grotesquely and dangerously tilted. Porto Marina connects directly to the Pacific Coast Highway which already is severely traffic impacted as it is.

One of my concerns is that this proposed project will result in damage to Tramonto Drive that will render the street impassable for long periods of time as it was in 1965 -1966. Aside from severe inconvenience this would surely hinder emergency equipment---fire and police and paramedics which need to get to the homes quickly, when minutes count. All the trucks that would be involved in moving 100,000 cubic yards of earth would also severely impact passage on these narrow, twisting roads.

Access should be carefully considered in the proposal for this project. It seems to us that if the City of Los Angeles approves this large project and the destruction of Tramonto Drive occurs, the possibility is very great for legal action against The City of Los Angeles if emergency vehicles cannot reach homes in a timely manner.

Response:

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. Assuming the highly unlikely scenario that both Tramonto Drive and Porto Marina Way would be closed at the same time, the City would work diligently to restore adequate vehicular access as quickly as possible.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each grading permit required of the project applicant by the city, the applicant responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. Furthermore, such roadway repair shall be to the satisfaction of the City of Los Angeles Bureau of Street Services.

The commenter is referred to Topical Response 7: Access.

Comment 6-2:

A recent article in the Palisadian Post noted that "a portion of the site has been vacant since a destructive landslide in 1965". That is not a clear description of the dramatic sight I watched from the Safeway (now Vons's) parking lot. On the day of the slide I looked up the hill and watched the dirt clods roll from under one of the apartment buildings and proceed downward toward Sunset Boulevard. That lot was on the move for all to see as it began to take the apartment building down the hill. And this is where new apartments are to be built. I hope that as Project Coordinator you will consider this factor very carefully.

Response:

Comment noted. Impacts associated with slope stability and landslides were addressed in the Draft EIR in Section IV.D starting on page 120. The commenter is referred to this Section of the Draft EIR and also to Topical Response 2: Revello Landslide.

Comment Letter 7

February 17, 2003

Gerald Watkins

Comment 7-1:

1. To say (page 6) that obstruction of scenic views from the adjacent properties is considered to be a significant unavoidable impact is surely unacceptable. A change in design of some of the proposed units would avoid such as impact.

Response:

The commenter is referred to Chapter VI of the Draft EIR for a discussion of alternatives to the proposed project which would reduce and/or eliminate some of the significant unavoidable impacts of the proposed project, including the obstruction of views. Since the preparation of the Draft EIR and in response to concerns raised by the public and City Councilwoman Cindy Miscikowski, the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 7-2:

2. The estimated additional 348 daily vehicle, trips will cause a bottleneck at the private entrance to the site, off Tramonto Drive, given its narrow nature and the fact that it also has to accommodate the exit traffic from the condominium complex above the site. The DEIR does not adequately address this problem.

Response:

Page 226 of the Draft EIR states: "…the project would be expected to generate approximately 348 daily trips, including 4 inbound and 22 outbound trips during the a.m. peak hour, and 21 inbound and 11 outbound trips during the p.m. peak hour." Table IV.J-10 on page 240 of the Draft EIR indicates that the proposed project would not result in any significant traffic impacts at any of the four study intersections (i.e., Pacific Coast Highway/Sunset Boulevard, Castellammare Drive/Sunset Boulevard,

Los Liones Drive/Sunset Boulevard, and Los Liones Drive/Tramonto Drive. The proposed project is not anticipated to cause a bottleneck at the site entrance. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The applicant is also willing to investigate other feasible options from the City to enhance visibility and safety at this location. In addition, both Tramonto Drive and Los Liones Drive were requested to be analyzed by LADOT using residential street impact criteria. Table IV.J-11, from page 240 of the Draft EIR summarizes the results of this analysis.

Table IV.J-11
Street Segment Impact Analysis

Study Segment	Existing (2002)	Without Project (2005)	Project Traffic	With Project (2005)	Percent Project Traffic	Significant Impact?
Tramonto Drive south of Los Liones Drive	1,930	2,050	348	2,398	14.5%	Yes
Los Liones Drive Between Tramonto Drive & Sunset Boulevard	2,150	2,710	348	3,058	11.4%	Yes

The above results exceed the related impact percentages; therefore, LADOT has concluded that the project would cause a significant residential street traffic impact on both Tramonto Drive and Los Liones Drive. However, it should be noted that the project site is near the downstream terminus of Tramonto Drive. The approximate 470-foot long segment of Tramonto Drive between the project driveway and Los Liones Drive, which is expected to be used entirely by project traffic, is undeveloped on both sides. Consequently, the flow of project traffic on this segment of Tramonto Drive would not be affecting any residential or other developed use.

Los Liones Drive, the other analyzed street, is not a local or residential street but rather a designated Collector Street. The principal function of collector streets is to assemble traffic from the interior and deliver it to the closest arterial, such as Sunset Boulevard. As they are expected to experience more traffic, collector streets are typically wider than local or residential streets, and such is the case with Los Liones Drive. While many collector streets are developed with residential uses, the only existing uses along Los Liones Drive are non-residential, i.e., a fire station at the northwest corner and a plant nursery at the southwest corner of the intersection with Sunset Boulevard. A 16-unit multiple-family

residential project (related project no. 3) is proposed at 321 Los Liones Drive between Tramonto Drive and Sunset Boulevard; however, its development is tentative. Therefore, in terms of existing development along Los Liones Drive, project traffic would only be traversing by two non-residential uses.

The commenter is referred to Topical Response 6: Traffic and to Topical Response 7: Access.

Comment 7-3:

3. The above bottleneck will also cause considerable congestion to Tramonto Drive traffic during the construction phase, with heavy trucks operating over an extended period to remove soil and bring in new fill. The above mentioned 348 additional daily vehicle trips, after construction is completed, will also negatively impact traffic on Tramonto Drive, a narrow road. There is no adequate mitigation to this in the DEIR.

Response:

The commenter is referred to Response to Comment 7-2. The commenter is also referred to Topical Response 6: Traffic for a discussion of project traffic impacts both during and after the construction phase, and to Topical Response 7: Access.

Comment 7-4:

4. The proposal to cut back some vegetation at the blind curve on Tramonto Drive, where the private access road branches off, is hardly likely to ameliorate what is a very dangerous traffic problem. Is the cutback to be done once or on a regular basis and what proof do we have of that? Additional steps to avoid potential accidents will be required. The DEIR offers no permanent solution to this potential traffic hazard.

Response:

The commenter is referred to Response to Comments 7-2 and 7-3. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure that requires the project applicant, at his own expense and to the satisfaction of the Department of Transportation and the Department of Public Works to: A) remove any existing vegetation within the right-of-way between the roadway edge and the property line along the convex curve of Tramonto Drive, approximately eighty feet arc length, in the vicinity of the project driveway; and B) install a permanent aesthetic surface or material along this portion of the roadway that prevents the growth of vegetation within this right-of-way. This mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level.

Comment 7-5:

5. The DEIR states that the site will be prepared by removing all vegetation, debris, existing fi11, soil, colluvium and slide debris, so that the site can be observed by a soil engineer or geologist prior to placing compacted fill. This is precisely the time when adjacent residences above the site are most at risk, because this is the time before soldier piles are put in place and properly secured. The City of Los Angeles has ample information about the slide that occurred in 1965 and such a slide could happen again. At a meeting last year of the Palisades Community Council, the developer was asked whether he would be prepared to post a bond which would indemnify property owners of any damage which might occur as a result of the proposed construction, and the developer declined. The DEIR offers absolutely no safeguards to prevent such a potential slide. The removal of old soil renders the site even more dangerous than in its current state.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is referred to Topical Response 9: Bonds.

Comment 7-6:

The DEIR cites many serious negative impacts for which adequate mitigation measures have not been provided. I urge you to require that the developer go back to the drawing board and return with a project plan that is more environmentally sensitive.

Response:

The Draft EIR includes a variety of mitigation measurers for both significant unavoidable impacts and significant impacts that can be mitigated to less than significant levels. The City of Los Angeles reviewed the proposed mitigation measures and authorized their inclusion in the Draft EIR. It is possible that the City could add other conditions or mitigation measures as a part of the project review and approval process. Your comment will be forwarded to the decision makers.

Comment Letter 8

February 20, 2003

John and Paula Williams, Secretary and Treasurer, OWT Homeowners' Assoc.

Comment 8-1:

1. **Aesthetics**. We do not believe that the aesthetics of this neighborhood can be preserved by adding more housing to an already overcrowded hillside. Also, the removal of trees to make a left-hand turn into the proposed project safer does not address the fact that the removal of trees destroys a natural habitat for deer, birds and other local wildlife. Tree removal also destroys the beauty of our neighborhood. We do not think a contractor should have the right to destroy the very qualities for which moved to this neighborhood. Please answer this concern. We would also like to know if the contractor has plans to compensate the condominium for any destroyed or damaged landscaping which may occur during construction?

Response:

The commenter is referred to Topical Response 1: Views. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts, which involved the removal of existing vegetation within the convex curve of Tramonto Drive across the project driveway, has been revised. Refer to Response to Comment 7-4 for the revised language of the mitigation measure. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The revised mitigation measure limits the removal of existing vegetation for the traffic access impact to the right-of-way between the roadway edge and the property line along the convex curve of Tramonto Drive, approximately eighty feet arc length, in the vicinity of the project driveway. The removal of this vegetation would eliminate the project's significant traffic access impact and would improve the visibility for existing motorists at this curve on Tramonto Drive. This vegetation removal would not result in a significant impact to biological resources.

The proposed project will also be required to conform to all applicable tree replacement policies mandated by the City of Los Angeles. Although not anticipated, should any landscaping at the condominium be destroyed or damaged during the construction phase, the proposed project would be required to replace such landscaping to the satisfaction of the City of Los Angeles. The commenter is referred to pages 71 and 72 of the Draft EIR for a discussion of the project's impacts less than significant biological resources impacts after implementation of mitigation measures.

The commenter is referred to Section IV.A of the Draft EIR, Impacts found to be Less Than Significant, page 73 which lists mitigation measures that are recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

The commenter is referred to Section IV.B of the Draft EIR, Visual Resources, Mitigation Measures page 100 which lists mitigation measures that are recommended including a measures that states all open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscaped architect to the satisfaction of the City Planning Department. In addition, landscaped buffers shall be planted between the project site and adjacent residential uses.

The commenter is referred to Topical Response 1: Views for a discussion of the projects impacts to the visual qualities of the neighborhood.

Comment 8-2:

2. **Hazards and Hazardous Materials/Environmental Effects.** We do not feel you have adequately addressed the hazards of mold and asbestos being disturbed in the removal of soil and trees, nor the issue of air pollution from additional traffic.

Response:

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 113, Demolition Impacts Section which states that given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing residential buildings. This is a potentially significant impact that can be mitigated to less than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public. Compliance with all applicable SCAQMD rules and regulations during the demolition phase of the proposed project would also ensure that the proposed project does not expose sensitive receptors to mold.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Operational Traffic Section which states daily site-related travel by project residents will generate approximately an additional 348 vehicle trips per day. For typical Southern California fleet, it requires about 2,000 daily vehicle trips for enough exhaust emissions to be generated to equal the SCAQMD significance threshold. The project is less than 20 percent of the size/scope of a project that would create a potentially significant air quality impact.

This conclusion was confirmed with the California Air Resource Board (ARB) urban emissions computer model called URBEMIS7G. "New emissions from an 82-unit condominium complex for a year 2005 completion date are shown in Table IV.C-5. New emissions will represent less than 10 percent the daily emissions that would qualify as a potentially significant project. The proposed project is also too limited in scope to create a regionally significant air quality impact. If any adverse air quality consequences were to be associated with the proposed project, they would be concentrated on microscale effects of project proximity to the PCH, as discussed below. Construction traffic levels will be less than operational traffic levels; as such the corresponding air quality impact will also be less than significant.

Comment 8-3:

3. **Geology and Soils**. In our last letter we called to mind (and provided you with pictures of) the infamous Revello Landslide of 1965 which many residents in this are recall watching. Since this area has a history of landslides we are not convinced that the Palisades Landmark Project will not weaken this area further. Who will compensate us for repairs to and/or loss of dwellings? Does the city have plans require the posting of a bond by Palisades Landmark and its owners to prevent these 1osses from ruining our lives? WILL THE CITY TAKE RESPONSIBILITY IF OUR HOMES ARE LOST?

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 8-4:

4. **Noise**. We are also still concerned about the noise that will result from added traffic on Pacific Coast Highway, Sunset Boulevard, and Tramonto Drive. Tramonto Drive is already terribly overburdened by servicing the Castellammare neighborhood above us, as well as the Getty Museum construction, due to begin soon. Adding *additional* vehicular noise and air pollution is irresponsible and shows that the city is ignoring our needs and concerns.

Response:

The commenter is referred to Section IV.G of the Draft EIR, Noise, where on page 188 it is stated that the maximum noise increase (CNEL) from project implementation along each of the area streets compared to the cumulative growth no-project scenario is +1 db CNEL. The maximum cumulative noise increase along Los Liones Drive is +3 db, but noise levels will remain well below 60 dBA CNEL at the 50-foot reference distance along this street.

At +1 dB for a project-related traffic noise impact, such an increase will be undetectable even under laboratory conditions. A +3 dB cumulative noise impact will not exceed City of Los Angeles significance thresholds, nor will it create any noise exposure exceeding the most stringent City noise/land use compatibility guideline. The project is too limited in scope, and the Palisades are too built out, to experience traffic noise change that differ substantially from existing conditions. Operational traffic noise impacts are individually and cumulative less than significant.

The commenter is also referred to Topical Response 4: Short-Term Noise for construction related noise impacts and to Response to Comment 1-1 for operational noise impacts.

Comment 8-5:

5. **Traffic**. The additional traffic on Tramonto Drive, which is already suffering the effects of over-development, as well as the Getty Museum traffic issue, needs to be seriously addressed, and we do not believe you have done so. NOTE: Is the City aware that Ocean Woods Terrace Condominium has a recorded easement for the exit driveway to their building, which is the same driveway that Palisades Landmark intends to use for egress to their property? How can this driveway service both? The left turn danger that they say they can mitigate by cutting down trees across the street does not take into account that exiting and entering traffic will be merging in a very small space. Our residents will also be greatly inconvenienced and perhaps endangered by construction vehicles using this driveway.

Response:

The City is aware that Ocean Woods Terrace Condominium has a recorded easement for the exit driveway to their building, which is the same driveway that the existing buildings use and which Palisades Landmark intends to use for egress from the project site. The commenter is referred to Response to Comment 3-1 regarding traffic safety and accident data for the project area.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. The applicant is also willing to investigate other feasible options from the City to enhance visibility and safety at this location.

The commenter is referred to Topical Response 6: Traffic and to Topical Response 7: Access.

Comment Letter 9

February 21, 2003

Carolyn See

Comment 9-1:

I am writing to protest the destruction – and new building – of the Palisades Landmark Project. It will be a landmark, all right!

As you know, I'm sure, there used to be three condominium buildings along the side of that steep, unstable hillside at the North East intersection of PCH and Sunset Blvd. Now there's one less because one of them slid down, not during the last heavy rain but the one before.

I'm sure it doesn't matter to the new developer: He aims to tear down, build up, SELL and GET OUT before the next landslide. But all this would be hardship on the community, to say the least.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. Your comments regarding the developer's intentions are noted and will be forwarded to the decision makers.

Comment Letter 10

February 21, 2003

David Potter

Comment 10-1:

This is to protest any approval of the Palisades Landmark Condominium Project on Tramonto Dr. This area (and parcel) has had numerous slides, in some cases resulting in large costs to the taxpayers after suits. The project is to replace 2 apartment buildings; originally there were 3 on the property – some years ago the 3rd slid down the hill and was completely destroyed. Presumably the original project had a favorable geology report as does this project.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Your comment regarding the previous building's geology report is noted, however it is beyond the scope of this EIR.

Comment 10-2:

Tramonto Drive is narrow and steep and has a sharp curve exactly where the driveway to this project will be. There have already been a number of accidents on this curve over the years. Cars entering and exiting Tramonto at this spot will only aggravate the problem.

There are many more environmental problems with sufficient reasons to reject this project.

Response:

The commenter is referred to Response to Comment 3-1 regarding traffic safety and accident data for the project area.

It would not be feasible to eliminate the curve as the applicant does not own the property on the opposite side of Tramonto Drive. Additional right-of-way from that property would be needed to straighten or eliminate the curve. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

The decision makers will evaluate all the conclusions in this EIR relating to possible environmental impacts during the hearing process. The commenter is referred to Topical Response 7: Access.

Comment Letter 11

February 23, 2003

Andrew Martin, President, Castellammare Mesa Home Owners (CMHO)

Comment 11-1:

As requested, the CMHO Board of Directors has submitted their comments on the draft EIR dated January 16,2003 on the Palisades Landmark Condominium project (reference SCH# 2002051068) at 17331-17333 Tramonto Drive which we received from the City Planning Department at the end of January (copy enclosed).

The receipt of only one copy of the very comprehensive 300 page report and the limited time available made it impractical to circulate it to our 200 plus homeowners.

Response:

Comment noted. Copies of the Draft EIR were also available for review at public libraries and on the web at http://www.cityofla.org/PLN/index.htm. The 45-day public comment period originally ended on March 3, 2003. However, the comment period was informally extended and comments were accepted for an additional 30-days.

Comment 11-2:

As you will see from our comments the CMHO Board of Directors is, I believe, understandably concerned about the acknowledged significant negative impact on project post-completion traffic in the area. We have circulated our comments to all homeowners and encouraged them to make additional comments to the City Planning Department in the very limited time available before the March 3, 2003 deadline.

We have placed the matter on the Agenda of our Annual General Meeting to be held on March 20, 2003, which we very much hope you will be able to attend and be in a position to answer related questions from the Mesa homeowners at the meeting. Additionally, we ask that you and the Planning Department give consideration to granting our homeowner group an extension of 30 days additional time to respond to the EIR i.e. until after a discussion of the issue at the AGM and the benefit of your observations on the project.

Response:

The commenter is referred to Topical Response 6: Traffic. The commenter is also referred to Response to Comment 11-1 regarding the informal extension of the comment period.

Comment Letter 12

February 23, 2003

Betty Hudson

Comment 12-1:

They are replacing a 22 unit apartment with an 82 unit condominium which is really over-building for this area. The only access to this condo is Tramonto Drive which is a very narrow, much traveled street. It is the only street going to a large sections[sic] of homes just above us. This new project could cause a lot of traffic congestion. It can also prove a problem for emergency vehicles.

Response:

The proposed project is consistent with the permitted density for the project site, which allows for up to 86 dwelling units. The commenter is referred to Topical Response 6 regarding traffic impacts and Topical Response 7 regarding emergency access.

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. This includes the public streets serving the Mesa area.

Ingress and egress at the project site is required to comply with City of Los Angeles Fire Department requirements. The project plans, including access, will be subject to the review and approval by the City of Los Angeles Fire Department.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The applicant is also willing to investigate other feasible options from the City to enhance visibility and safety at this location.

Comment 12-2:

I also understand that part of this project is to be built on land that has a history of sliding. If they (as they say) are going to fill the land – how do we know how solid the fill will be? The whole area has a history of landslides including our condo and we don't want to see anymore.

I know the owners have a right to build on their property but should not over-build or build on landslide ground.

Please take these items into consideration when issuing a permit.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Your comments regarding the proposed density will be forwarded to the decision makers.

Comment Letter 13

February 24, 2003

Robert Italia

Comment 13-1:

As a concerned resident of the Ocean Woods Condominium Complex I am providing comments on the EIR concerning the Palisades Landmark Condominium Project: ENV 2000-2696 EIR. My paramount concern is that the EIR is far too easily dismissive of the comments of the neighborhood residents and I question some of the EIRs proposals that make our concerns "less than significant" through mitigating factors. I believe that the neighborhood's concerns in opposition to the project cannot be so easily remedied. In addition, I strongly oppose Alternative C supported in the EIR and support Alternative A for the following reasons.

Response:

The commenter is referred to Chapter IV of the Final EIR which includes a mitigation monitoring and reporting program for the proposed project which is designed to ensure that all mitigation measures are completely implemented and monitored. It is possible the City of Los Angeles could add more conditions of approval to the project in addition to the mitigation measures listed in the Draft EIR. The commenter's opinion regarding Alternative C will be forwarded to the decision makers for consideration. Each of the commenter's concerns are addressed individually below.

Comment 13-2:

Geology and Soils

In spite of the proposed mitigation to shore-up the hill, concerns remain regarding the well known history of the instability of the hill upon which the proposed construction is to be built. The impact upon the hill of erecting such a large building, plus the soil movement and stresses of a major construction project cannot be fully known and still pose risks that may undermine the hill entirely. The heavy construction equipment, along with related soil removal projects, will undoubtedly pose long-term and serious consequences to the structural integrity of our building and to the homes above. Further, the city and builders should address whom will be responsible for repairs and possible damage to our building should the project be built.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. With regard to the commenter's concern about responsibility for repairs and possible damage, refer to Topical Response 9: Bonds.

Comment 13-3:

Traffic

As the EIR states, Pacific Coast Highway and Tramonto Dive are the primary access to the neighborhood, and are already heavily strained by current traffic levels. In the EIR, it is noted that the intersection of PCH and Sunset Boulevard is "operating at over-capacity during the a.m. peak hour." As a result, Pacific Coast Highway and Sunset Boulevard are already too heavily congested, and further development will only result in increasingly hazardous diving conditions. Any local resident will tell you that the loud crashing sound of deadly motor vehicle accidents near the intersection of Sunset and PCH has become an ever increasing occurrence. The EIR also states that "adequate driveway visibility is provided," along Tramonto Drive. However, as a resident, I strongly disagree with this finding. In spite of the mitigations, Tramonto Drive will remain a narrow, winding, poorly maintained road comprised of dangerous and obstructed curves, a far sight from the "adequate visibility" that the EIR finds. Furthermore, if Tramonto Drive were to be closed in the event of an emergency, or because of damage caused by heavy construction traffic, access to the neighborhood will be severely limited, putting property and lives at risk.

Response:

Emergency access to residents along Tramonto Drive would be limited in the event of road closure along Tramonto Drive towards the intersection of Los Liones. However, the Fire Department could reach the homes along Tramonto Drive via the Pacific Coast Highway which gives access to Porto Marina Way which turns into Tramonto Drive. Ingress and egress at the project site is required to comply with City of Los Angeles Fire Department requirements. The project plans, including access, will be subject to the review and approval by the City of Los Angeles Fire Department.

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. This includes the public streets serving the Mesa area. Although it is not anticipated, should either Tramonto Drive or Porto Marina Way be blocked or closed beyond a temporary condition, the City would work as quickly as possible to remedy the situation so that adequate vehicular access is provided for the Mesa. Likewise, assuming the highly unlikely scenario that both Tramonto Drive and Porto Marina Way would be closed at the same time, the City would work diligently to restore adequate vehicular access as quickly as possible.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each

grading permit required of the project applicant by the city, the applicant is responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. Furthermore, such roadway repair shall be to the satisfaction of the City of Los Angeles Bureau of Street Services.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

The commenter is also referred to Topical Response 6: Traffic and to Topical Response 7: Access.

Comment 13-4:

Hazards and Hazard Materials/Environmental Effects

Although, the EIR proposes to mitigate how our neighborhood will be affected by the potential hazards resulting from soil removal, construction and increased population, questions remain about the potential health risks that the soil movement and the use of building materials may pose to the residents of our building, as well to our neighbors. Some of the residents in our building suffer from a variety of chronic health conditions such as, congestive heart failure and auto immune diseases that are exacerbated by exposure to chemicals used in construction. Further, the EIR has identified air quality "hot spots" in the neighborhood that will only worsen from the population increases and the construction. Since the beach area is known for having cleaner air, its frightening to think of how the new construction, vehicles and population growth may destroy our relatively healthful air.

Response:

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 113, Demolition Impacts Section which states that given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing residential buildings. This is a potentially significant impact that can be mitigated to less than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Construction Impacts Section which states that the project is too limited in scope to cause air quality impact significance thresholds to be exceeded during construction. Whereas total daily emissions of dust or

equipment exhaust will be less than significant, the very limited distance between on-site activities and adjacent occupied homes creates a potential for dust deposition soiling nuisance on parked cars, landscaping foliage, or outdoor furniture. This potential would be considered an adverse impact because of property impacts. It is not a significant impact because the emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres. Mitigation measures that reduce that small-diameter, respirable particulate emissions also reduce larger soiling particles. Mitigation measures for dust control are thus recommended even if the SCAQMD threshold is not exceeded. Please refer to responses to comments 1-1 and 8-2 for analysis of construction and operational air quality impacts.

Comment 13-5:

Noise

While the EIR characterizes the noise and disruption of the proposed construction project as "less than significant," it also finds that during construction noise levels will, "likely exceed adopted significance thresholds despite implementation of the mitigation measures." Therefore, the noise from the construction site will have a significant impact upon the quality-of-life in the neighborhood, particularly for those who work in their homes. Then, after the construction is complete, the additional population and their service workers will create new noise disruptions in the neighborhood that may not be easily mitigated.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts. The commenter is referred to Section IV.G of the Draft EIR, Noise, pages and pages 187 through 189 which discuss the operational traffic noise impacts. Under the operational traffic noise impacts section, page 187 it is stated that the maximum noise increase (CNEL) from project implementation along each of the area streets compared to the cumulative growth no-project scenario is +1 db CNEL. The maximum cumulative noise increase along Los Liones Drive is +3 db, but noise levels will remain well below 60 dBA CNEL at the 50-foot reference distance along this street. In regards to operational noise impacts, the commenter is referred to Response to Comment 1-1.

Comment 13-6:

Aesthetics

The EIR addresses "thresholds of significance" regarding the construction of the Palisades Landmark Project, and although the threshold of significance is found to be "less than significant," should it be constructed, the EIR fails to address how the project will irrevocably alter our neighborhood's natural environment and landscaping, as well as how our quality of life will be permanently changed. The post-project view photo (Figure IV. B-18) shows a project that is so massive and overly dense that the

aesthetics of the hill will be permanently changed in a way that drastically alters the natural landscape of the hill, making the finding of the EIR that the: "project's obstruction and partial obstruction of scenic views from the adjacent private property is considered to be a significant unavoidable impact," ring hollow. If someone drives up and down the local coastline, they would be hard pressed to find any building project that so overwhelms and distorts the natural coastline topography in the way that this project would.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 13-7:

Population and Housing

Similar to the EIRs dismissive treatment of aesthetics, the concerns regarding population and housing are summarily brushed aside as not significant. However, to the residents of our neighborhood it is clear that Pacific Palisades already suffers from overpopulation which has stressed its streets and services, not to mention, the gradual loss of a "small-town-charm" that is so treasured when one lives in a huge city like Los Angeles. Although hard to quantify, the value of the Palisades neighborhood feel, within the city of Los Angeles, is an asset worth protecting from further development. Furthermore, questions have been raised regarding the issue of the paucity of affordable housing in the Palisades. The Ocean Woods Apartments, located directly upon the site of the proposed project, offer some of the last remaining affordable rental properties in the city. I submit that the last vestiges of livability in the Palisades area are an asset to the community that should be preserved.

Response:

The proposed project is consistent with the density permitted by the zoning of the site. The commenter is referred to Topical Response 3: Mello Act Interim Ordinance which describes the City of Los Angeles' Mello Act Interim Ordinance. The reader is also referred to Section IV.H of the Draft EIR, Population and Housing, where on page 192 it is stated that the Mello Act requires developers of new housing projects in the Coastal Zone, if feasible, to provide residential units affordable to low or moderate income persons or families. The affordability of the Ocean Woods Apartments will not be affected by the proposed project. Your comments regarding the "small-town-charm" of the Palisades is beyond the scope of the EIR but will be forwarded to the decision makers.

Comment 13-8:

I believe that the mitigating factors do not go far enough in remedying the concerns of the neighborhood residents. Many of your constituents living in the Palisades area feel that this EIR is an attempt to brush aside their legitimate worries. Although the EIR claims that mitigation may ease some

of the issues arising from the construction, such as problems with traffic, noise, geology, and air quality in reality these issues are not so easily mitigated. Furthermore, Alternative A is the best choice because it preserves the stability and integrity of our neighborhood. We hope that as our elected representative you will make our concerns known to the city of Los Angeles and speak out strongly on our behalf. I thank you for addressing my comments.

Response:

The commenter is referred to Chapter IV of the Final EIR which includes a mitigation monitoring and reporting program for the proposed project which is designed to ensure that all mitigation measures are completely implemented and monitored. It is possible the City of Los Angeles could add more conditions of approval to the project in addition to the mitigation measures listed in the Draft EIR. The commenter's opinion regarding Alternative A will be forwarded to the decision makers for consideration.

Comment Letter 14

February 25, 2003

Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles

Comment 14-1:

Attached are letters from both the community council and the affected home owners association. Due to the length and detail of the DEIR and the upcoming CMHO General Meeting we would like an extension of 30 days.

Response:

Comment acknowledged. The comment period was informally extended for an additional 30 days after the original closing date of March 3, 2003. The attached comment letters are included in this Final EIR as comment letter 11 from Andrew Martin and comment letter 15 from George Wolfberg.

Comment Letter 15

February 25, 2003

George Wolfberg, Chairman, PPCC

Comment 15-1:

The concerned residents are working hard to digest this lengthy complex document. To gain proper technical advice is taking longer than first expected. In addition, I have asked the Planning Department to explain the circumstances and possible impact of the missing pages from the PPCC's letter requesting the EIR and have not received a response from the Environmental Unit.

For these reasons, we respectfully request that the community be granted an additional 30 days to complete review of the EIR. If I need to submit a formal letter, I will.

Please advise.

Response:

Comment acknowledged. The City did contact the PPCC regarding their concerns. The public comment period was informally extended by 30 days beyond its original closing date of March 3, 2003 because of comments received after the closing date.

Comment Letter 16

February 26, 2003

Vahe Simonian

Comment 16-1:

I am writing in reference to Palisades Landmark Condominium Project, ENV 2000-2696-EIR. My wife and I would like to go on record as being opposed to this particular project. In the past we have experienced many slides within the Palisades are. It is our strong feeling that this particular project will cause future slides and the destruction of property that is adjacent to it.

We do own one of the condominiums above this property and ask for careful consideration about the consequences if such a project ensues.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Your comments will be forwarded to the decision makers for consideration.

Comment Letter 17

February 27, 2003

John and Margetta Rabbitt

Comment 17-1:

We have received your notice of completion of Draft Environmental Impact Report ENV-2000-2606-EIR dated January 16, 2003. After review, we conclude that our many strong objections to the proposed project reference above, as detailed in our letter to you June 11, 2002 are just as valid now as when this project was first submitted for environmental review. In our view, the project should be scrapped as environmentally unsound. A copy of our June 11, 2002 letter addressed to you is attached for the record in this case.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 17-2:

1. Aesthetics: Building many additional homesites on this unstable hillside would inexorably alter the natural beauty of the existing landscape and the sense of a village that characterizes this area. Overbuilding could result in a decrease of property value for our condominium, with resultant stress on existing homeowners.

Response:

The commenter is referred to Topical Response 1: Views. Property values are not a CEQA impact area, but your comment will be forwarded to the decision makers for consideration.

Comment 17-3:

2. Noise and Air Quality: Given that Pacific Coast Highway, Sunset Boulevard, and Tramonto Drive are already seriously overcrowded, adding 82 unit homesites and several hundred additional parking spaces will surely result in heavier vehicular traffic noise and air pollution.

Response:

The commenter is referred to Response to Comment 1-1, which addresses the operational noise and air quality impacts of the proposed project.

Comment 17-4:

3. Geology and Soils: The proposal to remove 100,000 cubic yards of soil and add 75,000 cubic yards of replacement soil in an attempt to repair the Revello Landslide area can only result in intolerable noise, truck traffic density and air pollution. Can our hill, with its long history of landslides, really be stabilized? Meanwhile, if the project proposal went forward as described, our quality of life would surely suffer for a protracted period of time during the remediation and construction.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 113, Demolition Impacts Section which states that given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing residential buildings. This is a potentially significant impact that can be mitigated to less than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Construction Impacts Section which states that the project is too limited in scope to cause air quality impact significance thresholds to be exceeded during construction. Whereas total daily emissions of dust or equipment exhaust will be less than significant, the very limited distance between on-site activities and adjacent occupied homes creates a potential for dust deposition soiling nuisance on parked cars, landscaping foliage, or outdoor furniture. This potential would be considered an adverse impact because of property impacts. It is not a significant impact because the emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres. Mitigation measures that reduce that small-diameter, respirable particulate emissions also reduce larger soiling particles. Mitigation measures for dust control are thus recommended even if the SCAQMD threshold is not exceeded.

The commenter is referred to Topical Response 6: Traffic. The commenter is also referred to Topical Response 10: Construction Schedule.

Comment 17-5:

4. Transportation and Traffic: The proposed intent to merge the entrance to and exit from the new development into what is now a narrow exit lane from our condominium into Tramonto Drive will surely create a bottleneck problem for both incoming and outgoing vehicular traffic. The serpentine nature of Tramonto Drive, with single lanes up and down the hill with create an accident-prone

situation, particularly with respect to additional traffic turning left across the downhill lane of Tramonto Drive, where speeding is quite common.

Response:

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. This includes the public streets serving the Mesa area. While vehicular accidents may occur on Tramonto Drive or Porto Marina Way, these are temporary conditions that any street can experience.

The commenter is referred to Response to Comment 3-1 regarding traffic safety and accident data for the project area.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

The commenter is referred to Topical Response 6: Traffic and to Topical Response 7: Access.

Comment Letter 18

February 27, 2003

Robert and Alice Krysa

Comment 18-1:

The statement in the Draft EIR that the promoters of the 82-unit, 3,000-sq.-ft.-sized condominiums in this project volunteered to have this EIR done is a stretch of the truth. It was undertaken because it was requested by our condominium association, other homeowner groups, private citizens, and by the Palisades Community Council.

Response:

Comment noted. A mitigated negative declaration was prepared for the proposed project and circulated for public review on September 13, 2000. As a result of the numerous comment letters submitted on the MND requesting that an EIR be prepared, the applicant agreed to have one prepared.

Comment 18-2:

The report is well done, comprehensive and factual, but my wife and I believe that it does not comply with the Brentwood-Pacific Palisades District policy, which states,

"City should promote neighborhood conservation, particularly in existing single-family neighborhoods, as well as in areas with existing multiple family residents; seek a higher degree of architectural compatibility and landscaping for new development to protect the character and scale of existing neighborhoods; preserve existing views in hillside areas; consider factors such as neighborhood character and identity, compatibility of land use, impact on traffic levels…"

Response:

The policy quoted, above by the commenter is actually a compilation of several specific policies found in the Brentwood-Pacific Palisades District Plan. These policies are:

1-1.46: The City should promoted neighborhood conservation, particularly in existing single family neighborhoods, as well as in areas with existing multiple-family residences.

1-3.1: Seek a higher degree of architectural compatibility and landscaping for new development to project the character and scale of existing residential neighborhoods.

1-3.2: Preserve existing views in hillside areas.

1-3.3: Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

The proposed project's consistency with these policies was analyzed in the Draft EIR on Page 174. The proposed project was found to be consistent with Policies 1-1.46, 1-3.1, and 1-3.3. The proposed project was found to be only partially consistent with Policy 1-3.2 regarding obstructing views. While the project would partially obstruct private views, it would not exceed the maximum permitted building height for the area and would not block any public views.

Comment 18-3:

Air quality is very important to all of us. My wife and I moved to Pacific Palisades 27 years ago for health reasons and it has been good for both of us. However, we have also experienced a gradual deterioration as the population expanded and as traffic increased tremendously, which the EPA tells us is responsible for 50% of air pollution. This was reported in the Los Angeles Times last June. Further, on February 25, 2003, the Southern California Air Quality District announced in the Times a new smog control plan.

The new plan contains more than 50 measures to increase the cleanup to comply with the mandates of the Federal Clean Air Act. Ozone and microscopic particle pollution from dust and soot are the two most intractable pollutants in the region and are linked to a wide range of health problems. *Is the Draft DEIR with its thresholds of significance, predictions and feasibility of any size of project valid in light of the new State p1an?*

Response:

The SCAQMD thresholds of significance have not changed as a result of the new smog control plan. These thresholds are among the most stringent in California because the air basin pollution levels, while dramatically better than 10, 20 or 30 years ago, are still in excess of clean air standards. The proposed project creates air emissions well below the SCAQMD thresholds. The ozone and microscopic particulate pollution noted in this comment is primarily regional pollutants. The new smog control plan anticipates a continued increase in regional population, housing, and employment while still meeting the mandated attainment deadline. Project development will provide 82 residences out of several hundred thousand anticipated on a regional scale. The proposed project will generate emissions that are well below SCAQMD thresholds, and is consistent with forecast regional growth. It therefore does not conflict with the 2003 smog plan.

Comment 18-4:

Elderly people, young children, and asthmatics are called "susceptible receptors," people who are most vulnerable to pollution. My wife and I are in that group as are many others in our condominium and in the general area of this project.

Response:

Section IV.C of the Draft EIR concludes that the proposed project would not exceed any air pollution thresholds established by the SCAQMD, and thus no significant air quality impacts would be generated by the proposed project.

Comment 18-5:

Three or more years of 6-day work weeks, noise, dust, soot, and truck traffic. God help us all!

Response:

The commenter is referred to Topical Response 10: Construction Schedule; Topical Response 4: Short-Term Noise; and Topical Response 6: Traffic. Section IV.C of the Draft EIR concludes that the proposed project would not exceed any air pollution thresholds established by the SCAQMD, and thus no significant air quality impacts would be generated by the proposed project.

Comment Letter 19

February 28, 2003

George Katz

Comment 19-1:

When I moved into my condominium ten years ago, I assumed that the building and the mountain on which it stood were sound. After the earthquake, my unit was tagged as unsafe; I became aware of the slides the mountain was subject to and for the first time, I placed a ball on the floor of the dinning area and watched it roll down as if it were on a slide. Cracks in the walls became an ongoing concern as there are shifts in the mountain and the building.

Belatedly, had a geologist look into this and he didn't give me good news as he described the shifting. Had I know this, I would not have purchased this property. I am now confronted with the construction of 82 unit project with its construction, and massiveness and I fear no one in City planning or environmental impact is concerned about this. I am not concerned about the Revello area which is not an issue; it is the other side of the mountain that is at risk.

I am not opposed to building projects per se, but just as there was neglect in taking note of the structural problems on the Columbia which lead to the disaster and loss of life, I believe that the history of this mountain and my building warrants greater consideration and concern than the project promoters are willing to grant. It's not their life or property that is at risk, and letters of condolences after the fact will be of little comfort.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Your comments will be forwarded to the decision makers for consideration.

Comment Letter 20

February 28, 2003

Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation

Comment 20-1:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project is to demolish 20 existing apartment units and to construct 82 new condo units.

To assist us in our efforts to evaluate the impacts of this project on State Transportation Facilities, please forward a copy of a Traffic Report for our review per Appendix D.

Response:

A copy of the traffic report for the proposed project has been provided to the commenter.

Comment 20-2:

Caltrans recommends that the City require the applicant to pay applicable cumulative traffic impact fees at the time of permit issuance. Please see our formula in Appendix B of our traffic study guideline website at http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf

We request that a portion of this revenue be saved for improvements to the Congestion Management Program (CMP) road network when the need arises.

Response:

As the Los Angeles Department of City Planning is the lead agency, not Caltrans, the City's established policies and procedures for traffic studies were followed. Hence, Caltrans' Traffic Impact Study Guidelines are not applicable. The proposed project does not have any significant cumulative traffic impacts. Its impact at the closest location involving a State highway, the intersection of Sunset Boulevard/Pacific Coast Highway, is 0.002 in both peak hours, which is less than significant. The City of Los Angeles does not have any applicable cumulative impact fee requirement, nor does the Congestion Management Plan. As no specific mitigation measure for State facilities has been identified as being applicable, the Caltrans formula in the referenced Appendix B cannot be applied in any event.

The commentator's suggestion that the City may wish to establish a transportation impact fee to help fund State highway improvement projects will be forwarded to the decision makers for consideration.

Comment 20-3:

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful of your need to discharge clean run-off water.

Response:

The Draft EIR addresses the issue of clean run-off water. The commenter is referred to Section IV.E of the Draft EIR, Hydrology and Water Quality, p. 163-166, which covers the issue of clean run-off water, both for construction and long-term operational impacts. Page 165 states that "Compliance with the BMPs listed below and other NPDES requirements for controlling stormwater pollution will reduce the proposed project's impacts on water quality (both short-term construction impacts and long-term operational impacts) to insignificant levels." Pages 165 and 166 list mitigation measures to be implemented to achieve these insignificant levels.

Comment 20-4:

Any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. We recommend that large size truck trips be limited to off-peak commute periods.

Response:

Comment acknowledged regarding the requirement for a Caltrans transportation permit for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on State highways.

Comment 20-5:

We noted on page 38 of the Draft Environmental impact Report that mitigation measures are required to further reduce road maintenance impacts. The applicant would be responsible for the repair of any damage to State Right-of-Way resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site.

Response:

Comment acknowledged. The applicant will be responsible for the repair of any damage to State Right-of-Way resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. The commenter is referred to Topical Response 5: Road Maintenance.

Comment Letter 21

March 1, 2003

Michael and Norma Spak

Comment 21-1:

1. **Landslides**

An earlier slide occurred in the immediate vicinity of the proposed subject property which resulted in the destruction of one of three apartment buildings as well as raised a concern for the instability of Castellammare Mesa as a whole. How is the city of Los Angeles going to assure the stability of the land if a massive 100,000 cubic yards of dirt is removed?

We have been informed by Councilwoman Cindy Miscikowski that the nearby Revello Drive slide is active.

We have been informed through our local newspaper that cracks are occurring near a proposed project at 17633 Castellammare Drive.

From the Pacific Coast Highway, it can be seen that new re-enforcement of the Porto Marina Way hillside has taken place.

In light of the foregoing, What is the city of Los Angeles going to do to protect Castellammare Mesa and the proposed project from slides and potential drastic drops in property values?

Response:

Comment acknowledged regarding cracks and Porto Marina Way. These circumstances do not change the conclusions of the geotechnical analysis contained in the Draft EIR. Please refer to Topical Response 9: Bonds and Topical Response 2: Revello Landslide. Property values are not a CEQA impact area, however, your comment will be forwarded to the decision makers for consideration.

Comment 21-2:

2. **Egress to and from Castellammare Mesa**

Currently, only two roads provide egress to and from Castellammare Mesa:

a. Tramonto Drive - to Los Liones Drive and to Sunset Blvd

b. Porto Marina Way-to Pacific Coast Highway

Should Tramonto Drive at the project access road be closed due to slide activity or to truck overloads, we would be left high and dry with only one road (Porto Marino Way) remaining to provide egress to and from Castellammare Mesa. Since the hillside below Porto Marina Way has been reenforced near the Pacific Coast Highway, thus indicating slide activity, what happens if this last remaining road is also closed? What is the city of Los Angeles going to do to assure the availability of an egress road at all times?

Response:

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. This includes the public streets serving the Mesa area. While vehicular accidents may occur on Tramonto Drive or Porto Marina Way, these are temporary conditions that any street can experience.

Comment 21-3:

3. **Dangerous access road to project from Tramonto Drive**

For the project trucks going up the narrow Tramonto Drive, the access road to the project occurs in the middle of a sharp and blind hairpin turn. This location could easily be the scene of numerous truck-car collisions.

After the project is completed, for cars going up hill this location still represent a dangerous situation for cars making a left turn onto the access road. Especially so for senior citizens with slower reflexes who might be leery of making a left turn across the narrow Tramonto Drive in the midst of a sharp and blind hairpin turn. With an increase of about 164 residents (2 per condo), two cars per condo, and 1-2 departures and returns per condo per day there is a potential 328 to 656 daily trip increases in traffic. This increases the odds for more accidents.

It seems that the access road should be relocated to a safer site.

What is the city of Los Angeles going to do to assure a safe access road during the proposed construction and after its completion?

Response:

The commenter is referred to Response to Comment 3-1 regarding traffic safety and accident data for the project area. The commenter is also referred to Topical Response 7: Access.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less

than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

Comment 21-4:

4. **Truck traffic congestion**

Enormous trucking activity from the combined Getty development and the 82-unit condo project resulting in daily traffic congestion effecting both trucks and cars on Los Liones Drive, Sunset Blvd, and Pacific Coast Highway. Is the city of Los Angles planning to install traffic lights to alleviate this congestion?

Response:

The City does not have any current plan to signalize the intersection of Sunset Boulevard/Los Liones Drive. LADOT did investigate a request for a traffic signal at this intersection in 2001. The request was denied by LADOT as it was determined that none of the signal warrants were satisfied. The intersection of Sunset Boulevard/Pacific Coast Highway is currently signalized.

Comment Letter 22

March 3, 2003

Robert Glushon

Comment 22-1:

1. Summary of Significant Unavoidable Impacts

The DEIR concedes that the proposed project would result in significant unavoidable impacts including "loss of private views, short-term grading, construction and soil truck noise levels and operational traffic on residential streets." However, the DEIR erroneously states that the proposed project would not result in any significant unavoidable impacts which relate to public services [DEIR, page 267]. For example, the Los Angeles Police Department states that "a project of this size would have a significant impact on police services in West Los Angeles Area." The DEIR does not provide for any real mitigation measures to address this impact. Simply stated, so long as police resources are understaffed, the impact on police services will be significant as a result of the proposed project.

Response:

The commenter is referred to Section IV.I.1, Public Services, Police Protection of the Draft EIR. The commenter is referred to page 199, in Section IV.I.1 of the Draft EIR for the existing conditions of police services. The West Los Angeles Community Police Station has 259 sworn officers and 33 civilian staff deployed over three watches. Response times for the West Los Angeles Area during 2001 were less than the citywide average, which is not indicative of inadequate police services. Page 201 in Section IV.I.1 of the Draft EIR acknowledges the potentially significant impact that would result in implementation of the proposed project. However, the mitigation measures listed on pages 201 and 202 of the Draft EIR would reduce the potentially significant police service impacts to a less than significant level.

The demolition, grading and construction phases of the proposed project would add construction employee vehicles and heavy trucks on the project area roadways, including Tramonto Drive which fronts the project site. Such activities could increase response times for emergency calls further uphill on Tramonto Drive and in the Castellammare area. These are considered to be potentially significant impacts that can be mitigated to less than significant levels via the implementation of the traffic mitigation measures included in the Draft EIR and Chapter IV of the Final EIR.

Comment 22-2:

2. Visual Resources

The DEIR also erroneously states that the proposed project would not result in any significant visual impacts even while conceding that there would be significant unavoidable visual impacts on surrounding properties. As an informational document, the FEIR cannot be inconsistent and contradictory. The decision-maker(s) on the proposed project must be clearly informed that the proposed project will result in significant unavoidable visual impact which are identified in the DE1R and further supported by the comments of adjacent residents.

Response:

The commenter is referred to Topical Response 1: Views. The Draft EIR was conservative in stating that there was a significant visual impact to adjacent properties to their loss of view of the Pacific Ocean. The Draft EIR states that impacts relative to public scenic views would be less than significant and that impacts relative to some private views from adjacent properties would be significant and unavoidable. This is not inconsistent or contradictory. As stated in Topical Response 1: Views, since the preparation of the Draft EIR and in response to concerns raised by the public and City Councilwoman Cindy Miscikowski, the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 22-3:

In addition, it appears that the proposed project will be prominently visible from the coastline in a manner that is inconsistent with Public Resources Code § 30251. The fact that there are other structures in the area that were built not subject to CEQA and/or the California Coastal Act does not support the conclusory "no significant impact" statement in the DEIR.

Response:

The commenter is referred to Topical Response 1: Views.

The Public Resources Code § 30251 states "the scenic and visual qualities of the coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character and surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan

prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."

The proposed project would not result in the obstruction of any public scenic views. While the site would be visible from portions of public areas such Topanga State Park, Will Rogers State Beach, Pacific Ocean, PCH and Sunset Boulevard, it would not obstruct any scenic views (e.g. ocean, mountains, coastline) from these viewing locations. Impacts relative to public scenic views would be less than significant.

Conversely, the proposed project would result in the obstruction and partial obstruction of scenic views from private properties located immediately north-northwest of the project site. The proposed project would obstruct and partially obstruct private views of the Pacific Ocean and shoreline as seen from the four-story condominium building located immediately north of the project site. The proposed project would also partially obstruct private views of the shoreline and Pacific Ocean as seen from the single-family homes located immediately north-northwest of the project site along Revello Drive. The existing on-site apartment units partially obstruct private views of the shoreline and Pacific Ocean from the adjacent four-story condominium building, but not from the adjacent single-family dwellings. The project's obstruction and partial obstruction of scenic views from the adjacent private properties is considered to be a significant unavoidable impact.

Comment 22-4:

The proposed project would result in a building massing and height that, while allowable under the zoning regulations, would be inconsistent with the character of other residential structures including adjacent apartments and single-family homes.

Response:

While the project is consistent with the permitted density and building height for the site, the increase in density and height compared to the existing on-site apartments represent a potentially significant building massing impact in relation to the upslope single-family homes located along Revello Drive. Building massing impacts are considered to be potentially significant but can be mitigated to less than significant levels by implementing the mitigation measures on pages 99 and 100 of the Draft EIR.

The commenter is referred to Topical Response 1: Views.

Comment 22-5:

3. Lighting

The DEIR correctly states that there would be an increased amount of nighttime lighting and daytime glare due to the much larger density as compared with the existing apartments. The two proposed

mitigation measures (paragraphs 6 and 7 on page 100 of the DEIR) do not minimize this impact to a level of insignificance.

Response:

Page 100 of the Draft EIR includes more than two mitigation measures that would reduce the potentially significant light and glare impacts of the proposed project to a less than significant level. In addition to Mitigation Measures 6 and 7 cited by the commenter, page 100 of the Draft EIR also includes a mitigation measure that requires landscape buffers be planted between the project site and adjacent uses. Such landscaping would help screen nighttime lighting as viewed from off-site properties. Implementation of the mitigation measures on pages 99 and 100 of the Draft EIR would reduce potentially significant light and glare impacts to less than significant levels.

Comment 22-6:

4. Air-Quality

Although the DEIR purports to provide calculations on emission that would not exceed the thresholds of the Southern California Air Quality Management District ("SCAQMD"), the applicant has failed to provide adequate information with respect to the proposed project. For example, what hazardous materials are contemplated to be on the project site during construction? Will there be a need to dispose of any hazardous waste? What materials will be used that have the potential to emit carcinogenic air contaminants that could pose a cancer risk? Our client has been informed that the apartments to be demolished currently have a significant amount of asbestos. What does the applicant plan to do about this issue?

Even if the impacts as calculated fall below the thresholds of significance by the SCAQMD, the DEIR fails to adequately consider the serious impact on adjacent residents particularly during construction. Emissions from construction-related traffic will be especially significant. The proposed mitigation condition to "Encourage car-pooling for construction workers" is an unenforceable, meaningless mitigation measure. To truly attempt to mitigate such impacts, there should be a requirement for car-pooling, use of mass transit or other traffic management plan. Similarly, the proposed mitigation condition that "General contractors shall maintain and operate construction equipment so as to minimize exhaust emission" lacks any specificity or objective standards. How will this condition be monitored and enforced for the protection of adjacent residents?

Response:

The commenter is referred to Section IV.A of the Draft EIR, Impacts Found To Be Less Than Significant, where on page 74 it is stated that the existing apartment buildings were built in 1962 and 1965. Given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing

residential buildings. If asbestos containing materials (ACMs) are present in the structures, they must be removed by licensed contractors using control methods prescribed in SCAQMD Rule 1403. The commenter is referred to Section IV.C of the Draft EIR, Air Quality, where on page 113 it is stated that this potentially significant impact can be mitigated to a less than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public.

Due to the proposed land use type (multi-family residential housing), the project would not use, store or transport significant amounts of hazardous materials. Minor amounts of hazardous materials may be used by project residents, including motor oil, grease, paints, solvents, pesticides and herbicides. However, residents would be required to use and dispose of such materials in compliance with the State Health and Safety Code, City of Los Angeles Municipal Code, and the Uniform Fire Code.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, Pollutants and Effects where on page 105 it lists the five construction air quality pollutants: carbon monoxide (CO), ozone (O_3), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and respirable particulate matter (PM_{10}), and the effects the pollutants have on people.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, where on page 115 it is stated that construction emissions are not a significant impact because emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, where on page 116 it is stated that new emissions will represent less than 10 percent of the daily emissions that would qualify as a potentially significant project. The proposed project is also too limited in scope to create a regionally significant air quality project. Enforcement agencies for mitigation measures are listed in the Mitigation Monitoring Program. Air Quality mitigation measures are enforced by the South Coast Air Quality Management District and monitored by the Department of Building and Safety.

Comment 22-7:

5. Geology and Soils

Perhaps the most significant impact and issue posed by the proposed project relates to geologic stability. The DEIR notes that the Revello Drive Landslide is located on the western portion of the project site. Although the proposed project purports to stabilize the site in accordance with soils and geology reports submitted to the Los Angeles City Department of Building and Safety ("LADBS") additional review is clearly necessary based on even a cursory review of the DEIR and as further indicated by the letter from C.Y. Geotech which is attached hereto as Exhibit "1". Even if the proposed project was

approved by LADBS, how can adjacent residents be assured that it would not adversely impact surrounding properties? In other words, assuming for arguments sake that the project site can be made stable for the proposed development, how will that impact other properties affected by the unrepaired portion of the Revello Landslide?

By way of this letter, and based on the observations of C.Y. Geotech, we request a further review by LADBS and the Bureau of Engineering (with respect to public right-of-way stability issues) relative to the geology and soils problems which impact not just the proposed development site but the immediate area affected by the Revello Landslide.

Response:

The property owner cannot be legally required to perform remedial work to stabilize the offsite portions of the Revello Drive Landslide. Worst case scenario calculations were requested by the Department of Building and Safety to determine how sensitive the stability of the slide is with respect to groundwater level. Even though there is no historical evidence of groundwater near the surface, it was assumed that all of the proposed subdrains failed and groundwater rose to near the top of the soldier piles along the upslope property line. The resulting safety factor of this 'worst case scenario' is 1.3, or the forces resisting failure are 30 percent greater than the forces causing failure. It should be noted that in the current condition, the forces causing failure are similar to the forces resisting failure (safety factor = 1.0). Therefore, a potential failure above the subject property, using artificially low shear strengths and failure of the subdrain system, indicates the remaining offsite portion of the slide will be sufficiently stable. The probability of the slide over-topping the retaining wall at the property line is considered to be nil by The J. Byer Group. Development of the proposed project would greatly enhance the both the surficial and gross stabilities of the site and adjacent off-site properties.

Based upon exploration, testing, analysis, and conservative assumptions, it is the opinion of The J. Byer Group, the geologic and geotechnical conditions at the site are known and well understood, and the proposed project and landslide repair will be stable.

Comment 22-8:

6. Water Quality

The DEIR again fails to suggest specific and objective standards for mitigation. Information is lacking from the applicant such as: What waste will be generated? How will it be disposed? What procedures are proposed to ensure the methods suggested for cleanup and maintenance during construction?

Response:

As stated in the Draft EIR, construction of the proposed project may involve products such as adhesives, cleaning agents, landscaping elements, pluming materials, paints, heating and cooling

materials, masonry materials, floor and wall coverings, and demolition debris. Spills of these or other construction related materials may be a source of stormwater pollution and/or soil contamination. During project operation, the proposed project will likely include the use of household cleaning agents and materials associated with vehicle/equipment repair and maintenance. The disposal of both construction and operational materials is regulated by the EPA through NPDES and other local regulations. The City of Los Angeles Ordinance No. 172, 176 provides Stormwater and Urban Runoff Pollution Control in the hillside areas and requires the application of BMPs to minimize water quality degradation. The commenter is referred to Response to Comment 20-3 for further discussion.

Comment 22-9:

7. Land Use

The DEIR states that the proposed project is consistent with underlying zoning, the Brentwood-Pacific Palisades Community Plan ("Community Plan") and the California Coastal Act of 1976 ("Coastal Act"). The proposed project is, in fact, inconsistent with several provisions of the Community Plan including:

a. Need to restrict building on geologically sensitive areas [I-2];

b. New hillside building may block view or present an unsightly view from below [I-3];

c. Permitted development shall be sited and designed to protect views to the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in the visually degraded areas [III-15];

d. Grading, cutting and filling in canyons and arroyos on hillsides should be minimized, where such operations significantly alter the appearance of natural landforms [III-15];

e. The City should establish residential neighborhood traffic and parking management plans as appropriate [III-27].

The Community Plan also seeks to limit development according to the adequacy of the existing street circulation system [Policy 1-6.1]. The proposed project conflicts with this important policy and the DEIR tries to mask such conflict by stating that the density is allowed by the zoning. The proposed project exceeds the residential street threshold which is totally contrary to this policy.

The proposed project is also in conflict with the Coastal Act (Public Resources Code § 30251) in that there would be an alteration of landforms and impact views from and to the coastline.

Response:

The proposed project is considered to be consistent with all of the issues and programs of the Brentwood-Pacific Palisades Community Plan cited by the commenter. Regarding Item I-2, apartments already exist on the project site, and Section IV.D of the Draft EIR concludes that with the implementation of a variety of mitigation measures, geology and soils impacts would be less than significant. Regarding Items I-3 and III-15, the proposed project is consistent with the zoning and height designations for the site, and the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR. Also, the proposed project would not significantly alter the appearance of natural land forms. Item III-27 is the responsibility of the City of Los Angeles, and the proposed project does not preclude the implementation of such a plan in the future. The ultimate decision regarding the project's consistency with policies and programs of the Community Plan lies within the discretion of the decision makers. The project's consistency with the Coastal Act (Public Resources Code § 30251) is discussed on page 176 of the Draft EIR.

Comment 22-10:

8. Noise

There will be significant and unavoidable noise impacts resulting from construction of the proposed project. The DEIR concedes that the use of heavy construction equipment will result in noise levels that are indeed clearly unacceptable and that justifies no construction or development according to the Office of Noise Control, California Department of Health Services. If the hauling of soil exceeds 70 loads per day, there would also be a significant noise impact from trucks on both Tramonto Drive and Los Liones Drive. The proposed mitigation conditions are inadequate and will not protect adjacent residents during an anticipated three-year period of construction activity.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts. The commenter is also referred to Section IV.G of the Draft EIR, Noise, page 190, Level of Significance After Mitigation. The paragraph under this section states that because of close residential proximity, short-term construction and soil haul truck noise on a limited number of days will likely exceed adopted significance thresholds despite implementation of the above mitigation measures. Such impacts are considered temporary; however, they cannot be mitigated to a less than significant level. The Draft EIR acknowledges that construction noise levels associated with the proposed project would exceed the recommendations of the Office of Noise Control, California

Department of Health Services. If the decision maker chooses to approve this project, a statement of overriding considerations would need to be adopted for each significant unavoidable impact.

The commenter is referred to Topical Response 10: Construction Schedule.

Comment 22-11:

9. Public Services

a. Police Protection

As set forth above, the Los Angeles Police Department states that "a project of this size would have a significant impact on police services in West Los Angeles Area." The well-intentioned proposed mitigation does not change this impact given the fact the police and staff are inadequate at the present time. The cumulative impacts with other related projects in the area would further increase demands for police services resulting in increased response times and other detrimental impacts.

Response:

The commenter is referred to Response to Comment 23-1. Additionally, as stated on page 201 of the Draft EIR, cumulative impacts would also be potentially significant. However, provided that the related projects incorporate the required security measures and the proposed project implements the mitigation measures on pages 201 and 202 of the Draft EIR, cumulative impacts would be less than significant.

Comment 22-12:

b. Fire Protection

The proposed project would similarly increase demand for fire protection and emergency medical response services. Construction employee vehicles and heavy equipment trucks would interfere with response times for emergency calls particularly on Tramonto Drive. Again, the cumulative impacts from other related projects would result in the need for additional fire protection staff and equipment. Who will pay for these costs?

Response:

The commenter is referred to page 244 in Section IV.J of the Draft EIR where mitigation measures are listed to minimize the disruption to residents, emergency vehicles, and other traffic in the vicinity.

The commenter is referred to page 206 in Section IV.I of the Draft EIR where it is stated that the related projects would reduce impacts to fire services by implementing mitigation measures and complying with fire safety code and ordinance requirements. Should the Los Angeles Fire Department

(LAFD) require additional staff and/or equipment as a result of a cumulative impact, these needs are monitored by the LAFD and would be addressed through the yearly budgetary process.

Comment 22-13:

c. Recreation and Parks

As noted by the DEIR, the proposed project together with other related projects would "further exacerbate" the need for parks and recreational services. The City of Los Angeles's existing parkland to population ratio is already below the preferred standard and even with the payment of Quimby fees, there will be no additional parkland or services in this neighborhood.

Response:

The commenter is referred to page 214 in Section IV.I.4 of the Draft EIR for a description of the Quimby Act. Provided the applicant pays all applicable Quimby fees, impacts to parks and recreation would be less than significant.

Comment 22-14:

d. Road Maintenance

The proposed mitigation measures are weak and of the kind typically not enforced by the City. Once again, how can the adjacent residents and public be assured that the developer will pay for repairs to damage of the public streets? How will the City ensure that the streets are repaired correctly and not substandard leaving the neighborhood residents to suffer the consequences? A bond equal to two times the estimate for repaving the entirety of the public streets to be used by construction vehicles on local residential streets should be required as a mitigation measure.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also

require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each grading permit required of the project applicant by the city, the applicant responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. Furthermore, such roadway repair shall be to the satisfaction of the City of Los Angeles Bureau of Street Services.

Comment 22-15:

10. Traffic

Despite proposed mitigation measures, there would be significant unavoidable traffic impacts if the project, as proposed, were built. The intersection of Sunset Boulevard and Pacific Coast Highway is already at an "F" level of service in peak A.M. hours. It would be bad public policy that maximize development which will further add to congestion at that intersection. Although Table IV.J-8 on page 234 of the DEIR provides trip generation information for related projects, there is no analysis of the cumulative traffic impacts of such related projects on the intersection of Sunset Boulevard and Pacific Coast Highway. The DEIR also fails to include critical information regarding the impacts of lane closures which frequently occur on Pacific Coast Highway during periods of heavy rainfall and/or mudslides. Nor does the DEIR consider the problems of inadequate access from Sunset Boulevard east to the 405 Freeway and Pacific Coast Highway south to the 10 Freeway, especially where it connects with the 405 Freeway.

Response:

The commenter is referred to Topical Response 6: Traffic. The commenter is also referred to Topical Response 7: Access, and Responses to Comments 21-2, and 21-3. The commenter is referred to pages 231 through 240 of the Draft EIR for a discussion of traffic impacts associated with the related projects and future background conditions with and without the proposed project.

Mudslides on PCH can require lane closures, oftentimes resulting in traffic congestion on PCH, particularly during peak traffic periods. A detailed traffic analysis of lane closures associated with mudslides is beyond the scope of the Draft EIR. Also, the study intersections analyzed in the traffic report and Draft EIR were chosen by LADOT and do not extend as far as the 405 Freeway or Interstate 10.

Comment 22-16:

The Los Angeles Department of Transportation has concluded that the proposed project would cause significant traffic impacts on Tramonto Drive and Los Liones Drive. As supported by evidence in the form of letters from affected area residents, these narrow residential streets already are overburdened and cannot safely handle the existing traffic flow.

Response:

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

Comment 22-17:

Traffic impacts during construction would be significant and unavoidable despite proposed mitigation measures as discussed above. In particular, the narrow residential streets cannot handle heavy trucks and equipment which would be required for a project of this magnitude.

Of the mitigation measures proposed, a proposed condition requiring the removal of vegetation to improve line of sight (mitigation condition no. 1 on page 245 of the DEIR) must be further reviewed with input from local residents and appropriate City departments including Building and Safety's Grading Division and the Bureau of Engineering if any public right-of-way is involved. The removal of vegetation from slopes can lead to mudslides and other movements of soil. It is also not clear which property, including ownership thereof, is referenced by this proposed condition in the DEIR.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Such roadway repair shall

be to the satisfaction of the City of Los Angeles Bureau of Street Services. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. The new traffic access mitigation measure will not require removal of a substantial amount of vegetation and will not result in any significant erosion impacts. The location of the property where this measure is proposed to be implemented is situated within the convex curve of Tramonto Drive across the street from the project driveway.

The commenter is also referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

Comment 22-18:

Finally, as noted by the DEIR, even with the proposed mitigation measures (primarily for construction), the significant impacts on the two subject residential streets would be unavoidable. Such result warrants scaling back the intensity of the proposed project including consideration of the identified alternatives B and C among others.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3. The commenter's opinions regarding Alternatives B and C will be forwarded to the decision makers for consideration.

Comment 22-19:

11. Alternatives to the Proposed Project

As noted in the DEIR, the Section 15126.6 of the CEQA Guidelines require that the most "environmentally superior" alternative be selected by the decision makers in order to have the least amount of adverse impacts. Although the Alternative C (50-unit PUD) would generate the least impacts as compared with the other alternatives, the project objectives could still be achieved with a reduced density below 50 units and yet still more than the existing number of apartments at the site.

Response:

The commenter's opinions regarding the environmentally superior alternative will be forwarded to the decision makers for consideration.

Comment 22-20:

Based on the findings of our report review, it is our opinion that the Geotechnical Reports Section of the Draft Environmental Impact Report (DEIR) is inadequate for a fully justification of the stability of the site and the potential impact from the offsite Revello Landslide. Additional information will be required to fully justify the stability of the site and the feasibility of the proposed condominium development. The major findings of the review are listed below:

Response:

Please refer to Response to Comment 22-7.

Comment 22-21:

l. The review item 2 of the City of Los Angeles approval letter dated December 5, 2001 indicated that the stability of the offsite Revello Landslide has not been fully justified. A factor of 1.30 is determined by the J. Byer Group, Inc. For your convenience, the review comment item 2 of the city letter dated December 5, 2001 is presented below:

Prior to issuance of a permit, the owners shall record a sworn affidavit with the Office of the County Recorder which attests to their knowledge that the western portion of the site (buildings 1 &2) will still be bordered by active landslide on three sides after the completion of the development, and that they are aware of the potential for debris to collect behind the rear property line wall and the western property line wall, affecting the surface drain system, and that there is the potential for the landslide to remove support from the lower property line which could require the future construction of walls between the piles to provide support, and that the owner and future homeowners association agrees to assume the responsibility to keep the surface drain system behind the retaining walls clear of debris, to take responsibility for any future maintenance/repairs and to inform all future owners of these conditions.

Response:

As stated in Response to Comment 22-7, based upon exploration, testing, analysis, and conservative assumptions, it is the opinion of The J. Byer Group, the geologic and geotechnical conditions at the site are known and well understood, and the proposed project and landslide repair will be stable. Furthermore, this portion of the letter from the Department of Building and Safety, dated December 5, 2001 is included in the Draft EIR in Section IV.D, Geology and Soils as a mitigation measure on page 150. The project applicant is required to comply with the conditions of approval of the Department of Building and Safety.

Comment 22-22:

2. A freeboard of 10 feet was recommended by the J. Byer Group, Inc. to mitigate the impact which may be caused by the potential landslide movement resulting in overtopping of the retaining wall along the rear property line. The mass transfer method was used in the calculation the height of freeboard for mitigation. An equivalent fluid pressure of 65 pcf was recommended in the design of the freeboard. In our opinion, the mass transfer method is a static type analysis and the wall impacted by a landslide is considered as a dynamic condition. In our opinion, the freeboard should be considered as an impact wall for potential impact from the slide debris. An equivalent fluid pressure of 125 pcf is usually required by the City of Los Angeles for the design of an impact wall. Although the City of Los Angeles approved the recommended equivalent fluid pressure, it is unknown that if an equivalent fluid pressure of 65 pcf is adequate for dynamic condition.

Response:

Please refer to Response to Comment 22-7.

Comment 22-23:

3. It is unknown how the uphill piles and downhill piles are to be installed to provide the assigned lateral stabilization forces used in slope stability analyses. A total lateral stabilization force of 125 kips was assumed in the slope stability analysis for slope shown on cross section A-A' and a total lateral stabilization farce of 104 kips were assumed in the slope stability analysis for the slope shown on cross section H-H'. It is unknown that if it is structurally feasible to design a pile for such high lateral stabilization force without the use of tie-back or anchor system. The City of Los Angeles review letter dated December 5. 2001 indicated that tie-backs are not approved for the subject project. For permanent retaining purpose, the piles should be embedded to the earth materials below with a factor of safety of 1.5.

Response:

Please refer to Response to Comment 22-7.

Comment 22-24:

4. It is unknown how the uphill piles and downhill piles are to be designed to provide a high lateral stabilization force with a 1-inch allowable deflection at the top of the piles. The pile deflection calculation for EFP = 65 psf/ft case in J Byer report dated October 2,2001 indicated a pile diameter of 54 inches (4.5 feet) and a pile spacing of 5 feet. The actual space between pile edge is only 6 inches. It appears that a continuous pile system will be required. Special drilling schedule and pattern may be required. It should be noted that no 100% increase of lateral earth pressure is allowed if the pile spacing is less then 2.5 times of the pile diameter.

Response:

Please refer to Response to Comment 22-7.

Comment 22-25:

5. It unknown that how Piles P1 through P30 are to be designed simultaneously for temporary shoring of 145 to 175 kips and for permanent equivalent fluid pressure of 30 pcf. The piles for temporary shoring should be founded into earth materials below a potential slip surface with a factor of safety of 1.25 while the piles for permanent supporting should be founded into earth materials below a slip surface with a factor of safety of 1.50. Although the factor of safety below the slide plane can be more than 1.5 after the completion of the development, it is unknown that if the slide will be enlarged in size and depth through time as depicted in Page 12 of The J. Byer report dated August 16, 2000.

Response:

Please refer to Response to Comment 22-7.

Comment 22-26:

It is recommended that the geologic and geotechnical engineering reports as referenced in the J. Byer reports be reviewed by this office to perform a more complete review and to make more conclusive findings.

Response:

Please refer to Response to Comment 22-7. The Department of Building and Safety has reviewed all substantive comments regarding Section IV.D, Geology and Soils of the Draft EIR, and has not required any substantive changes to the geotechnical conclusions of the Draft EIR.

Comment Letter 23

March 3, 2003

Mr. and Mrs. Gaby Goubran

Comment 23-1:

As an owner of a condominium directly above this project, I am deeply concerned about the impact to my home. This project, tentatively scheduled for a long three-year period of construction will impact my family and me greatly. Notwithstanding the noise during construction, the traffic noise and congestion afterward will be monumental.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise. The commenter is also referred to Topical Response 6: Traffic, Topical Response 10: Construction Schedule, and Response to Comment 1-1.

Comment 23-2:

What particularly worries us is the possibility of hillside weakening. Those of us living in the Castellammare area have all witnessed first-hand, collapses and landslides. We do not wish to witness this again - especially when it could be our condominium sliding down the hill.

Response:

The commenter is referred to Topical Response 2: Revello Landslide.

Comment 23-3:

In addition, beside the environmental effects and the loss of aesthetics, we fear that should the building exceed the height of the existing structure, our unit will lose the ocean view--we selfishly want to protect. Should the new structure block our view we will lose immediate value to our property. AND AS AN OWNER AND TAX PAYER WE FIND THIS ABHORRENT! We have owned our condominium since 1978 and have enjoyed looking out to the Santa Monica Bay, and because large developers have clout and a large pocketbook, it seems they can control government policies.

We urge the City of Los Angeles to rethink this project and protect the rights of persons who have lived in this quiet setting for many years.

Response:

The commenter is referred to Topical Response 1: Views. The commenter is also referred to Topical Response 8: Building Heights. Property values are not a CEQA impact area, however, this comment will be forwarded to the decision makers for consideration.

Comment Letter 24

March 4, 2003

Laurie Rosenthal

Comment 24-1:

I am writing to you in regards to the above project. The scope of the construction will greatly and adversely affect all residents of the Castellammare Mesa area of Pacific Palisades. I'd like to take a moment to describe this area.

Castellammare is home to several hundred residents who all enjoy the natural beauty and peaceful nature of the area. The residents range from people who built their own homes over 50 years ago to people who just moved in last week. My son, at l6 1/2 months, is one of the youngest residents, while we're friends with many of our neighbors who are well over 80-years-old.

Castellammare is a place where both hard-working people and retired people pass each other during their evening walks, winding down before darkness. My husband works two jobs and I work one job so we can live here. Tramonto is the only street that gets residents to Sunset Boulevard, and it's used extensively all day long. In the early morning, people go to work and moms and/or dads drop the kids off at school (no public school buses come to the area). During the rest of the day, moms take their young kids to various classes, doctors' appointments, grocery shopping, etc. The elderly inhabitants of the community, many already timid behind the wheel because of the multitude of construction trucks carelessly driving on Tramonto, also are in their cars, up and down the hilt, throughout the day.

To force all these people to take the rarely used Porto Marina is cruel, as the road is very narrow with huge dips and severe blind spots and is quite frankly, a bit scary to drive. My sister-in-law once got in an accident on Porto Marino because there just wasn't enough room for the one car coming downhill and the other car going uphill. Also, by using Porto Marino, people will be forced to use Pacific Coast Highway, which is often gridlocked. [And that's on a sunny day- PCH on a rainy day, oh, it's dreadful.] Personally, I avoid PCH whenever possible and take longer and less crowded routes, and I know many of my neighbors do the same. Without the use of Tramonto, this becomes impossible. My neighborhood is filled with hard-working people, already stressed to the max as are many big-city dwellers. To add time to already long commutes, and force people to sit in extra traffic everyday, is unfair. And to have screaming kids in the back seats due to the increased time in the car -- well, there just isn't enough Tylenol in the world for that.

Response:

Tramonto Drive will remain open during construction. The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure.

Comment 24-2:

Our neighborhood was just dealt the last blow in our struggle against the major expansion of the Getty Villa. This will mean major truck traffic as well as increased noise and diesel fuel pollution for years on Los Liones, the street residents must turn onto from Tramonto to get to Sunset. Already, our neighbors who live above the Getty deal with construction noise all day long. To add a huge condominium construction project on Tramonto, on a landslide area to boot, will simply make Living in Castellammare a nightmare.

Response:

The commenter is referred to Topical Response 6: Traffic. The commenter is also referred to Topical Response 4: Short-Term Noise which describes the demolition/construction noise impacts. The proposed project creates air emissions well below the SCAQMD thresholds. Finally, the commenter is referred to Topical Response 2: Revello Landslide.

Comment 24-3:

Please help us to preserve the beauty and integrity of our neighborhood by not allowing such and enormous project to proceed. There are other local areas that can tolerate such on ambitious and long development much better than our little part of the world.

Response:

The commenter does not address the adequacy of the Draft EIR, therefore, no further response is required. The comment, however, will be forwarded to the decision makers for consideration.

Comment Letter 25

March 5, 2003

Terry Roberts, Senior Planner, State Clearinghouse, Governor's Office of Planning and Research

Comment 25-1:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on March 3, 2003. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2002051086) when contacting this office.

Response:

Comment acknowledged. All letters received by the State Clearinghouse, both during the public comment period and afterwards, were incorporated and addressed in the Final EIR.

Comment Letter 26

March 21, 2003

Mr. and Mrs. Irvin Spielberg

Comment 26-1:

We have lived in Castellammare since 1957 and have had Tramonto Drive rendered impassable on several occasions. This has devastating effects on us homeowners.

In the 1960's the developer of the condominiums there now caused a massive landslide that wiped out one of his own buildings. Tramonto Drive was closed to all traffic for a year and a half.

Response:

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2. The commenter is also referred to Topical Response 2: Revello Landslide.

Comment 26-2:

That land that is to be used for 82 condominiums has a miserable geological history. We ask you to remember its unstable nature in considering the request for this project.

Response:

The geological history and stability of the project site is addressed in Section IV.D, Geology and Soils, of the Draft EIR starting on Page 120 and in Topical Response 2: Revello Landslide. Mitigation measures to address its instability are provided in the Draft EIR starting on Page 139. Your comment is noted and will be forwarded to the decision makers for consideration.

Comment 26-3:

In addition, the proposed development would cause heavy traffic congestion on an already inadequate road.

Response:

The commenter is referred to Topical Response 6: Traffic.

Comment 26-4:

The massive design would be an architectural blight.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 26-5:

We urge you to rule against this development.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR, therefore, no further response is required.

Comment Letter 27

March 24, 2003

Mrs. Robert Beagles

Comment 27-1:

HEIGHT

An examination of the cross sections A Figure III 4, B Figure III 5, C Figure III 6 shows a complex of 3 buildings, each 7 stories high, far exceeding the height limit for this property. Each cross section shows a 7 story building with a covered garage at level 4, and automobile access at level 5 over the roof of the garage. Although the text talks of many separate buildings, this garage has a common wall with the apartment section which it is to serve, and part of its roof provides a floor for the townhouse parking. This proposal is not for independent buildings on 2 sides of a street, but for 7 story buildings.

Response:

The height and density of the proposed project is consistent with the permitted zoning for the site. The commenter is referred to Topical Response 1: Views and Topical Response 8: Building Heights. The commenter is also referred to Figure III-2 of the Draft EIR which illustrates the project would be comprised of several buildings that are located in close proximity to each other but are not all connected together. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 27-2:

An examination of the Site Plan Figure-II, and the Vesting Tentative Map Figure III-1 shows how the proposed buildings, containing both the flats and the townhouses, tilt and turn together around the curve of the slope, indicating again that this proposal is for 3 buildings, each 7 stories high.

Response:

The height and density of the proposed project is consistent with the permitted zoning for the site. The commenter is referred to Topical Response 1: Views. The commenter is also referred to Figure III-2 of the Draft EIR which illustrates the project would be comprised of six buildings that are located in close proximity to each other but are not all connected together. Please refer to Response to Comment 27-1.

Comment 27-3:

DENSITY

The Draft EIR is for a proposal for 82 large, 3 bedroom units on just less than 4 acres. This far exceeds the average density of the Brentwood Pacific Palisades Plan, which is for 8 or 9 units per acre, 32 or 36 for even an undamaged site this size.

Response:

The project site is zoned as RD2-1, Multiple Family, and is designated as "Multiple Family, Low Medium II Density" in the general plan. The Brentwood Pacific Palisades Plan designates residential land use densities for each of the general plan designations. Established density for "Low Medium II" is between 18 and 29 units per acre with an average of 23.5 units per acre (Page III-2). The project proposed a density of 20.6 dwelling units per acre. Therefore, the proposed project is consistent with the zoning and Community Plan designations for the project site. The proposed project is exempt from the slope density standards as it is not located in a minimum density land use designation.

Comment 27-4:

The Post Project View of the Project Site From the Pacific Coast Highway Figure IV B 18, the Aerial Photo Figure II 3 present the density in the favorable way possible. The reality will far less attractive. The view of the 82 units from below shows mostly green from trees and shrubs on other properties. The aerial view also indicates that almost every bit of the property will be built upon. There are no front or side set backs from the buildings except on the edges of the site. Unlike the nearest condo building, which has gardens and a pool, and the Edgewater Towers, which has pools, tennis courts, gardens and a jogging track, 82 units will occupy almost every bit of the ground. Certainly, the Landmark Corporation is entitled to replace 20 existing units, and the 12 that were destroyed in the landslide. The Draft EIR says that 50 units would have the lease environmental impact, but some impacts would be significant, and unable to be mitigated. Fewer units than 50 would have even less of an impact, and should be considered for this fragile, damaged slope. 32 seems like a good number.

Response:

The commenter is referred to Topical Response 1: Views. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR. The commenter's opinions regarding reduced density alternatives will be forwarded to the decision makers for consideration.

Comment 27-5:

GEOLOGY

The extensive geology section of this Draft EIR indicates that there has been much geologic investigation of the slope in the past, but only 3 core holes have been dug recently. I have included a plan of my small lot showing that we had 3 core holes dug in the 1960's before we bought our lot. When I spoke to a geologist about this report, he said that more timely information would be needed for new construction. Much of the information in the section on geology is obsolete and not reliable for moving earth or designing foundations. Much more information should be required about the sub-soils.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter fails to provide sufficient evidence that the geotechnical reports are obsolete and not reliable. Section 15204(c) of the CEQA Guidelines states:

> *Reviewers should explain the basis for their comments, and, should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.*

Geotechnical reports prepared for the proposed project are not obsolete and have been prepared by licensed geotechnical engineers in good standing, and reviewed by licensed geotechnical engineers for the City of Los Angeles.

Comment 27-6:

Like my neighbors, I am very concerned about the geological impact of this project. We fear that the proposal to dig out the old landslide material and replace it with newly compacted soil may cause a huge slope failure like ones we have read about in Laguna Beach and Palos Verdes, and involve many more homes than the few on Revello Drive. We cannot buy landslide insurance, and we realize that suing the developer for damages may be an expensive, lengthy undertaking. WE WANT A BOND TO PROTECT US FROM DAMAGE TO OUR HOMES DURING THE GRADING AND CONSTRUCTION, AND AFTERWARDS BECAUSE THE MAINTENANCE OF THE DRAINAGE SYSTEM BY THE NEW CONDOMINIUM OWNERS MAY NOT BE EFFECTIVE.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. Section IV.D of the Draft EIR, Geology and Soils, p. 151, mitigation number 49, states that "Drainage control devices require periodic cleaning, testing and maintenance to remain effective." Mitigation number 58, on page 152, states that the owner shall swear an affidavit to

take responsibility for all future maintenance and cleaning of surface drain systems, and that proof of said maintenance will provided to the Department of Building and Safety on an annual basis.

Comment 27-7:

SAFETY

Whether this narrow, quarter mile long access to 3 buildings on a curving, slide damaged slope is legally safe is a question for the experts. The real safety appears marginal. A second access could be obtained by connecting the project to Posetano. I once saw such a road on an old map. The Northridge earthquake showed how vulnerable garages are to seismic damage, and the only exit from this project is planned over the roof of a long garage.

Response:

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. In lieu of a secondary access, the applicant is proposing a hammerhead turnaround at the end of the project driveway to conform to LAFD access requirements. The garage will be constructed to withstand severe seismic shaking in accordance with current uniform building code requirements.

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3. The commenter is also referred to Topical Response 2: Revello Landslide.

Comment 27-8:

CONFUSION

Although there is no roof height for the top of the far western building on several of the plans, and the Figure III 6 shows a roof height of 215 feet, I was told by Mr. Reilly of Christopher A. Joseph Associates, that no construction would be more than 201 feet above sea level. When I inquired about chimnies, air condition units, and antennas, I was told these were probably not included in this height limit. The lower the roof tops, the less impact the buildings, and their construction, will have. Any height limit decided upon should not have exceptions.

There are no doubt other inconsistencies in the mass of data in this Draft EIR, but this was the most noticeable. If such simple calculation as the height of buildings is inconsistent, one wonders about the calculations involving such items as caissons and strength of concrete.

Response:

As stated in Topical Response 8: Building Heights, the City of Los Angeles Municipal Code and Building Code provides height limit exceptions for features like chimneys, HVAC equipment, etc. Accordingly, as stated in the Draft EIR, no building heights in the proposed project will exceed 45 feet not including chimneys, HVAC equipment, etc. The commenter is referred to Topical Response 8: Building Heights for further discussion on the topic.

Comment 27-9:

The lower the roofs, the less impact. The fewer the units, the less impact. The lower the access, the less impact.

Response:

Your comment will be forwarded to the decision makers for consideration.

Comment 27-10:

As proposed, this project will threaten the safety of surrounding homes, and the stability of the whole slope. Like other overly ambitious projects in the area, it may be abandoned or, more likely, end in bankruptcy.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 27-11:

Even with a good final result, nearby homes will not be comfortable to live in during daytime hours for years because of the noise and dirt of the grading and construction. This is a clear case of less is more for nearby residents.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The commenter is also referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 113, Demolition Impacts Section which states that given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing residential buildings. This is a potentially significant impact that can be mitigated to less

than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Construction Impacts Section which states that the project is too limited in scope to cause air quality impact significance thresholds to be exceeded during construction. Whereas total daily emissions of dust or equipment exhaust will be less than significant, the very limited distance between on-site activities and adjacent occupied homes creates a potential for dust deposition soiling nuisance on parked cars, landscaping foliage, or outdoor furniture. This potential would be considered an adverse impact because of property impacts. It is not a significant impact because the emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres. Mitigation measures that reduce that small-diameter, respirable particulate emissions also reduce larger soiling particles. Mitigation measures for dust control are thus recommended even if the SCAQMD threshold is not exceeded.

Comment 27-12:

If permitted at all, this plan should be limited to 32 units.

Response:

Comment noted. The commenter is referred to Section VI of the Draft EIR for an analysis of several alternatives to the proposed project, including reduced density alternatives.

Comment 27-13:

To permit the trade of the certain loss of the workday use of nearby homes for several years, and the possible loss of the stability of the whole slope, for a questionable fix of a landslide that has not troubled everyone, and the certain impacts of a large condominium complex with no redeeming values, will place much reliability on the city if no bond is required of the developer to protect the homes and roads in the area.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 27-14:

Attached is an aerial photo of the site of the proposed Landmark development. I have keyed in some of the nearby properties, and problems.

1. Revello Drive was cut and paved in 1922.

2. This retaining wall and sidewalk, both in good condition, were installed when the apartments were built in the 1960's.

3. 17455 Revello Drive has had 2 slope failures in the last few years. One was due to a broken pipe.

4. 17461 Revello is owned by Rudy and Sirilak Hershmann.

5. The BIG GREEN PIPE was installed after the landslide of 1965 to take storm water over the slide. Beneath it runs an above ground sewer line.

6. 17475 Revello Drive. Dr. and Mrs. Francis Knotz added a well engineered addition about 10 years ago. They had to go through Coastal Commission.

7. 17438 Revello Drive experienced a slope failure 8 or 10 years ago when a previous owner tried to terrace the back garden.

8. There are several owners in this corner of the condo building whose address is 17337 Tramonto Drive. The first floor is a parking garage level, and exit from this garage slopes down and out.

9. 17440 Revello Drive is owned by William and Sylvia Grieb.

10. My house, 17446 Revello Drive, was built on a well engineered foundation in 1963.

11. 17452 Revello Drive, owned by Jon Congdon, has had 2 caissons added at different times to the southwest corner.

12. This is the edge of Vaun Krumley's property. He successfully sued the city a few years ago.

13. This old Spanish house and its guest house lost some ground in the landslide in the 1960's but have been beautifully remodeled. They are located on Positano Drive. Dr. Todd Sadow is the owner, and has a long time tenant. He, too, participated in the suit against the city.

14. This is the private driveway to Dr. Sadow's property.

15. This small apartment house on Castellammare is owned by Beverly and Oz Fedel.

16. This is the site on Castellammare Drive of the 20 unit Coler/Novak/Palmer proposed project.

17. These 2 buildings hold the 20 units of apartments owned by Landmark.

18. This private driveway to the apartments was put in the 1960's when they were built.

19. Pacific Coast Highway.

20. Site of 1965 Revello Drive landslide. Three homes on Revello were destroyed, 12 units of the apartment complex collapsed, and the roadbed of Revello Drive and all the utilities were destroyed. Mr. and Mrs. Clay, whose home was isolated, sued for the restoration of access to their house, and eventually the trail they had been using was widened and paved beside the Big Green Pipe.

21. Sunset Boulevard.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The commenter provides a detailed description of the nearby properties and geotechnical issues at the project area, however, this information does not change the geotechnical conclusions provided in Section IV.D, Geology and Soils of the Draft EIR.

Comment Letter 28

March 24, 2003

Eve and Sam Coquillard

Comment 28-1:

I am a concerned homeowner in the Castellammare Mesa, and a member of the Mesa's Home Owners Board of Directors. It is in both capacities that I am writing this letter to express my husband's and my sincere opposition to the Palisades Landmark Condominium Project in its current form. The Project would have a severely negative impact on this neighborhood and on each individual resident.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 28-2:

Primarily, the traffic congestion that would result from three years of construction and from an addition of more than 3X the current traffic load upon completion would devastate current homeowners. There are only two outlets from the Mesa: Tramonto and Porto Marino. Porto Marino is in such bad condition that it is truly not a road but a road hazard. The light at PCH is interminable, making Porto Marino an unfeasible alternate for the stream of cars needing to exit the Mesa. As a mother of two small children, who drives up and down Tramonto at least six times a day, having Tramonto off-limits due to congestion would create untold stress to me and mothers like me, as well as to our children (who inevitably would be left waiting while we battled construction vehicles and exhausting delays). Please be aware that ours is a neighborhood sincerely in transition: the longtime residents of the neighborhood are giving way to many new families with small children looking for a safe and healthy place to raise those children. We can't be backed up for hours waiting for trucks to load and unload.

Response:

To ensure that safe and adequate vehicular access is being provided on its public streets, the City monitors their conditions and investigates related complaints. Assuming the highly unlikely scenario that both Tramonto Drive and Porto Marina Way would be closed at the same time, the City would work diligently to restore adequate vehicular access as quickly as possible.

As indicated in Figure IV.J-3 of the Draft EIR, no project traffic is expected to use Porto Marina Way. The project trips added to the intersections of Sunset Boulevard/Pacific Coast Highway, Sunset

Boulevard/Castellammare Drive and Sunset Boulevard/Los Liones Drive would have a cumulative but less than significant project impact, as shown in Table IV.J-10 of the Draft EIR.

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3. The commenter is also referred to Topical Response 10: Construction Schedule.

Comment 28-3:

If you must approve a version of this Project, let the developer grade the hillside between Tramonto and Los Liones. There is a slight grade and then a flat pad immediately below Tramonto running parallel to it. That area could be graded and built out as a "work road" for the express use of construction vehicles. Further down the PCH towards Santa Monica this is being done; construction roads have been cut into the hillside.

Response:

The applicant will work with the City to redesign Tramonto Drive in this vicinity, if feasible. The applicant is agreeable to some street widening along the site that may allow an acceleration or deceleration lane to be provided on Tramonto Drive, and is also willing to investigate other feasible options from the City to enhance visibility and safety at this location. The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

Comment 28-4:

Additionally, "rules of the road" need to be determined for the duration of the construction period (three years is an extremely long time). Work trucks must allow Mesa vehicles the right of way for ingress and egress onto Sunset…perhaps even a new land needs to be constructed for heavy trucks. The developer needs to work with the Planning Department and the Mesa homeowners on these two issues until satisfactory resolutions have been determined.

Response:

Tramonto Drive would not be closed during construction of the proposed project and vehicles would be able to access Sunset Boulevard during this time. The commenter is referred to Topical Response 10: Construction Schedule. The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

Comment 28-5:

In regards to the question of safety, it seems a great risk to grant a construction permit to a project whose buildings (1 and 2), upon completion, "will be bordered by an active landslide on three sides…"

Should any horrific slide occur due to the allowance of the construction of this Project, who will take responsibility? If one of our children is killed during a landslide because of reckless construction, who will be held accountable? If one of the older residents' homes (whose home will be 200 feet from the proposed site) slides, who will help that older couple regain their lives and their sanity? I know, I have read portions of the EIR and realize that the developer must adhere to the mandates of the Planning Department and provide adequate drainage, etc… But think in human terms: what if a construction worker makes a mistake. Who will live with the pain and consequences of that mistake? Not the developer. Not anyone in the Planning Department. Only we at the Mesa. And you need to protect us from potential devastation. There is no question that there is a viable condo alternative to what currently exists at the proposed building site. But 82 units? Let's take greed out of the equation and put responsibility and the forefront.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. The reader is further referred to Section VI of the Draft EIR which includes an analysis of several reduced density alternatives to the proposed project.

Comment 28-6:

Having this Project constructed as proposed would eliminate the stress-free lives we intended to provide for our children by moving to an "out of the way" enclave with no "through traffic." People who currently drive up Tramonto do so because they live in the Mesa. Save at least one part of our city from over-development. There is no need to build 82 units on an unstable hillside.

Response:

Comment noted. The commenter is referred to Topical Response 1: Revello Landslide.

Comment 28-7:

Why impose untold hardship on residents who love where they live? Listen to our cry and please, modify or deny this Palisades Landmark Condominium Project. Another project will come along, from someone who cares about the coastline, who cares about quality-of-life, who cares about safety. That will be the project to approve.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment Letter 29

March 25, 2003

Cort Wagner

Comment 29-1:

Pleased be advised that I am highly opposed to the development of this incredibly intrusive undertaking.

I, for three years now, have been living with a number of residential homes being built on Tramonto Drive, the street on which I live, and it has been an unbearable imposition.

Traffic, dirt, noise, all of which have increased dramatically because of these smaller homes being built, and the inability of your office to monitor and maintain their progress. It is unrealistic, from these examples, which you and your colleagues will be able to manage to enormous amounts of issues involved with building such a large project in our quaint little neighborhood. This is a seaside Mesa of smaller homes, a strict Homeowners Association that limits our building, and we are supposed to tolerate this massive commercial imposition, I guarantee this will not happen without a fight, legally and otherwise.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The commenter is referred to Topical Response 6: Traffic. For noise impacts, please see page 189 of Section IV.G of the Draft EIR which states that operational noise impacts would be less than significant. Also see Topical Response 4: Short-Term Noise and Response to Comment 1-1.

Comment 29-2:

It is proven that our area is Geologically unstable, we already have a number of law suits pending due to developers who are trying to build massive residences on our hill sides, do you really need to expose yourself to more of these? The area is unstable, this is proven through many surveys, how can you expect 18 months of excavation and earth moving will not result in further erosion, damage and movement, especially since no one involved in this project is insuring or bonding the adequate drainage and run off.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 29-3:

I realize that some developers are seeing the huge potential profit windfall through this project, but I am quite sure that this project will be stalled for years and held up due to mine, and many other law suits and that upon further consideration could be seen as unprofitable by the time it is finished.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 29-4:

It is my understanding that Tramonto Drive will be the predominate thoroughfare during this construction, a street which has been neglected by the city for many years, is extremely narrow and rough and already has many traffic problems due to the extensive building of residences on this street. This is a nightmare waiting to happen, I welcome it, as you guys will be buying my house from me when I am able to sell due to your negligence and respect of our community, it's neighbors and the homeowners.

Response:

The commenter is referred to Topical Response 5: Road Maintenance, Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 29-5:

I have already suffered enough through the building which has been ongoing since I moved in 3 years ago, Cindy Miscikowski has been incredibly lax in her ability to enforce the completion of two homes which have taken 4 plus years to complete, and are far from finished on Tramonto alone. This is obviously a sign of things to come, and it is extremely disturbing.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment Letter 30

March 25, 2003

Deborah and Derek Hydon

Comment 30-1:

As local Castellammare Mesa residents, we are deeply disturbed to learn about the plans to build this huge condominium complex on Tramonto. I will list the reasons below, with details to follow:

1. Geological concerns
2. Traffic Congestion concerns
3. Traffic Light concerns – both on Tramonto and Porto Marina
4. Road maintenance concerns
5. Time to build the condos

Response:

Each of the commenter's concerns are addressed below in Responses to Comments 30-2 through 30-6.

Comment 30-2:

1. GEOLOGICAL CONCERNS: Everyone knows that the area knows as "South of Tramonto" is essentially an active landslide. Who in their right mind would build an entire condominium complex surrounded on three sides by an active slide?! And who will pay the residents below when their properties are negatively affected by all the grading and building just above them? There will be numerous and very costly lawsuits to the city and the builders – that will be for certain.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 30-3:

2. TRAFFIC CONGESTION CONCERNS: TRAFFIC LIGHT CONCERNS: The area cannot sustain large numbers of people on these very narrow and few roads – no more than 50 units should be built (even that is too many).

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3. The commenter's opinion regarding the density of the proposed project will be forwarded to the decision makers for consideration.

Comment 30-4:

3. TRAFFIC LIGHT CONCERNS: A) Los Liones: With all the building trucks and subsequently, residents driving around the area, it would be absolutely IMPERATIVE that a traffic light be installed on Sunset and Los Liones. Remember that the Getty will be up and running by then. B) In addition, there is an extremely dangerous traffic hazard at the base of Porto Marina (which might be the only way for residents to enter and exit while construction is underway). Northbound cars on PCH use Porto Marina to make U-turns in order to turn around and go South on PCH. A series of bollards should be installed to physically prevent these people from blocking the road – this is IMPERATIVE. Also, the lights there take an eternity to change – this is unacceptable – they need to be "on demand."

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 30-5:

4. ROAD MAINTANENCE CONCERNS: Everyone here knows how the construction trucks chew up the roads and create huge potholes. Remember, this is an active slide area as well. We need to be assured that the roads will be maintained CONSTANTY. How can we be assured of this?

Response:

The commenter is referred to Topical Response 5: Road Maintenance.

Comment 30-6:

5. TIME TO BUILD THE CONDOS: If these buildings are to be built, how can we be assured of a swift timeline – can there be fines imposed for lack of adherence?

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The City of Los Angeles does not impose fines for delays in construction projects, unless such is stipulated as a condition of project approval.

Comment Letter 31

March 25, 2003

John and Elaine Power

Comment 31-1:

As one of 200 plus CMHO homeowners on the Castellammare Mesa, my wife and I are deeply concerned with the magnitude of the currently proposed Palisades Landmark Condominium Project. The Mesa is essentially fully developed at present and suffers from poor access and lack of any road maintenance program. The proposed additional residents can only add to the existing problems faced by the present homeowners.

Response:

The project applicant will be responsible for maintenance of any roads damaged during construction. For further discussion, the commenter is referred to Topical Response 5: Road Maintenance, and Topical Response 7: Access.

Comment 31-2:

Of further concern is the proposed massive building construction to be carried out in a highly suspect geological active fault area. Not only is the fault on the face of the hill, adjacent to the proposed project area, continuously sliding and depositing earth on the Pacific Coast Highway, but the large condominium, also adjacent, required extensive rework of the foundations shortly after its' completion, due to earthquake problems. One only need drive up Puerto Marina Way, Revello or Castellammare Drive to view any number of structures, approved by the City Planning Dept., that have been condemned due to seismic faults. The questionable unfinished structure at the corner of Castellammare Drive and Revello Drive has been a disaster for the homeowners in the area.

In addition to observing the severe geological problems in the area via such a drive, the poor condition of the roads is also very evident.

Response:

The comment refers to a 'highly suspect geologic *fault* area' and a '*fault'* on the face of the subject property. It appears the commenter is misusing the word fault, which refers to a past or present earthquake source, or a shear or rupture caused in response to seismic activity (earthquake). Landslides are common throughout the Castellammare Mesa. Historically, most of the slides were unrecognized and developed with residential properties and roads. This project is unique with respect

to the remainder of Castellammare Mesa in that the entire slide mass will be removed and rebuilt. Therefore, comparing this development and the slope stabilization to others throughout the Castellammare Mesa is inaccurate. The commenter states that, "One only need to drive up Puerto Marino Way, Revello, or Castellammare Drive to view any number of structures, approved by the City Planning Department, that have been condemned due to seismic faults." The J. Byer Group is not aware of any structures or projects that are or have been condemned by seismic faults in the Pacific Palisades.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each grading permit required of the project applicant by the city, the applicant responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. Furthermore, such roadway repair shall be to the satisfaction of the City of Los Angeles Bureau of Street Services.

Comment 31-3:

We have lived in this quiet beautiful area for 46 years. It is our earnest request that you weigh all the facts and truly evaluate the consequences if such a project, as proposed, were to be approved. We are certain, with such an evaluation, the Council and/or Planning Department would reject this proposal in total.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment Letter 32

March 25, 2003

Marilyn Pecsok

Comment 32-1:

I have owned my home at 17900 Tramonto Drive in Castellammare Mesa for 32 years. I am also an attorney practicing in Pacific Palisades, California. In most aspects, I am not opposed to single family development on our hill. However, the referenced project has several extremely disturbing aspects and I kindly request that both of you use the influence of your office or position to deny this development.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 32-2:

1. **Size and impact on Castellammare Mesa and the surrounding area.**

The proposed condominium project of 82 units (having torn down 20) presents a mammoth visage to our hill and also to the area at the intersection of Sunset Boulevard and Pacific Coast Highway. I understand there are approximately 220 houses on Castellammare Mesa now. This would be an additional 62 units (approximately 28%-30% increase) whose only access off the hill is Tramonto, either via Los Liones or via Porto Marina Way. The project would overwhelm the hillside in an area that is already dense with homes and traffic.

Response:

The proposed project is consistent with the residential density permitted by the site's zoning. The commenter is referred to Topical Response 1: Views. The commenter is also referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 32-3:

2. **Adverse effect on traffic.**

At the present time it is difficult for Castellammare occupants to access Sunset by Los Liones. When the Getty Villa reopens, we understand that there will be vastly more traffic using Los Liones for tour and school buses and Getty employees. Any traffic studies made while Getty Museum is closed are invalid because of the lack of the traffic which will commence before the 2005 Museum opening.

Response:

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3. The traffic report for the proposed project included the future operational traffic levels of the Getty Museum.

Comment 32-4:

Tramonto is a narrow winding road, settled and uneven in many places. The access from the development to Tramonto would be on the hairpin turn, which is in itself unsafe. Additionally, lower Tramonto would potentially be blocked much of the time during the anticipated three year construction phase, which will put an additional burden on Porto Marina Way and Pacific Coast Highway.

Response:

It would not be feasible for to eliminate the curve as the applicant does not own the property on the opposite side of Tramonto Drive. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. Refer to Section III of the Final EIR, Corrections and Additions to the Draft EIR, for the new mitigation measure.

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3. The commenter is also referred to Topical Response 10: Construction Schedule.

Comment 32-5:

Porto Marina Way is a very narrow, winding and unevenly settled road. Every time a car exits Porto Marina Way onto Pacific Coast Highway or enters Porto Marina Way from the southbound lanes of Pacific Coast Highway, traffic must come to a standstill on Pacific Coast Highway. This would further slow the already slow flow of traffic on Pacific Coast Highway because of the numerous additional trips. If cars exit onto Sunset from Los Liones, the additional traffic would also greatly affect the flow on Sunset and the intersection of Sunset and Pacific Coast Highway which is already so overloaded that many times cars cannot exit onto Pacific Coast Highway in one traffic light.

Response:

As indicated in Figure IV.J-3 of the Draft EIR, no project traffic is expected to use Porto Marina Way. The project trips added to the intersections of Sunset Boulevard/Pacific Coast Highway, Sunset Boulevard/Castellammare Drive and Sunset Boulevard/Los Liones Drive would have a cumulative but less than significant project impact, as shown in Table IV.J-10 of the Draft EIR.

Comment 32-6:

3. **Slide area.**

The proposed project is next to a slide area. I suspect there would be a huge liability to Los Angeles City if slides occur and homes are lost or homes are made inaccessible because of damage to roads. Even a developer's bond in perpetuity would probably not cover the devastating losses if slides occur.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 32-7:

I believe that this large project with access only on Tramonto Drive will have seriously adverse consequences, not only to the Castellammare homeowners with subsequent potential loss of value and loss of two access roads but would also have serious adverse consequences to the traffic of both Pacific Coast Highway and Sunset Boulevard. I strongly urge you not to approve this project.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment Letter 33

March 26, 2003

Robert Shaffer, Jr.

Comment 33-1:

I am a resident of the Castellammare area and live at 17404 Revello Drive. I am respectfully sending you this letter to object to the size, scope, and density of the above referenced Project. One only needs to look at the artists rendering attached as an exhibit to the EIR to recognize this. Castellammare is a residential community of approximately 200 single family homeowners with only two streets providing ingress and egress. To increase the density as proposed will have a very real, material adverse impact on traffic, noise, and personal safety in the area.

Response:

The commenter is referred to Topical Response 6: Traffic, and Topical Response 4: Short-Term Noise, as well as Response to Comment 1-1 which states that operational noise and air impacts would be less than significant.

Comment 33-2:

Environmental Issues: the dirt, dust, and noise produced by the Project will pollute the entire community.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 113, Demolition Impacts Section which states that given the age of existing structures on the project site, there may be asbestos containing materials (ACMs) in pipe insulation, fire retardant features, roofing, flooring, etc. of the existing residential buildings. This is a potentially significant impact that can be mitigated to less than significant level via mandatory compliance with SCAQMD Rule 1403, which would ensure safe exposure for both abatement workers as well as the general public.

The commenter is referred to Section IV.C of the Draft EIR, Air Quality, page 115, Construction Impacts Section which states that the project is too limited in scope to cause air quality impact significance thresholds to be exceeded during construction. Whereas total daily emissions of dust or

equipment exhaust will be less than significant, the very limited distance between on-site activities and adjacent occupied homes creates a potential for dust deposition soiling nuisance on parked cars, landscaping foliage, or outdoor furniture. This potential would be considered an adverse impact because of property impacts. It is not a significant impact because the emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres. Mitigation measures that reduce that small-diameter, respirable particulate emissions also reduce larger soiling particles. Mitigation measures for dust control are thus recommended even if the SCAQMD threshold is not exceeded.

The commenter is also referred to Response to Comment 1-1 regarding the operational impacts of the proposed project in regards to noise and air quality.

Comment 33-3:

1. Severe traffic congestion already exists at the intersections of Los Liones and sunset and the Pacific Coast Highway. It is already difficult and dangerous to turn left on Sunset Boulevard from Los Liones. During morning rush hour, three lanes of traffic turning south onto PCH from Sunset already back up to the Castellammare intersection and beyond sometimes requiring three (3) cycles of the light to make the left turn. The proposed project density will swamp the ability of the local traffic systems overwhelming the already strained capacity. It will simply be too many people with too many cars and too few streets.

Response:

The commentator is correct that the intersection of Sunset Boulevard/Pacific Coast Highway is congested. Table IV.J-3 of the Draft EIR shows that it is currently at LOS F during the AM peak hour. This table also indicates that the intersection of Sunset Boulevard/Los Liones Drive is at a good service level, LOS A, during both peak hours.

Also, please see Response to Comment 32-5.

Comment 33-4:

2. Public Safety: the Project is to be constructed on land that is notorious for its geological instability. One needs only to look at the scarred hillsides in the immediate vicinity to understand this. In fact, Revello Drive has been permanently cut by a huge landslide immediately adjacent to the Project, which is visible in the artist's rendering of the Project. Whatever the scope of the Project, the City must insist upon the construction of proper and adequate drainage and de-watering systems and extensive retaining wall(s).

Response:

The commenter is referred to Topical Response 2: Revello Landslide.

Comment 33-5:

> The state park and conservancy lands that surround the Castellammare area are well known for their susceptibility to fires. Since there are only two methods of evacuation, I am fearful for the safety of my family, including my children ages 10 and 11. Fires pose a very real and constant threat. With one of the only two methods of ingress and egress being marginalized (both (1) during construction by grading, construction equipment, and supplies and (2) after construction by the glut of increased traffic), the consequences of a fire or any natural disaster (earthquake) could easily be tragic.

Response:

The commenter is referred to Topical Response 6 regarding traffic and Topical Response 7 regarding emergency access.

Comment 33-6:

> 3. Project Completion: for all of the reasons of environmental degradation, safety to the community and the creation of a public nuisance in the event the Project were to be abandoned or placed on some kind of hiatus, I believe it is essential that a Project completion bond be required as a condition of granting the building permit. Too many projects have been started and then stopped for unforeseen reasons (note the uncompleted spec home at 17474 Tramonto, which has been an eyesore and attractive nuisance for years and this City says it can do nothing about forcing it to be completed). For that to happen in these circumstances could prove catastrophic. At that point, whatever the City has gained in revenues in fees from the Project would be overwhelmed by its liability for damage to the neighborhood and its infrastructure.

Response:

The commenter is referred to Topical Response 9: Bonds.

Comment 33-7:

> The environment, the potential danger to public safety, the geological and fire risks and the risks of an abandoned project compel the conclusion that the proposed Project must be substantially reduced in scope and density and, at a minimum, strict, enforceable completion dates for well defined Project phases and a completion bond required as conditions for granting a building permit.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. Your comment regarding the reduction in scope, density and enforceable completion dates will be forwarded to the decision makers for consideration.

Comment Letter 34

March 26, 2003

Thomasine and Peter Tilden

Comment 34-1:

We adamantly oppose the above referenced project. The Castellammare area, in general, has become a construction battlefield. I work at home and see trucks moving through our small community day in and out, creating not just noise pollution, dirt and traffic hell, but seriously damaging our one and only access street (Tramonto Drive). Now we have this monster condo project to deal with.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise, Topical Response 6: Traffic, and Topical Response 7: Access. The proposed project would not exceed any air pollution thresholds established by the SCAQMD. The commenter is also referred to Topical Response 5: Road Maintenance.

Comment 34-2:

Here are some major issues: This entire area is not safe geologically. As 11-year-residents, we've seen major landslides demolish homes and compromise the land. We live on Revello Drive, on top of the proposed condo project. When we moved into our residence, we barely passed a geological exam, and did so only because we were on the side of the hill which was not compromised by damage. With the current construction (we already have two sites building beneath us), all our homes' land on Revello Drive are already being weakened. The condo project would severely threaten our land.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. By nature, subsurface geology can be complicated and variable over short distances. For this reason, The J. Byer Group has recommended that the on-site geologist continuously observe the grading process, including the logging of each soldier pile excavation. Based on the City Department of Building and Safety's review of the project geotechnical reports and their recommended conditions for slope stability, the removal and replacement of the Revello Landslide debris would not induce deeper instability or further deterioration of geological conditions on or adjacent to the site.

Comment 34-3:

Additionally, the traffic concerns are already enormous. Tramonto Drive provides the only access in and out of neighborhood and consequently has become a major thoroughfare. It's a small, windy street, full of potholes (due to damage by the construction trucks) and cannot withstand more traffic.

Response:

The commenter is referred to Topical Response 5: Road Maintenance, to Topical Response 6: Traffic and to Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 34-4:

Furthermore, the few residents at the current condo site zip in and out of their driveways, making for already hazardous conditions as we drive down Tramonto Drive to the main street. I can't imagine how much more of a threat it will be when the residence doubles (triples?) in size with the new proposed condo site.

Response:

The commenter is referred to Topical Response 6: Traffic, and to Topical Response 7: Access, and Responses to Comments 21-2 and 21-3.

Comment 34-5:

And finally, the three year proposed construction time is outrageous. We've sustained major construction in our neighborhood for the past ten years and it's highly unfair to force us into three more years of noise, trucks, dirt, traffic, and all the other ills that come with building.

Response:

The commenter is referred to Topical Response 10: Construction Schedule.

Comment 34-6:

We bought in this community because it was a sleepy, off-the-beaten-path beach community. We felt safe because our geological checked out, yet we knew the rest of the area was questionable, therefore would likely remain quiet. Unfortunately, that hasn't been the case. Year after year we've endured more and more building (it took SEVEN years for the builders to complete the house next to us, the one next to that has been under construction for three, and the one below that, for four years) that's been a huge inconvenience to our home life. Both plots beneath us are under construction, though on and off due to who knows what. Now, with this new condo project, our land is threatened, traffic will become more of a problem and we see no end to the continued strain on our peace and quiet. We have considered leaving this area because of the constant construction and if this project gets approved, we

may sadly have to go. My son goes to Marquez Public School and we are major contributors to this community. My husband (Peter Tilden) is on radio and our community's construction is an occasional topic on his show. That's how bad it is.

Please take a long hard look at this project. There is nothing good about it. Leave the area alone. Let the condos that are there remain as they are. Allow us some peace and safety. Thank you for your time.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. Your comments regarding the proposed project will be forwarded to the decision makers for consideration.

Comment Letter 35

March 26, 2003

Sarah and Sam Stavro

Comment 35-1:

We are the homeowners and residents of 221 Bellino Drive, Pacific Palisades, CA 90272 since 1978. We are writing because of our grave concern regarding the proposed Palisades Landmark condominium project (Project ENV-2000-2696-EIR and reference numbers SCH # 2002051086, at 17331-17333 Tramonto Drive.) We are emphatically opposed to the project as proposed. Our concern about this project is the certain horrendous traffic density that will ensue on Tramonto Drive, a one-lane road in each direction that services an area of approximately 220 homes.

Response:

The commenter is referred to Topical Response 6: Traffic, and Topical Response 7: Access.

Comment 35-2:

The dreadfully inferior geological condition on the proposed site of construction is a very real concern as well. This location has a history of very unstable terrain with past occurrences of major landslides with the destruction of many homes.

Response:

The commenter is referred to Topical Response 2: Revello Landslide.

Comment 35-3:

We are also disturbed about the definite serious deterioration of the roads leading to our home and the further deterioration this project will cause.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of

any damage to roads from the heavy trucks used for the proposed project. These conditions are also listed in the same section as mitigation measures. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

Comment 35-4:

Please put us on record as being vehemently opposed to the proposed project as it will be a very serious blight to our environment. If you should decide to allow this project, we insist that it be pared down to no more than 50 units and that the developer be responsible for upgrading the roads and ensuring that we have adequate access to our home in Castellammare Mesa. We thank you for your consideration in this matter.

Response:

The commenter is referred to Response to Comment 35-13. The comment regarding alternative number of units will be forwarded to the decision makers for consideration.

Comment Letter 36

March 26, 2003

Arthur and Hermine Kovacs

Comment 36-1:

I am writing to you to express my strong protest about the planned development referenced above. Proceeding with this undertaking would seriously degrade the quality of life on our mesa in ways that are disruptive over the short term and in more permanent ways once such a disaster would be completed. Let me take up both of my sets of concerns in turn. Construction will go forward *over a three year period*. Following the landslides of recent years, our mesa has only two means of ingress and egress, the two ends of Tramonto Drive. There will be a large number of construction trucks and heavy earth moving equipment periodically tying up the Tramonto/Los Liones exit. The latter has one of the longest signal periods anywhere in the Los Angeles basin – about a three minute delay for each cycle. There will be large numbers of backed up cars and angry residents fuming at the increased inability to get in and out of the neighborhood.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 10: Construction Schedule. Although construction traffic is a temporary situation, it may contribute to localized, short-term congestion as noted on page 224 of the Draft EIR. Page 244 of the Draft EIR and Topical Response 6 above list the mitigation measures proposed to reduce construction traffic impacts to less than significant levels.

The commenter believes that traffic may shift to using Porto Marina Way in lieu of Tramonto Drive during the project construction period. This would increase the traffic demand at the intersection of Porto Marina Way/Pacific Coast Highway and the need for a longer green traffic light cycle for vehicles making left turns from Porto Marina Way onto Pacific Coast Highway. This comment will be forwarded to the decision makers for consideration. Caltrans is responsible for the signal timing at Porto Marina Way/Pacific Coast Highway. Caltrans' traffic signal investigation unit phone number is (213) 897-0340.

Comment 36-2:

This site is one in which extensive grading is scheduled to go forward adjacent to an ancient fault that has already collapsed at least once. Is the city willing to accept liability in the case of further destabilization of the mesa? I would hope that there would be an extremely conservative position taken

about going forward with anything with potential risk, given the city's history of already having to spend enormous funds shoring up upper Tramonto, both ends of Castellammare Drive, and the Porto Marina/PCH grade all in recent years.

Response:

The commenter refers to an "…ancient 'fault' that has already collapsed once." It appears the commenter is misusing the word fault, which refers to a past or present earthquake source, or a shear or rupture caused in response to seismic activity (earthquake). The Revello Drive landslide is currently active and moves in response to above normal rainfall years. The Public Works Department has historically spent funds to shore up and maintain Tramonto Drive and Castellammare Drive through bulkheads and soldier piles. The project calls for stabilizing the landslide, and therefore the adjacent properties. The project will not destabilize the mesa.

Comment 36-3:

Long term horrors –

The project is aesthetically terrible. An eyesore is going to be created on the hillside and give everyone going northwest on PCH and west on Sunset Boulevard eye pollution and will ruin the beauty of our residential neighborhood.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 36-4:

The construction of 82 units will bring approximately 164 additional vehicles onto the mesa. That is a huge percentage increase in the number of cars that will be traversing the narrow streets of the mesa. Accidents will increase, the safety of pedestrians and dog walkers will degrade, and many more mini "traffic jams" will result at the ends of both exit roads.

Response:

The commenter is referred to Response to Comment 3-1 regarding traffic safety and accident data for the project area.

The commenter is also referred to Topical Response 6: Traffic, Topical Response 7: Access and Responses to Comments 21-2, and 21-3.

Comment 36-5:

Tuesday morning is trash collection time for the residents of the mesa. Lord help any of us who are attempting to use the Tramonto/Los Liones road exit when the trucks are active. The existing condo

development on Tramonto already stacks up about 40 receptacles for pickup. This takes the trucks many, many minutes to lift and dump. Autos do not have room to go around them. With the completion of the project, and additional 286 receptacles will now be placed out of the roadway. Those of us who are wise will go down Porto Marina to PCH where we will fume waiting for the long line of cars to go through interminable signal changes before we become free to enter the traffic flow. And what will happen if the paramedics or a fire truck need leave the fire station and come up to Tramonto past the site just when the trash trucks are doing their duties?

Response:

The proposed project would not result in the placement of an additional 286 trash receptacles on Tramonto Drive as this would not be appropriate in terms of refuse collection and traffic circulation in the area. It is still possible that refuse collection at the project site, with or without the proposed project, could slightly increase response times for emergency calls further uphill on Tramonto Drive and in the Castellammare area. However, according to Los Angeles Fire Station No. 23 which serves the project area, Tramonto Drive is wide enough that their vehicles may pass if another vehicle is in the roadway. The commenter is referred to Topical Response 7 regarding emergency access.

Comment 36-6:

Unless developers are held to stern requirements for safely dewatering the property being considered for construction, the risk of additional slides is going to be increased by the planned development.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Subdrains will be required at the base of the landslide repair. These subdrains should discharge to the atmosphere via gravity. As discussed in the Draft EIR and in Topical Response 2: Revello Landslide, significant geotechnical impacts from the Revello Drive Landslide would be mitigated to less than significant levels provided the mitigation measures listed in Topical Response 2: Revello Landslide are implemented.

Comment 36-7:

The heavy earth moving equipment used by the developers typically has caterpillar treads that do damage to both the concrete surfaces and asphalt surfaces of various portions of the roadways. The city has never required that these degraded surfaces be repaired, and I am now protesting what I believe will become a new crop of them.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck

haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

Comment Letter 37

March 27, 2003

Bernard and Judy Orsini

Comment 37-1:

We are property owners and members of the Castellammare Mesa Home Owners. We have lived at 253 Quadro Vecchio Drive in Pacific Palisades since 1978.

In the many years we have lived on the hill, we have witnessed many changes that have been both beneficial and detrimental. We do not consider ourselves alarmists, and have never contacted the planning department prior to this to express concerns about changes to the landscape. We feel that the development of the above-referenced project will be an egregious misuse of our area for the following reasons based on our inspection of the EIR:

- Tramonto Drive is the main conduit of the Mesa and has areas of instability itself. The street cannot bear any more traffic, and the proposed project will dramatically increase congestion due to a 3-year construction estimate, and the eventual increase in personal vehicles. Aside from the obvious inconvenience of time delays in simply getting to and from our homes, we are deeply concerned about emergency vehicles getting to the hill on an already stressed street. The only other ingress/egress to the Hill is Porto Marina Way. This is not a viable alternative, since that street is extremely narrow.

Response:

The commenter is referred to Topical Response 6 regarding traffic, Topical Response 7 regarding emergency access and Topical Response 10 regarding Construction Schedule. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Ingress and egress at the project site is required to comply with City of Los Angeles Fire Department requirements. The project plans, including access, will be subject to the review and approval by the City of Los Angeles Fire Department.

Comment 37-2:

- The proposed site is planned on an existing landslide site. The potential for deterioration on the site itself and our homes in the surrounding area is too great.

Response:

The commenter is referred to Topical Response 2: Revello Landslide.

Comment 37-3:

- As a realtor, my wife is deeply concerned about the inevitable decline in our property values as a result of the proposed project. Prospective buyers will not purchase in an area where they are not able to navigate easily to and from their homes.

Response:

Comment noted. Property values are not a CEQA impact area, however this comment will be forwarded to the decision makers. As the commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 37-4:

We respectfully request that this project is disapproved to go forward. We feel that the inevitable result will be disastrous.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR, therefore, no further response is required.

Comment Letter 38

March 27, 2003

Reuel Sutton, Architectural Committee, CMHO

Comment 38-1:

I refer you to the letter of 2-21-03 from the Castellammare Mesa Home Owners Board of Directors. (copy enclosed).

Response:

The commenter is referred to Responses to Comments 38-6 through 38-11.

Comment 38-2:

At our home owners meeting I had a chance to see the EIR which included a photo of the expected project when completed. I must say the development is a bit overwhelming to view from across PCH.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 38-3:

Other than echoing the concerns of the CMHO Board of Directors, may I call your attention to the following:

Page 150, paragraph 58 of the EIR: As head of the CMHO Architectural Committee, I am very much aware that a homeowners group cannot take financial responsibility for possible future problems that might be created from faulty construction or earth movement without providing a bond or an insurance policy to cover possible damage. To provide this coverage requires a rather serious premium. It is well known that homeowners groups very seldom have funds to cover these costs. It seems that the developer should assume this financial responsibility by providing long life coverage for this liability. The above assumes that an extensive foundation and drainage system is part of the project.

Response:

The commenter is referred to Topical Response 9: Bonds for the requirements the project applicant is to abide by. According to the City of Los Angeles Municipal Code, project applicants are required to file

a bond with the Department of Building & Safety to ensure that all applicable requirements are followed.

Comment 38-4:

Page 39 and 40 of the EIR: There seem to be a lack of serious consideration of the impact that construction and future condominium traffic will have on the 200 homeowners of Castellammare Mesa. Tramonto is rather narrow residential street that was returned to the homeowners by the City because of the liability issue. Also, the current entrance is on a BLIND curve. The introduction of heavy construction traffic for one and one half years and the future homeowner traffic font eighty-two condominiums would be an unacceptable impact to the homeowners of Castellammare Mesa.

Response:

Please refer to Response to Comment 21-3 and Topical Response 10: Construction Schedule.

Comment 38-5:

This letter should be recorded as a strong vote against this project as it is currently proposed and the EIR as it current written.

Response:

Comment noted. The commenter does not address the adequacy of any specific analysis in the Draft EIR; therefore, no further response is required.

Comment 38-6:

(1) Potential adverse geological impact resulting from the site excavation.

The Revello Drive landslide is located on the western portion of the project site, (as acknowledged on page 122 of the EIR). The extensive earth removal excavation and construction of buildings contemplated by the project could result in further deterioration of site geological conditions.

Should this project go forward how will the City of Los Angeles and the project applicant indemnify homeowners both above and below the project site for any future damage to, or loss in value of, their property resulting from further deterioration of geological conditions on and adjacent to the proposed site?

There is no mention of a "bond" for successful completion of the project nor does the EIR address significant problems should they occur. An abandoned project would be devastating to our community. How will this completion issue be handled by the City of Los Angeles and the applicant?

Response:

Please refer to Topical Response 9 regarding bonds. The project includes completely removing the portion of the Revello Drive landslide that coincides with the property. The landslide is occurring along a pre-existing defect (ancient slide plane). The margins of the removal excavations will be supported with soldier piles, which will be embedded significantly lower than the base of the slide. Based on the City Department of Building and Safety's review of the project geotechnical reports and their recommended conditions for slope stability, the removal and replacement of the slide debris would not induce deeper instability or further deterioration of geological conditions on or adjacent to the site.

Comment 38-7:

The EIR states that the project will take 3 years to complete (Page.39 identifies 18-19 months of heavy grading and construction, trucking etc.) This is much too long and would cause a significant disruption to traffic in our area. Can this be reduced by the imposition of effective penalties for failure to complete the project on a timely basis?

Response:

The commenter is referred to Topical Response 10: Construction Schedule. It should also be noted that time frames are approximate and subject to change due to a variety of conditions such as weather conditions, traffic, permitted hours of grading or construction per day, etc. Furthermore, at this time the City of Los Angeles does not have a system in place to impose penalties such as fees for failure to complete a project on a timely basis.

Comment 38-8:

Under paragraph 58 on page 150 the EIR states that the project (Buildings 1 and 2) "will still be bordered by an active landslide on three sides---". As a result the City of Los Angeles is requiring that the "owners shall record a sworn affidavit with the Office of the County Recorder" etc. assuming responsibility for adequate drainage the lack of which could impact the slide area. Shouldn't the applicant be required to provide a permanent physical solution (i.e. adequate drainage system and/or additional retaining wall) now as part of any permitting requirements?

Response:

The commenter is referred to section IV.D of the Draft EIR, Geology and Soils, pages 145-146, which states that retaining walls shall be provided and that all retaining walls shall have subdrains. Section IV.D of the Draft EIR, Geology and Soils, p. 151, mitigation number 49, states that "Drainage control devices require periodic cleaning, testing and maintenance to remain effective." Mitigation number 58, on page 152, states that the owner shall sign an affidavit to take responsibility for all future maintenance and cleaning of surface drain systems, and that proof of said maintenance will provided to the Department of Building and Safety on an annual basis.

The property owner can only make improvements to the property line. Therefore, until the adjacent properties are improved, landslide debris will remain on three sides of the property. Drainage devices are planned to collect and convey water from upslope properties to Castellammare Drive. The drainage devices will be located at the property line and designed in conformance with the Building Code. All drainage devices require periodic maintenance and cleaning to remain effective and to function as designed. The J. Byer Group is not aware of any drainage system that will not require maintenance. The affidavit protects the adjoining properties by notifying future owners of the subject property of their obligation to maintain drainage devices. The developer is not allowed to install drainage devices onto offsite, private properties. It should be noted that drainage is currently not controlled. It is the opinion of The J. Byer Group that the proposed drainage devices will greatly improve drainage within the bulk of the slide mass, thus improving stability.

Comment 38-9:

(2) Exit routes from the Mesa

The 200 plus CMHO homeowners have only two exit routes from the Mesa i.e. Porto Marina Way and the predominately used Tramonto Drive.

(a) It is anticipated that during much of the at least 3 year Construction phase as proposed (particularly during trucking into and from the excavation site), Tramonto Drive will be significantly less available to residents west of the 17400 block. This will result in almost total reliance on Porto Marina Way as the exit route from the Mesa. Porto Marina is essentially a tortuous one lane street with parking allowed on the north side. Present traffic light configuration onto Pacific Coast Highway cannot accommodate this reliance on Porto Marina Way. Will it be reconfigured to an "on demand" basis for Porto Marina exiting traffic?

The traffic congestion issues cited on pages 39 and 40 of the EIR are not adequately addressed. For safety and traffic flow control reasons it is recommended that a traffic signal with directional arrows and a left turn lane onto Sunset from Los Liones Drive be established before the project begins.

Response:

There are two lanes striped on Los Liones Drive approaching Sunset Boulevard. The number one lane is used for left turn movements and the number two lane for right-turn movements. Therefore, no new left-turn lane on Los Liones Drive at Sunset Boulevard is necessary.

The commentator believes that traffic may shift to using Porto Marina Way in lieu of Tramonto Drive during the project construction period. This would increase the traffic demand at the intersection of Porto Marina Way/Pacific Coast Highway and the need for a longer green traffic light cycle for vehicles making left turns from Porto Marina Way onto Pacific Coast Highway. This comment will be

forwarded to the decision makers for consideration and for possible signal timing adjustments during project construction. Caltrans is responsible for the signal timing at Porto Marina Way/Pacific Coast Highway. Caltrans' traffic signal investigation unit phone number is (213) 897-0340.

Also, please see Responses to Comment 21-4 regarding the intersection of Los Liones Drive and Sunset Boulevard, and Response to Comment 36-1 regarding signaling at Porto Marina Way.

Comment 38-10:

(b) Tramonto Drive road maintenance.

Page 217 of the EIR holds the applicant responsible for damage to streets resulting from the import/export of soil from the site as a condition of the issue of grading permits. This requirement is only meaningful if the applicant is required to post an adequate performance bond requiring that Tramonto Drive maintenance be on a continuous basis during the construction phase of the project.

Page 37 of the EIR holds the applicant (not the City) responsible for road maintenance but does not define maintenance standards or the need for continuous maintenance. We need to avoid the possibility that the applicant repairs the road at a time of his choosing and not when necessary.

Response:

The commenter is referred to Topical Response 5: Road Maintenance.

Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

Comment 38-11:

Finally, as the EIR acknowledges (on page 240) the proposed project will have a significant negative impact on post completion traffic and the 200 plus homes on the Mesa are unquestionably the most adversely affected. We believe that traffic as well as other environmental concerns would be mitigated by a reduction in the project size. We consider a limit of no more than 50 units (Alternative B, as outlined on page 5 of the EIR) should be permitted.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter's opinion regarding the Alternative B will be submitted to the decision makers for consideration.

Comment Letter 39

March 27, 2003

Martin Alpert

Comment 39-1:

I have been a resident of Castellammare area for 24 years. I am a family physician who works in Santa Monica and is on staff at two major hospitals in the Santa Monica area. I am deeply concerned about the application, for this new project, which would cause great delays, in leaving this area due to the blockage of Tramonto Drive. I am sure you are aware that the other exit from Castellammare is a very narrow windy road, which would be quite dangerous with traffic as it is very hard for two cars to pass due to the allowance of parking on the north side of the street.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 39-2:

In addition, the light sequence at Pacific Coast Highway is such that the exit would be very delayed due to the long light and the increase in traffic that would occur exiting the Castellammare in this area. These long delays could possibly jeopardize my ability to get to the hospital in an emergency situation, which would jeopardize other lives.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 39-3:

I am also concerned about road wear and tear on the Tramonto Drive area from the construction project in addition to destabilization of the Castellammare Mesa homes due to the necessary grading and digging into the hill for which this project will require. As you know, this is an active slide area. It is also my hope that Tramonto Drive would be completely redone with a new road if this project is allowed to go through as the wear and tear on this road would, I'm sure, cause further potholes and cracking. Parts of Tramonto Drive should be redone even at this time. I would appreciate your attention to these concerns, in your consideration to allow this project to go ahead in its current form. I would hope that it would be downsized and other precautions should be taken to address the concerns I

have previously mentioned. Please feel free to contact me should you require any further input at my office.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The City of Los Angeles Bureau of Engineering will require that Tramonto Drive be dedicated and improved with standard street improvements by the applicant. The Bureau of Engineering will also require that a strip of land adjacent to Castellammare Drive be dedicated for future street improvements to comply with the standard street width of the Bureau's Standard Street Dimensions guidelines.

Comment Letter 40

March 27, 2003

Ruth White

Comment 40-1:

82 condos? Are you people crazy? Are you smoking something? That area of Castellammare is known to be geologically fragile and sensitive. I have lived in the area since 1968. Everyone here knows it. I have just retired as a Coldwell Banker Real Estate agent for 25 years. We all know that part of the hill is fragile. There should be no condo development there. Not even 50.

Response:

The proposed project is consistent with the permitted density for the project site. The commenter is referred to Topical Response 2: Revello Landslide.

Comment 40-2:

There are only 2 entries and exits for over 200 families on this hill, both of which are treacherous. Everyone of you who has a vote on this project has a moral obligation to drive from the fire station at Sunset and Los Liones up to the proposed site and then drive the other exit from the other end of Tramonto down Porto Marina to Pacific Coast Hwy. The should see where that road slid 15 – 20 years ago. To use either for construction equipment is insane. I don't care how much this developer is bribing you with. It isn't worth it.

Response:

The commenter is referred to Response to Comment 21-2, Topical Response 2: Revello Landslide, and Topical Response 6: Traffic.

Comment 40-3:

When these houses were built in the early 50's for returning vets to raise a family + have a small yard it was simpler. Now in the last 10 years replacement families have been well-educated professionals paying a lot of money + then rebuilding and remodeling. They are highly litigious people. Any damage and inconvenience you are going to pay for. The city spent millions just recently to relocate families on the front of this hill when rains + traffic caused part of it to sink. Do not permit this development. You are endangering us all.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment Letter 41

March 28, 2003

Mary Elisabeth and Robert Kors

Comment 41-1:

We are writing to express our extreme concern over the above-referenced project's impact on the stability, traffic and roads in our neighborhood.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The commenter is also referred to Topical Response 6: Traffic and Topical Response 7: Access. Finally, the commenter is referred to Topical Response 5: Road Maintenance.

Comment 41-2:

This project is bordered by landslides on three sides - a recipe for disaster. If the project does – as seems quite likely – create geological damage, please assure that the project developer, not the city and surrounding homeowners, bear the cost of this damage. Should you think this issue not important, please drive around this neighborhood and look at all the foundations of homes lost to landslides.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 41-3:

Tramonto Drive is a narrow, twisting, heavily pot-holed and patched road. We are concerned that heavy truck use will destroy the road. In any event, extensive truck use on this narrow, winding road could render Tramonto unusable during the project. We go up and down Tramonto at least 6 times a day. Extensive waits to use Tramonto or being forced to use the Port Marino exit (which takes us about 5 additional minutes each way) will cost this household alone an hour or more a day. To bear this cost for three years seems a very high price for us to pay.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy

equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

Comment 41-4:

In short, this developer is asking this neighborhood to pay very high costs and risks. Please ensure the risks and costs are bourne by the people reaping the rewards of the project - the developer.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore no further response is required.

Comment Letter 42

March 28, 2003

Audrey Ann Boyle, Co-Chair, Miramar Homeowners' Association

Comment 42-1:

The Miramar Homeowners' Association has strong concerns about the development of the proposed project on Tramonto Drive. The EIR Traffic section does not take into account the difficulty that would arise to the traffic exiting Paseo Miramar east on to Sunset Boulevard if 205 more cars (the number of parking spaces indicated in the project) were added to those exiting Los Liones Drive. It doesn't even address Paseo Miramar.

Paseo Miramar is directly east of Los Liones Drive (adjacent to the fire station). We are a neighborhood of 70 homes but also have a fire road at the top of the hill which is used by hikers and bikers as access to the Topanga State Park trailhead. In 1998 State Parks estimated 5000-6000 people used that access per month. Since that time the entrance has been promoted on the Internet and the number has increased greatly and will probably continue to increase.

The number of hikers using the other trailhead entrance off Los Liones Drive has increased and is also continuing to increase. That alone will affect the traffic exiting Los Liones Drive and heading east on Sunset Boulevard without the addition of the 205 more cars proposed for this project.

It often takes five minutes to safely exit Paseo Miramar to travel east on Sunset Boulevard. Between the traffic heading west on Sunset Boulevard (much of which comes from the Palisades Highlands making a right turn and therefore does not have to wait at the light at Palisades Drive) and the traffic heading east on Sunset Boulevard from Pacific Coast Highway the current situation is very difficult.

Response:

Existing and future traffic conditions were appropriately analyzed along Sunset Boulevard and at the key locations expected to be the most affected by project traffic. Future conditions included traffic generated by known related projects, as well as ambient traffic at a growth rate of 1.5 percent per year. The additional traffic generated by the project would have cumulative but less than significant impacts at the Sunset Boulevard study intersections, as indicated in Table IV.J-10 of the Draft EIR. Based on the less than significant impact at the study intersection of Sunset Boulevard/Los Liones Drive, it can be reasonably estimated that the project impact at the adjacent intersection of Sunset Boulevard/Paseo Miramar would also be less than significant. This would be due to less project trips expected to be

using the latter intersection, including none on Paseo Miramar, plus no decrease in Sunset Boulevard capacity at this location.

Comment 42-2:

The other major concern to our community is the excessive size and scale of this project. It will be an eyesore to those who treasure the beauty of the Palisades and have long worked to protect the green hills and open space atmosphere of the community. This project would have to be downsized dramatically to conform to the rest of the Palisades.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 42-3:

We urge you to reconsider this oversized project and at least have the Department of Transportation require a new EIR which takes into account the traffic difficulties and dangerous situation this will additional traffic will incur on those exiting Paseo Miramar.

Response:

The commenter is referred to Appendix D: Traffic Report of the Draft EIR which includes a letter from Crain & Associates. The letter states that the traffic analysis examined intersections that the Los Angeles Department of Transportation (LADOT) approved as intersections most likely to be impacted by the project. LADOT did not request analysis of Paseo Miramar. Furthermore, the letter states that the traffic analysis performed by Crain & Associates is in compliance with guidelines set forth by LADOT.

Comment Letter 43

March 28, 2003

Steve Cofoloff

Comment 43-1:

We'd like to express our opposition to the extensive condominium project proposed on Tramonto Dr. Due to causing of great inconvenience and traffic and also not being able to use Tramonto as our only access way to Sunset Blvd and also geological issues which would not help our landslide situations that we've had in the past in this area. We hope you a pay a great attention to this matter and would not approve this project.

Response:

The commenter is referred to Topical Response 6: Traffic, Topical Response 7: Access, and Topical Response 2: Revello Landslide.

Comment Letter 44

March 28, 2003

Michael Downer and Jessica Johnson

Comment 44-1:

We are residents of the Castellammare Mesa area of Pacific Palisades. We are writing to comment on the Environmental Impact Report (the "report") that was prepared in connection with the project referenced above which is proposed to be built in the area in which we live (the "proposed project").

Based on our review of the report, we have concluded that the proposed project would so damage our area that it should not be approved in its current form. Our concerns are set forth below.

1. Monument to over-development

First, the drawing of the proposed project contained in the report underscores why this project, if approved, would be so harmful. An eighty plus unit condominium building is simply too large a structure to be added to our area. The drawing of the project contained in the report should provide justification enough for disapproval. The structure as proposed, if built, would be an, oversized, discordant, grotesque, blight on our neighborhood and a monument to over-development.

Response:

The commenter is referred to Topical Response 1: Views.

Comment 44-2:

2. Tramonto Drive cannot handle additional traffic

Second, it is our understanding that the City of Los Angeles many years ago essentially stopped maintaining the roads in this area (because of landslides). Ironically, Tramonto Drive, a main artery for our area, has suffered the most wear and tear. This road is a blighted mess and is in desperate need of repair. We are absolutely bewildered as to why the City would even consider such a project given the condition of this road, let alone the condition of every other road in the area. We believe that the City is already at great risk in terms of potential liability stemming from the poor condition of our roads. We believe that approval of this project would make such liability inevitable.

Response:

The commenter is referred to Topical Response 5: Road Maintenance.

Comment 44-3:

3. Could jeopardize delicate geological conditions

Third, the project site is subject to landslides as discussed in the report. The extensive construction that would be involved could seriously damage already delicate geological conditions. This could negatively impact our area in a variety of ways that cannot be adequately anticipated.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 44-4:

4. Would impose unacceptable hardship on the area

Fourth, the report states that the proposed project could take three years to complete. This is more evidence that this project is too large for our area. In addition to disrupting the lives of every resident of this area, we have a well founded fear that given current economic conditions this project could run into delays that could stretch the time of construction out even further. Currently, there are three stalled housing projects on Tramonto. The equipment used to construct these projects has further damaged this street. Obviously, whatever safeguards the City attempted to impose in connection with those projects was not adequate. For example, clumps of cement from these projects pock Tramonto in a number of places near these stalled half-completed structures. Given this situation, we can only imagine what havoc this project would wreak on this street and our area.

Response:

The applicant has a right to propose a development on his land. The Department of City Planning prepared this EIR to evaluate the environmental impacts of the proposed project. The decision makers will use the EIR along with other staff reports to determine what (if any) size project is appropriate.

The commenter is referred to Topical Response 10: Construction Schedule, to Topical Response 5: Road Maintenance, and to Topical Response 9: Bonds.

Comment 44-5:

5. Porto Marina Way cannot serve as the sole access street for our area

Finally, if the proposed project goes forward, we believe that Tramonto would effectively become unavailable to us for purposes of leaving and entering our neighborhood. We would therefore have only one alternative: access route, Porto Marina Way. This street is even more dangerous and narrow than Tramonto. Furthermore, it flows into the Pacific Coast Highway. Given its current configuration, Porto Marina is not capable of handling all of the traffic in our area over any extended period of time.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2, 21-3 and 32-5.

Comment Letter 45

March 28, 2003

Lise and Bo Svenson

Comment 45-1:

Here we go again! On the heels of subjecting Castellammare homeowners to having our music preference dictated by the Getty---regardless whether or not we want music to fill our evenings--Department of City Planning thrusts upon Castellammare homeowners another situation that will negatively affect our quality of life and property values.

Again, Department of City Planning contemplates the bulldozing of Castellammare homeowners' interests in favor of big business.

Had you as individuals been Castellammare homeowners, with the quality of your own lives and property values at stake, you would no doubt have rejected the Getty Expansion as well as the proposal referred to above.

Given the facts, including potential catastrophic geological impact and traffic congestion, we urge Department of City Planning as well as other public servants and elected officials to reject Project ENV - 2000 - 2696 - EIR.

Response:

The commenter is referred to Topical Response 2: Revello Landslide, and Topical Response 6: Traffic.

Comment Letter 46

March 30, 2003

Danny Cohen

Comment 46-1:

The proposed car access to the project via Tramonto (through which over 200 cars will enter and exit the project) is very problematic. This proposed entrance is at a very steep place exactly at a sharp hairpin curve in Tramonto. From my own experience I can testify that the visibility of downhill cars is limited at that place, not being able to see around the hairpin curve. Furthermore, if standard traffic rules are to be obeyed, then the Tramonto downhill traffic will have the right of way over the uphill cars which will have to make a left turn to enter the project while not being able to see around the hairpin curve the downhill traffic. In addition, the entering cars may be forced to stop at an unsafe place, on a steep hill. The safety implication of this traffic load and the impact of its noise were not studied, and must be before any approval may be issued.

This situation would invite accidents.

Response:

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level. The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The commenter is referred to Section IV.G of the Draft EIR, Noise, Operation Traffic Noise Impacts page 188 which states the project is too limited in scope, and the Palisades are too built out, to experience traffic noise changes that differ substantially from existing conditions. Operational traffic noise impacts are individually and cumulatively less than significant.

The commenter is also referred to Topical Response 6: Traffic, to Topical Response 7: Access, Topical Response 4: Short-Term Noise, and Responses to Comments 21-2 and 21-3.

Comment 46-2:

To what standards will the Revello slide be fixed? Who will guarantee that this "fix" will not cause further slides and soil movement?

Who will guarantee that the excavations required by the project (building and parking) will not affect the stability of the properties above it? The addition of so many units and the excavation and compacting of the ground below may cause slides in the area above. Who will guarantee the stability and safety of our houses above the project?

Response:

As stated in Topical Response 2: Revello Landslide, repair of the existing landslide would help to stabilize the site for the construction of the proposed project. In order to repair the landslide, the landslide debris would be removed down to bedrock. Removal depths could potentially be up to 60 feet. Once the landslide debris is removed, compacted fill would be placed on the bedrock up to the planned grades for Buildings 1 and 2. This compacted fill would be used as primary structural fill to support the proposed buildings.

Soldier piles would be required in order to support vertical excavations along the north, west, and south sides of the removal. These piles would be embedded into the bedrock below the base of the landslide. Additional piles along the upslope property line may also be required to support temporary vertical excavations to construct the required rear yard retaining walls.

The commenter is also referred to Topical Response 9: Bonds.

Comment 46-3:

My understanding is that over 200,000 cubic yards of soil will have to be transported, exporting 100,000 compacted soil (which is actually 120,000 because of the soil's expansion) and importing 70,000 (which expands to 84,000). Since big trucks can carry about 10 cubic yards each this will require over 20,000 round-trips. One does not have to be a rocket scientist to guess what will happen to Tramonto. I expect that it will rapidly become pothole-ridden and that the city will not start repairing it until the completion of the project, which will take many months or years. Simple arithmetic suggests that there will be a truck coming up the hill every few minutes for many months.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant. The

City of Los Angeles Bureau of Street Services will have jurisdiction over such repairs, and the enforcement of the timeliness of such maintenance.

The commenter is referred to Topical Response 10: Construction Schedule.

Comment 46-4:

Each truck, and the other heavy equipment needed to load or unload it will be a constant source of noise for a very long period.

Response:

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts.

Comment 46-5:

The implications of having so many trips of so many big rigs, into a place that has a narrow access, from a dangerous steep hairpin curve, should be studied, too.

Response:

The commenter is also referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comments 21-2, 21-3 and 46-3.

Comment 46-6:

I doubt if the gain (by compacting the Revello slide) justifies the risk of instability to the existing houses. The city would take this responsibility upon itself by approving such a project.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 46-7:

My main objection is not to the project but to its excessive scale and density. In addition to the project being out of character with the rest of Pacific Palisades, in general, and with this neighborhood, in particular, it puts at risk the stability of existing houses, and it will have negative effects on traffic safety and on noise levels.

Response:

The commenter is referred to Topical Response 1: Views which states that the proposed project is consistent with the height and density requirements permitted for the site and is considered to be visually compatible with the adjacent multi-family residential and office uses. Additionally, the

proposed project will comply with the City's Hillside Development Guidelines. The commenter is also referred to Topical Response 2: Revello Landslide and Topical Response 4: Short-Term Noise. In regards to noise impacts, the commenter is referred to Section IV.G of the Draft EIR, Noise, where on page 188 it is stated that the maximum noise increase (CNEL) from project implementation along each of the area streets compared to the cumulative growth no-project scenario is +1 db CNEL. The maximum cumulative noise increase along Los Liones Drive is +3 db, but noise levels will remain well below 60 dBA CNEL at the 50-foot reference distance along this street.

At +1 dB for a project-related traffic noise impact, such an increase will be undetectable even under laboratory conditions. A +3 dB cumulative noise impact will not exceed City of Los Angeles significance thresholds, nor will it create any noise exposure exceeding the most stringent City noise/land use compatibility guideline. The project is too limited in scope, and the Palisades are too built out, to experience traffic noise change that differ substantially from existing conditions. Operational traffic noise impacts are individually and cumulative less than significant.

Comment Letter 47

March 30, 2003

Hildegarde Heidt and William Imhoff

Comment 47-1:

We wish to submit the following comments in response to the January 16, 2003 Draft Environmental Impact Report ("Draft EIR"), which has been submitted by the Palisades Landmark Condominium Project. We will limit our comments to some of the report's most critical flaws and areas of controversy and conclude with an alternative proposal to the proposed project's.

This Draft EIR fails to provide adequate or complete analysis of the proposed projects impacts. The mitigation measures proposed for significant impacts are either of little substance or have the potential of creating additional adverse impacts beyond those they are attempting to mitigate. The most serious flaw of the report is the failure to provide a reasonable alternative to the proposed project that will significantly mitigate the project's impacts.

Response:

The commenter is referred to Chapter IV of the Final EIR which includes a mitigation monitoring and reporting program for the proposed project which is designed to ensure that all mitigation measures are completely implemented and monitored. It is possible the City of Los Angeles could add more conditions of approval to the project in addition to the mitigation measures listed in the Draft EIR.

The Draft EIR includes a reasonable range of alternatives to provide the public, applicable agencies and the decision makers with sufficient information to understand how significant impacts associated with the proposed project could be reduced and/or eliminated by such project alternatives.

The commenter is referred to Section VI.C of the Draft EIR, Alternatives to the Proposed Project, pages 280 through 285 compare each impact category of Alternative C to the proposed project. Alternative C is a reduction in the size of the project, therefore, impacts to Alternative C in comparison to the proposed project would be less. The reader is also referred to Section VI.E of the Draft EIR, Environmentally Superior Alternative, page 292 which states that Alternative C would result in the least amount of adverse impacts and thus has been chosen as the environmentally superior alternative.

Comment 47-2:

PROJECT DESCRIPTION

The Draft EIR is inaccurate in its description of the project as six separate buildings of less than 45 feet in height. We estimate the proposed project to be a single continuous structure 70 feet in height and approximately 750 feet in length. See Cross-Sections: A. Figure III 4, B. Figure III 5, C. Figure III 6, Map Figure III-2, and Figure I.V.B-18.

Response:

The height and density of the proposed project is consistent with the permitted zoning for the site. The commenter is referred to Topical Response 1: Views. The commenter is also referred to Figure III-2 of the Draft EIR which illustrates the project would be comprised of six buildings that are located in close proximity to each other but are not all connected together. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 47-3:

VISUAL RESOURCES

The EIR is inaccurate in its assessment of the visual resources of the proposed project site and fails to adequately mitigate impacts to the hillside viewshed.

The proposed project will eliminate 29 trees and the greenbelt of the Revello slide area by replacing it with a massive structure that far exceeds the scale of any other structure in the area. Although the Draft EIR identifies this massing of construction as a potentially significant impact it fails to adequately detail how it will be mitigated. Based on the City of Los Angeles CEQA Threshold Guide, we believe that the proposed project would result in significant aesthetic impacts by exceeding all nine of the points listed on IV.B. Visual Resources, Page 87 of the Draft EIR. The Draft EIR's failure to identify these impacts leads us to conclude that it is inaccurate in its assessment of the hillsides aesthetic value.

Response:

The commenter is referred to Topical Response 1: Views. Page 87 of the Draft EIR lists applicable aesthetic significance thresholds from the City of Los Angeles CEQA Thresholds Guide. These thresholds were considered in determining the significance of the aesthetics impacts of the proposed project. The Draft EIR concludes that the proposed project would result in significant unavoidable impacts relative to the obstruction and partial obstruction of scenic views from private properties located immediately north-northwest of the project site. However, the proposed project would not

result in the obstruction of any public scenic views, thus no significant impacts to public views would occur. Building massing impacts are considered to be potentially significant but can be mitigated to less than significant levels by implementing the mitigation measures on pages 99 and 100 of the Draft EIR. The proposed project will be required to conform to all applicable tree replacement policies mandated by the City of Los Angeles. The commenter is referred to pages 71 and 72 of the Draft EIR for a discussion of the project's impacts to biological resources and proposed mitigation measures.

Comment 47-4:

Although the image of the project on Figure IV.B-18 clearly illustrates the massiveness of the project, this photo is mis-identified as taken from Pacific Coast Highway (PCH). In fact the view from northbound PCH is approximately 100 yards away and it would provide a more disturbing perspective as to the impact of this project on the hillside viewshed. If one were to travel north on PCH while approaching Sunset Blvd the thin strip of vegetation below the project would be eclypsed by the large commercial buildings in the foreground and the roof line of the top of the proposed project would appear as the crest of the hill. The resulting cumulative impacts of development to this viewshed will be of monolithic development from PCH and Sunset Blvd to the crest of the hill.

Response:

The commenter is correct that the degree of the proposed project's visual resources impacts varies depending on the view location. Near the intersection of Sunset Boulevard and PCH, the closer the viewer is to the site, the proposed project becomes more obstructed by the existing office buildings below the site. However, from some viewing locations the office building and/or other existing buildings adjacent to the site completely obstruct the proposed project. Provided the visual resources mitigation measures included on pages 99 and 100 of the Draft EIR are implemented, cumulative visual resource impacts would be less than significant. The commenter is referred to Topical Response 1: Views.

Comment 47-5:

Over the past decades much of the natural beauty, that was once part of the intersection of Sunset Blvd Canyon and the Pacific Coast Highway, has been lost to development. The Draft EIR assumes that existing development and uses in the area exempt the proposed project from any responsibility to conserver the natural hillside above this historic inter-section.

Response:

The CEQA Guidelines state that existing conditions are to be used as the "baseline physical conditions by which a lead agency determines whether an impact is significant." Historical conditions are not to be used as baseline conditions by which to equate impacts. The project site is currently occupied by apartments and the Revello Landslide. The project area near the intersection of Sunset Boulevard and

PCH is highly urbanized. The proposed project represents an infill of multi-family development in an area zoned for multi-family uses.

Comment 47-6:

The proposed project will significantly impact the hillside viewshed as seen from PCH and State Beach. Chapter 3 of the Coastal Act (sections 30200-30256.5) in part requires that new development provide for the protection of the scenic and visual qualities of coastal areas. See EIR Draft IV.F. Land Use Page 171. Although the Draft EIR considers building massing to be a potentially significant impact, the only mitigation suggested was landscaping. No detailed landscaping plan has been provided. The landscaping suggested in the artist rendering of the project (Figure IV, B-18) is not probable since one cannot reasonably expect condominium owners to allow their ocean views to be intentionally blocked.

Response:

The commenter is referred to Topical Response 1: Views. Impacts to private views were determined to be significant and unavoidable in the Draft EIR. Project landscape plans would be subject to the review and approval of the City of Los Angeles. The California Coastal Commission is the agency which oversees project compliance with the Coastal Act for projects located within the coastal zone. The project applicant's application for a Coastal Development Permit will be reviewed by the California Coastal Commission for project compliance with the Coastal Act.

Comment 47-7:

AIR QUALITY

The Draft EIR's methodology for determining particulate (PM10) emissions from construction activity, soil disturbance and from equipment operations is flawed since it is based on table formulas rather than site specific data and prevailing local conditions.

First, we believe that the Draft EIR is inaccurate in stating that site disturbance will be limited to 50% of the project property (See Map Figure III-1).

Response:

The disturbance area assumption was based upon the slope constraints of the site that prevent each square foot of the site to be under excavation or other construction disturbance on any given day. The disturbance estimate in the Draft EIR is likely a conservative (over-predictive) worst-case estimate with the daily disturbance footprint even smaller than assumed. Site-specific data was not available at the level of detail needed to make accurate calculations. "Default" values developed by the SCAQMD, California ARB and U.S.E.P.A. were used in the analysis.

Comment 47-8:

Second, The Draft EIR's use of SCAQMD CEQA Handbook factors to determine (PM10) air quality impacts is inadequate and inaccurate because it is based on a hypothetical formula rather than the prevailing conditions and materials specific to the site. The proposed project requires the removal of more than 100,000 cubic yards of earth (approximately 256 trip per day up to six days per week for three months and then the process must be repeated in reverse by importing 75,000 cu yards of earth. The assumption, that on a daily basis, approximately 2,666,000 pounds or dirt can be excavated, lifted and then dumped into waiting trucks, and that only 52 pounds of particulate matter will be carried into the community, is not credible. The reality is that the almost constant daily offshore breeze along this area will carry a much greater amount of dust and pollution over a large portion of our community. A standard handbook factoring table in an inadequate means for accurately determining air quality impacts on this site.

Response:

The commenter is referred to Response to Comment 47-7. The calculation requires not only the volume of dirt handled, but the exact location, the soil silt and moisture content, the wind speed, and the depth of drop. These factors vary with every scoopful of earth handled. SCAQMD CEQA Handbook guidance is to use default factors when adequate site-specific detail is not available.

Comment 47-9:

Finally, the Draft EIR states, that although there would be adverse impacts on property, that this "…is not a significant impact because the emissions magnitude is less than SCAQMD threshold levels, and the health impact of soil dust is much less than from complex chemical species found in urban atmospheres"(IV.C. Air Quality, Page 115). This comment is doubly offensive because it attempts to understate a potential pollution impact on out community by implying that the atmosphere of our coastal area is already a complex chemically polluted environment. The Draft EIR's proposed mitigation measures of wetting the soil twice daily and covering the earth in transport trucks are clearly inadequate.

Response:

It is an established fact that particulate matter from construction activities is mainly of a larger diameter particle size that does not penetrate into deep lung tissue, and is chemically more benign that the microscopic particulates that are present in the urban air throughout the Los Angeles Basin, including Pacific Palisades. The impact from construction is much more related to soiling nuisance at adjacent properties than it is to human health. The mitigation measures are focused on reducing that soiling nuisance potential through aggressive dust control.

Comment 47-10:

GEOLOGY AND SOILS

The Draft EIR does not provide adequate analysis of the proposed project's geology and consequently does not provide a specific engineering plan to stabilize the hillside. The impact of known ground water on the design and construction of the project has not been analyzed.

Response:

The Revello Drive landslide has been thoroughly studied by The J. Byer Group, as well as other reputable geotechnical consultants. References of published studies of the Revello Drive slide and vicinity are included in previous reports prepared by The J. Byer Group. It is the understanding of The J. Byer Group that civil engineering and structural engineering plans are being designed to implement the repair recommendations contained in the approved soils reports. Groundwater conditions at and near the site are well known. High groundwater levels were recorded when the slide first moved in 1960's. The slide has reactivated periodically following wet seasons. A conservative approach was adopted for the design to account for the groundwater. For permanent stability, it was assumed that the subdrains failed and groundwater rose to near the ground surface ("worst case scenario"). Temporary excavations are not to be opened up if initial soldier pile borings indicate a high groundwater table.

Comment 47-11:

The Draft EIR suggests the possible use of tie-backs to assist soldier piles, which would require drilling under neighboring property. The actual number of tie-backs and their required depth cannot be determined prior to excavation of the site. None of the neighboring property owners have agreed to such a proposal and it is unlikely that they would choose to involve themselves with a potential liability for the failure of the proposed project's engineering scheme. Likewise, we hope that the City of Los Angles will act in a prudent manner.

Response:

Item 18 of the City of Los Angeles, Department of Building and Safety Grading Section condition approval letter dated December 5, 2001 states, "Tie-backs are currently not proposed or approved." The developer cannot drill tie-backs onto an adjacent property without permission from the offsite property owners, and permission from the Department of Building and Safety.

Comment 47-12:

NOISE

The Draft EIR Acknowledges that there will be significant impacts of noise during the project's three-year construction period, based on an analysis of assumed noise levels. The basis of these assumptions was not given, nor was any data specific to the site provided.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The noise analysis does identify the equipment noise level at a fixed reference distance, and then discusses how distance and obstruction by terrain or buildings modify the sound level along its propagation path. The basis for reference noise levels is identified as EPA PB 206717, December 31, 1971. Site-specific data varies from one location to another. Existing traffic noise data for area roadways (Tramonto, Los Liones, Sunset and PCH) are detailed in the traffic noise impact analysis.

The commenter is referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts. The reader is also referred to Section IV.G of the Draft EIR, Noise, page 181. Under the thresholds of significance four (non-airplane) test of impact significance are listed which provide the standards to measure the level of impact.

The commenter is referred to Section IV.G of the Draft EIR, Noise, pages 182 through 187 which discuss the demolition/construction noise impacts. Under the demolition/construction noise impacts section, page 185 it is stated that even with intervening barriers and other noise protection features, reduction of construction noise levels to 50 dB or less in the closest residential rear yards is not feasible. Construction activities will have a significant, unmitigable noise impact during parts of the construction cycle. Because not every construction day will necessarily entail heavy equipment operations, the actual number of days of a potentially significant impact is a small fraction of the total construction period.

Under the demolition/construction noise impacts section, page 186 it is stated that as shown in Table IV.G-3, is soil hauling activity exceeds 70 loads per day (10/hour), a significant noise impact may result along Tramonto Drive because the noise level would increase by five dB. If soil hauling activities exceed 112 loads per day (16/hour), truck noise impacts would be significant along both Tramonto Drive and Los Liones Drive. Because the excavation phase of the proposed project may involve up to 128 truck loads per day, noise impacts from soil truck hauling activities are considered to be significant.

The commenter is referred to Section IV.G of the Draft EIR, Noise, page 189. Under the mitigation measures section it states that the proposed project will have no significant operational noise impacts.

The project site does not exceed 60 dBA CNEL which would trigger any possible noise mitigation requirements for meeting usable exterior space standards, or for achieving an interior level of 45 dBA CNEL. On-site construction activities were shown to have a potentially significant temporary noise impact at the nearest neighbors due to heavy equipment operations. Dirt hauling noise impacts were also found to be significant. Therefore standard noise abatement conditions will be required by the City of Los Angeles as part of any grading/construction permit. Specific mitigation measures are provided on page 190.

The commenter is referred to Section IV.G of the Draft EIR, Noise, page 190, Level of Significance After Mitigation. The paragraph under this section states that because of close residential proximity, short-term construction and soil haul truck noise on a limited number of days will likely exceed adopted significance thresholds despite implementation of the above mitigation measures. Such impacts are considered temporary, however, they cannot be mitigated to a less than significant level.

Comment 47-13:

The Draft EIR assumes that the baseline noise levels will double during daytime construction and that this impact will be significant and unmitigatable. The Draft EIR estimates an impact period of six months duration possibly for 10 to 11 hours per day, six days per week, effecting residents more than ½ mile away from the construction site with significant noise impacts. Yet, the report concludes that these impacts are considered small relative to the project 3-year construction schedule. What is the relevance of such statement?

Response:

Approximately twelve months of the three years cited by the commenter would be required for the planning and design of the proposed project; therefore, the demolition, excavation, grading and construction phases of the proposed project are anticipated to require approximately 20 to 26 months instead of three years.[2] Specifically, the planning/design phase of the proposed project would require approximately twelve months; demolition would require approximately two months; excavation and grading (including export and import of soil) would require approximately six months; and construction would require approximately twelve months. It should be noted that these time frames are approximate and subject to change due to a variety of conditions such as weather conditions, traffic, permitted hours of grading or construction per day, etc. Pages 69 and 218 of the Draft EIR have been revised accordingly.

[2] *Source: Morley Builders, Alan Merson, July 24, 2002.*

The Draft EIR points out that potentially significant noise impacts would occur over the most equipment intensive construction period representing approximately 6 months out of the total construction schedule. Please refer to Topical Response 10: Construction Schedule.

The commenter is referred to Section IV.G of the Draft EIR, Noise, page 190, Level of Significance After Mitigation. The paragraph under this section states that because of close residential proximity, short-term construction and soil haul truck noise on a limited number of days will likely exceed adopted significance thresholds despite implementation of the above mitigation measures. Such impacts are considered temporary, however, they cannot be mitigated to a less than significant level.

Comment 47-14:

The duration of construction time for this project needs to be limited and not merely mitigated by the limiting of daily hours of construction.

Response:

The commenter is referred to Topical Response 10: Construction Schedule.

Comment 47-15:

FIRE PROTECTION

The Draft EIR is inadequate in its assessment of cumulative fire risks to the proposed site. The automatic fire sprinklers exemption should not be allowed.

The project site is identified to be within a moderate fire hazard severity zone and the mountain fire district. The site is subject to seasonally exacerbated fire hazard levels, which in addition to slope steepness can greatly accelerate the speed of fire spread. Under these conditions accessibility becomes critical. The fact that the site is isolated from direct access via adjacent public streets further complicates fire suppression. A subdivision of this density with a 300 yard long dead ending street should end in a cul-de-sac not a three point turn as shown on FIII-1 of the Draft EIR.

Considering the cumulative fire risks at the proposed project site which include limited accessibility, seasonally elevated fire hazard levels and the density of combustible fuels within the structure, automatic fire sprinklers should be required throughout this project without exemption. Automatic fire sprinklers are the most significant mitigating measure that could be implimented to protect life and property. This project should not be exempted based on Table IV.I-2 Page 204 of the Draft EIR which does not take into consideration the prevailing environment, slope, and accessibility of the project site. Nor does it consider that under adverse conditions when our local fire engine company is away, an automatic sprinkler system may be the only fire suppression available for a considerable period of time.

Response:

As also shown in Chapter III of the Final EIR, Section IV.I Public Services, page 207, of the Draft EIR has been amended to include the following mitigation measure:

- The project shall be equipped with an automatic sprinkler system to the satisfaction of the Los Angeles Fire Department.

The commenter is referred to Section IV.I. Public Services, page 206, where it is stated that the project's plot plan will require approval by the Fire Department prior to approval of a building permit where things such as turning areas will be reviewed. Your comment regarding requiring a cul-de-sac will be forwarded to the decision makers for consideration.

Comment 47-16:

TRAFFIC

The Draft EIR's assessment of traffic flow is flawed and its proposed mitigating measures may result in additional traffic impacts that have not been adequately analized.

The report identifies Los Liones as a "collector street" with the principle function of assembling traffic from the interior and delivering it to the closest arterial. At this point in Los Liones functions as a connector street between Tramonto Drive and Sunset Blvd. Tramonto Drive is the collector street, which gathers all of the other streets on the top of Castellemare Mesa, and feeds them down to Sunset Blvd via Los Liones. The report fails to identify Tramonto Drives functions as a collector street and the fact that it is not…" wider than typical residential streets", which would better enable it to handle the additional high volume of traffic that will introduced via the project's driveway (IV.J. Traffic Page 241).

Response:

The nomenclature designations in the Draft EIR for Los Liones Drive and Tramonto Drive are in accordance with the adopted Brentwood-Pacific Palisades District Plan. This Plan classifies Los Liones Drive as a Collector Street and Tramonto Drive as a local street. The Draft EIR, on page 221, states that Tramonto Drive is "narrow", and that in order to provide one travel lane each way, parking is prohibited on both sides of the street. This indicates that Tramonto Drive is not as wide as typical local or residential streets. On the same page, the Draft EIR describes Tramonto Drive as winding its way upward to serve a residential hillside area, an indication that it does provide lengthy access for this area.

Comment 47-17:

The Draft EIR's idea of mitigating traffic hazard impact by introducing a 3-way stop on tramonto drive at the project driveway has not been analyized as to it effect on the traffic flow of Tramonto Drive which is a collector street.

Response:

Please refer to Topical Response 7: Access. The 3-way Stop sign control is no longer being proposed as a mitigation measure. As indicated in Response to Comment 47-16, Tramonto Drive is designated a local street.

Comment 47-18:

ALTERNATIVE TO THE PROPOSED PROJECT

The Draft EIR has failed to meet CEQA Guideline requirements by describing a feasible alternative to the project, which would substantially lessen the significant effects of the project.

We believe that a more thorough analysis of the proposed project will reveal that its scale and density along with the attempt to stablize the Revello slide area are the basis for all of the significant environmental impacts. By eliminating the expense of stabilizing the Revello Slide and limiting the overall size of the development to the area of the existing units on the property, most of the concerns of the community would be mitigated. A density increase of 50% along with reduced development cost would provide a reasonable financial return to the developer. We propose that the following alternative would achieve these objectives.

Response:

The Draft EIR includes a reasonable range of alternatives to provide the decision makers with sufficient information to understand how significant impacts associated with the proposed project would either be reduced or eliminated under alternatives involving fewer units. According to the Los Angeles City Building code, the developer must stabilize the Revello Drive landslide as a condition of constructing the project. The code requires that the entire property be brought into conformance when the scope of a project exceeds 50 percent of the value of the existing improvements.

Comment 47-19:

30 Unit Townhouse Alternative

Under this alternative, the project would consist of 30 townhouses. The new site plan would not attempt to stabilize the slide area. The proposed project's middle and west end townhouse units would be eliminated, as would the west unit of flats. A surface road would access ten up slope townhouse at the approximate site of the proposed project's east end townhouse unit. The same surface road would

access the southerly (downslope) units consisting of 20 townhouses. Unlike the other proposed alternatives, this alternative would eliminate the need to repair the slide area along with the significant impacts attendant to export 100,000 cubic yards and the import of 75,000 cu yards of earth.

Response:

The Building Code and the Rules of General Application requires that the entire Revello Slide mass within the property be mitigated. The volume of remedial grading is fixed by Code requirements and nature. The commenter's alternative project without landslide repair has not been adequately analyzed and therefore cannot be approved by decision makers.

Comment 47-20:

VISUAL RESOURCES

This alternative would reduce the overall size of the proposed project. The slide area would be preserved as a natural greenbelt. This alternative would occupy essentially the same area as the existing units with a 50% increase in density. This alternative's impact on aesthetics would be significantly less than the proposed project.

Response:

The Revello slide is active and moves as a response to rainfall. Failure to stabilize the slide will lead to perpetual maintenance costs for Castellammare Drive and Revello Drive, and to properties along the margin of the slide. Also, future failures or an enlargement of the slide could have adverse consequences with respect to liability. Comment acknowledged that such an alternative would reduce the aesthetics impacts associated with the proposed project.

Comment 47-21:

AIR QUALITY

Short-term air quality impacts during grading and construction would be less under this alternative because the landslide area would not need stabilization for this project and it would require less overall construction and residential uses. Long-term operational air quality impacts from stationary emissions would be less under this alternative compared to the proposed project. This alternative involves fewer residential units, resulting in less natural gas and electricity consumption and associated air pollution than the proposed project. This alternative would also generate fewer vehicle trips than the proposed project and therefore less long-term automobile related air pollutant emissions.

Response:

Comment acknowledged that such an alternative would reduce the air quality impacts associated with the proposed project.

Comment 47-22:

GEOLOGY AND SOILS

The amount of grading specifically associated with slope stabilization required for the proposed project would be eliminated. Therefore associated impacts of the proposed project would be eliminated.

Response:

As discussed above in Response to Comment 47-19, repairing the landslide is mandated and the volume of remedial grading is fixed by Code requirements and nature.

Comment 47-23:

HYDROLOGY AND WATER QUALITY

This alternative with fewer units than the proposed project would have less impermeable surfaces on the project site. There would be a significant reduction in runoff rates and velocities compared to the proposed project. Therefore hydrology impacts would be less than those associated with the proposed project. Water quality impacts would be similar to the proposed project.

Response:

Comment acknowledged. The commenter is correct that less impermeable surfaces on the project site would result in fewer hydrology impacts. From a geotechnical standpoint, the more water that is collected by impermeable surfaces and conveyed to acceptable locations is good for stability of the site and the adjoining properties.

Comment 47-24:

LAND USE

The land use of this alternative is consistent with the zoning and general plan land use designation for the project site. However because this alternative involves 52 fewer units than the proposed project, land use impacts would be less than the proposed project.

Response:

Comment acknowledged that such an alternative would reduce the land use impacts associated with the proposed project; however, the proposed project results in less than significant land use impacts.

Comment 47-25:

NOISE

Under this alternative short-term noise impacts during grading and construction would be drastically reduced due to the fact that the stabilization of the Revello Slide, which is a major cause of noise impact would be eliminated. The reduction in the number of residential units would also shorten the length of construction time and generate fewer vehicle trip per day to the proposed project. Thus, long term automobile-related noise impacts would be less than the proposed project.

Response:

Comment acknowledged that such an alternative would reduce the noise impacts associated with the proposed project.

Comment 47-26:

This proposed 30-Townhouse alternative would also significantly reduce the impacts on:

Population and Housing
Police Protection
Fire Protection
Schools
Recreation/Parks
Road Maintenance
Traffic
Sewers
Water
Solid Waste
Electricity
Natural Gas

Response:

Comment acknowledged that such an alternative would reduce the impacts listed above by the commenter compared to the proposed project.

Comment 47-27:

We believe that the environmental impact report process is very important. We also recognize that to the developer it represents and obstacle, while it provides us with a crucial tool to preserve our environment and quality of life. Naturally, we understand that in the process of preparing and EIR, the preparer might become more focused on form rather than substance and that in the interest of

expediency that individual might relay on available data, which could prove to be inadequate, irrelevant or incomplete. For us the true impacts can only be found in the details, which truly reflect the substance of our reality, our environment. We understand that the Draft EIR's proposed project may have a tremendous impact on our lives, both for the short and the long term. Therefore, we pray that you understand why we expect that all analysis provided in the Final EIR should be complete and comprehensively base on data specifically relevant to the proposed project site. Failing this, how else may we reacha fair, informed, and intelligent decision on this project?

Response:

The City of Los Angeles, as the lead agency for the proposed project, is responsible for the adequacy of the Draft EIR and Final EIR. The Draft EIR was subject to several rounds of review and comment by the City of Los Angeles prior to publication of the Draft EIR to ensure its adequacy. This process was also conducted by the City for the Final EIR. As required by CEQA, the City of Los Angeles exercises its independent judgment in preparation of the EIR.

Comment Letter 48

March 31, 2003

Karen and Bob Marrs

Comment 48-1:

We have lived in our present home over 30 years. We are very concerned about the possible approval of the above project for a multitude of reasons. First, the geological impact to the area. As you are aware, this area has been subject to major damage due to many factors. Please consider the magnitude of this project and the possible consequences to the hillside and our residents. How reliable are the people who are proposing this project in terms of all our concerns! Obviously, their bottom line is to make money, but at what cost to everyone else. I realize one geologist may approve and have perfectly good reasons, and another will disapprove and will also have theoretically good reasons. But, please consider the facts of what has happened time and time again on this hill due to irresponsible planning and/or implementation. And that doesn't even consider the possibility of abandoned projects which we hear about much too frequently.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 48-2:

We are also very concerned about the increased traffic this will cause, and that's after it is finished. The 3 years it is supposed to complete is going to have significant impact on disruption and inconvenience for the whole hill. As you know, there are only 2 outlets for the folks on the hill. We have had little road maintenance during the time we live here. With the addition of this enormous project, are we to assume this will improve? Is the city going to take responsibility for additional problems created by this project?

As you can tell, our family is very concerned about the impact of this project. Please consider our concerns in your decision.

Response:

The commenter is referred to Topical Response 6: Traffic, and Response to Comment 21-2. Regarding road maintenance concerns, the commenter is referred to Topical Response 5: Road Maintenance. The commenter is also referred to Topical Response 10: Construction Schedule.

Comment Letter 49

March 31, 2003

Harriet Wyre and James Wheeler

Comment 49-1:

My husband and I have been residents of the Castellammare area of Pacific Palisades for thirty years.

We are writing to register the strongest possible protest against granting permits to Palisades Landmark Condominium Project to build new condominiums at 17331-333 Tramonto. The Castellammare hill is already fully developed, these hills are demonstrably unstable, traffic is excessive on both PCH and Sunset, the access streets for this project, and it would totally compromise the historical beauty of this quiet Mediterranean feeling neighborhood.

We already have a developer's nightmare here on Castellammare right behind our house--an unfinished eyesore that the city should never have permitted.

Please do not grant this other permit!! Thank you.

Response:

The commenter is referred to Topical Response 2: Revello Landslide, Topical Response 6: Traffic, and to page 73 of Section IV.A of the Draft EIR which states that no significant impacts would occur to historical or cultural resources.

Comment Letter 50

March 31, 2003

Amy Lemoine

Comment 50-1:

I am a homeowner in the Castellammare Mesa area and I have serious concerns about this project. My main concern is for the geological stability of the hillside. This project abuts the Revello Drive landslide, and could potentially cause devastating deterioration of the hillside. Even if the excavation does not immediately cause damage, the inadequate planning for responsibility for the future drainage will certainly lead to problems in the future. This promises to eventually be a huge legal snafu, with devastating loss of homes and property.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. Drainage impacts associated with the proposed project are analyzed in Section IV.E of the Draft EIR. The Draft EIR concludes in Section IV.E that hydrology impacts would be potentially significant but that such impacts could be mitigated to a less than significant level.

Comment 50-2:

I am also seriously concerned about the traffic problem that will arise before these condos are even occupied. The construction vehicles will effectively block off Tramonto as an exit road for residents of the Castellammare area, leaving Porto Marina as the sole exit for some 200 homeowners. This road is extremely narrow and dangerous, bordered by a precipitous drop off above PCH, and is in no way designed to handle that kind of traffic. Even if the stoplight at Porto Marina and PCH is re-timed to allow for the increased traffic (which will certainly add to problems on an already overcrowded PCH) the road itself cannot safely the traffic. Is the city prepared to re-engineer this road BEFORE the construction project begins?

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 50-3:

My final concern is for the amount of post-construction traffic that will occur on Tramonto as a result of this project. Even if Tramonto is finally re-engineered and re-surfaced, it is in no way large enough

to handle the increased traffic from over 200 additional residences – effectively doubling the traffic in an already tight area.

Response:

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The commenter is referred to Topical Response 6: Traffic.

Comment 50-4:

I strongly urge you to deny the permits to build this project.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment Letter 51

March 31, 2003

Francis and Cornelia Knotz

Comment 51-1:

In a letter addressed to you dated June 13, 2002 we voiced and presented our grave concern and strong opposition to the proposed Palisades Landmark Condominium Project. Soils stability history of this site requires one more serious consideration not addressed by EIR. The provision of responsibility is missing: who should be responsible for damages to persons and property should they occur at any time during and after construction. How long should the period of absolute responsibility continue, months, years, decades perhaps? Who will carry the :responsibility: the City of Los Angeles, the project manager, the property owner, the developer? What type of damages should the organizations involved in the Project be responsible for: physical, financial, soils security, insurance, traffic deterioration, etc.? None of these concerns are addressed and none of them are connected with penalties, indemnification for failures and damages should they occur.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. The commenter is also referred to Topical Response 6: Traffic. It should also be noted that time frames are approximate and subject to change due to a variety of conditions such as weather conditions, traffic, permitted hours of grading or construction per day, etc. Furthermore, at this time the City of Los Angeles does not have a system in place to impose penalties such as fees for failure to complete a project on a timely basis.

Comment 51-2:

With a project of this magnitude there is going to be extensive earth removal, excavation, compacting and construction of buildings, most of all traffic and use of very heavy equipment, all of which will in a definite way disrupt the geological stability of the site and ultimately lead to catastrophic further deterioration of site geological conditions. However the EIR is not dealing with any of these concerns, not even mentioning of required “safety bond” nor does it suggest imposition of effective penalties for failures. All this is a sign of negligent and inadequate planning. The City of Los Angeles is dedicated and obligated to protect and serve its citizens, the contemplated approval by the City of this huge project does not.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds and Response to Comment 51-1.

Comment Letter 52

March 31, 2003

Peter Knotz

Comment 52-1:

1. My number one concern is slope stability during the period of grading, site preparation and thereafter. Apparently this phase will take almost a year. Site clearance approximate 4 months (p.242). Excavation/export approximate 3 months (p.243). Soil import approximate 2 months (p.243). I reviewed some of the geological data and I reviewed the EIR. There is no specific mention of any study of the slope/soil conditions above the proposed project. Yes the "slide" is studied extensively, but what about Revello Drive, or the properties which would lie directly in any new slide? Clearly, the removal of 130,000 cubic yards at the toe of the slope may have an impact on the stability of the slopes above the cut, a cut which appears to be at least the length of a football field, of which only about 20-30 yards is represented by the "slide." Is your Department truly satisfied that all the ramifications of the proposed excavation have been fully studied and examined? How is this concern addressed in the EIR? It would appear that in the EIR, at least, no geologist ventures an opinion as to how far up the slope the soils and stability of the hill should be studied before the go ahead is given for the grading permit.

Response:

In the current condition, the Revello Drive landslide does not increase the stability or support any of the adjacent, upslope properties. The forces resisting failure are about the same as forces causing failure (safety factor of 1.0). Extensive shoring systems are being designed to support temporary slopes during the removal and re-compaction of the landslide mass. The design earth pressures on the shoring system have been determined using conservative or 'worst case' conditions. The design parameters have been reviewed by and approved by the Grading Section of the city of Los Angeles. Performance of the shoring system will be monitored during grading and construction, which will include extensive surveying of the shoring system and the upslope properties. Temporary excavation and the re-grading of the Revello Drive landslide will not induce additional landslides or put adjoining properties and structures at an 'unnecessary risk'.

Comment 52-2:

2. The EIR admits there is a "controversy" regarding the "size" of the project (p. 6). In addition to the above mentioned time period, the EIR states that "it is estimated that…project construction [will be] 18-19 month duration." (p. 39). The operational impact of the project will be

348 "vehicle trips" per day (p. 8). But in the same breath the EIR tries to mask the enormity of the project when it states the "project would result in significant unavoidable environmental impacts" relative to…short-term grading, construction and soil haul truck noise levels, and operational traffic on residential streets"(p. 266). The "significant unavoidable environmental impact" of air pollution ("emission impacts") is not mentioned (p.266). It would appear that in the minds of the developer and owner three years is a "short-term". Clearly, the environmental impacts of just the construction will be "long-term," I will have to live with the noise, smell, odors, emissions, traffic, the increased chance of accidents, street closures, for years, not months. The dictionary defines "short-term" as "covering and applying to a relatively short period of time." (Random House)

Response:

The CEQA Guidelines require that the Summary section of an EIR include a discussion regarding areas of controversy associated with a given project. While the project's height and density are permitted for the site, letters submitted to the City of Los Angeles in response to the Notice of Preparation of the Draft EIR expressed concern regarding the size of the proposed project. Regarding traffic impacts of the project, the commenter is referred to Topical Response 6: Traffic. Regarding noise impacts during construction, the commenter is referred to Topical Response 4: Short-Term Noise. The commenter is referred to Response to Comment 1-1 regarding the operational impacts on noise and air quality. The proposed project would not result in a significant unavoidable noise or air quality impact during operation as suggested by the commenter. Finally, the commenter is referred to Topical Response 10: Construction Schedule. Short-term impacts generally refer to impacts that occur during the construction phase, while long-term impacts refer to impact that might occur during the operational (post-construction) phase of the project.

Comment 52-3:

3. The project is too massive, too large. Why is there no middle ground? For example, why is there not at least one alternative that minimizes the digging, the soil removal, for example limiting the number of units to 35-40? Why not keep have an alternative that complies with the spirit of the law but truly limiting the size of the buildings to 45 feet, instead of masking the true size of the buildings underground? The only alternatives are maximum digging, excavating or nothing.

Response:

The Building Code and the Rules of General Application requires that the entire Revello Slide mass within the property be mitigated. The volume of remedial grading is fixed by Code requirements and nature. The project site is located in Height District 1, which allows a maximum height of 45 feet above grade. With the possible exception of chimneys, the proposed project would not exceed 45 feet in height above grade. Subterranean garages below grade are not considered when determining the height of a building.

Comment 52-4:

4. Does this structure really blend in with the character of the Castellammare mesa architecture and "distinctive character"? (p. 168) Contrary to the developer's assertions, this is not six buildings but one huge, giant, massive, seven level bunker which, in my opinion, will not "preserve" the mesa's "community identity."

Response:

The height and density of the proposed project is consistent with the permitted zoning for the site. The commenter is referred to Topical Response 1: Views. The commenter is also referred to Figure III-2 of the Draft EIR which illustrates the project would be comprised of six buildings that are located in close proximity to each other but are not all connected together. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 52-5:

5. The EIR states that the "total floor area of the proposed project (700,000 square feet) does not exceed three times the buildable area of the lot (520,106 square feet)." (p. 28) The last time I checked, when 520,106 is divided by 3 I got 173,369. Am I missing something here? Further, where does the developer get the 520,106 in the first place? I thought this was a four acre parcel, which is about 170,000 square feet. The EIR does not explain how this impact is allowed to exist. This all looks like fuzzy math to me.

Response:

The existing square footage of the site (173,369 square feet without setbacks) multiplied by three equals 520,106 square feet. Therefore, the total floor area of the proposed project (200,000 square feet, not 700,000 square feet as stated above) does not exceed three times the buildable area of the site, which is 520,106 square feet.

Comment 52-6:

6. With respect to noise, the EIR states "in addition to on-site equipment [e.g., jack hammers] noise generation, truck traffic to/from the site would affect the off site noise environment. Heaviest truck traffic will occur for four to six months during landslide repair and slope stabilization." (p. 30, emphasis added) Except for the "slide" the slope is stable now. Why does it need to be stabilized? Would the excavation "de-stabilize" the slope? Which goes back to my point 1 above. I am completely unsatisfied that a full and complete geological and soil analysis has been conducted by impartial experts who are not in the pocket of the developer.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The commenter is also referred to Topical Response 4: Short-Term Noise which describes the demolition/ construction noise impacts. The reader is also referred to Section IV.G of the Draft EIR, Noise, pages 182 through 187 which discuss the demolition/construction noise impacts. Under the demolition/construction noise impacts section, page 185 it is stated that even with intervening barriers and other noise protection features, reduction of construction noise levels to 50 dB or less in the closest residential rear yards is not feasible. Construction activities will have a significant, unmitigable noise impact. Because not every construction day will necessarily entail heavy equipment operations, the actual number of days of a potentially significant impact is a small fraction of the total construction period.

Under the demolition/construction noise impacts section, page 186 it is stated that as shown in Table IV.G-3, is soil hauling activity exceeds 70 loads per day (10/hour), a significant noise impact may result along Tramonto Drive because the noise level would increase by five dB. If soil hauling activities exceed 112 loads per day (16/hour), truck noise impacts would be significant along both Tramonto Drive and Los Liones Drive. Because the excavation phase of the proposed project may involve up to 128 truck loads per day, noise impacts from soil truck hauling activities are considered to be significant.

The slope is not currently stable. The Building Code requires that as a condition of approval the entire site must be brought into conformance. Remedial grading is required to mitigate the landslide. The Department of Building and Safety provided independent review of the geotechnical reports and required 100 mitigation measures to assure the safety of the proposed project residents and neighbors.

Comment Letter 53

March 31, 2003

Alan Siegel

Comment 53-1:

Please allow this letter to serve as formal opposition to the condominium development slated to be at 17331-17333 Tramonto Drive.

Countless environmental surveys, Time, and numerous landslides have shown the folly of overdeveloping of our coastal hillsides; this area cannot support continued development.

Notwithstanding the fact that the pristine and unspoiled vistas are what make Pacific Palisades one of the jewels of southern California for both residence and visitors.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required. The commenter is referred to Topical Response 2: Revello Landslide.

Comment Letter 54

March 31, 2003

Robert Fink

Comment 54-1:

I fully share the concerns regarding the subject EIR expressed by our Castellammare Mesa Home Owners Board of Directors in their letter of February 21, 2003.

I am especially worried about the effect of increased traffic on the already hazardous winding eastern portion of Tramonto Drive; at the junction where Tramonto traffic faces the often high speed traffic on Los Liones Drive; at the junction where Los Liones traffic faces the often dense high speed traffic on Sunset Boulevard; and on Porto Marina, where even a modest increase in traffic might well cause gridlock.

Response:

A review of the most current five-year accident history report from LADOT for the intersection of Sunset Boulevard/Los Liones Drive revealed two accidents that involved vehicles making left-turns from Los Liones Drive onto Sunset Boulevard and vehicles traveling westbound on Sunset Boulevard. One of these accidents was reported in February 1997 and the other in May 1999. No unusual circumstances were reported as contributing to these accidents. The few other reported accidents were away from the intersection and/or involved a single vehicle. No high incidence of accidents or unusual accident trend was revealed for this location. It should also be noted that Los Liones Drive intersects Sunset Boulevard on the inside of a curve, which provides motorists on Los Liones Drive approaching Sunset Boulevard good sight distance visibility in both directions. Considering these factors, the usage of Los Liones Drive or this intersection by project traffic is not expected to increase the accident rate or cause a trend in accidents at this location. The commenter is referred to Topical Response 6: Traffic, and Responses to Comments 21-2 and 21-3.

Comment Letter 55

April 1, 2003

Madison Siegel

Comment 55-1:

Please allow this letter to serve as formal opposition to the condominium development slated to be at 17331-17333 Tramonto Drive.

Countless environmental surveys, Time, and numerous landslides have shown the folly of overdeveloping of our coastal hillsides; this area cannot support continued development.

Notwithstanding the fact that the pristine and unspoiled vistas are what make Pacific Palisades one of the jewels of southern California for both residence and visitors.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 1: Views.

Comment Letter 56

April 1, 2003

Julien Heart

Comment 56-1:

Please allow this letter to serve as formal opposition to the condominium development slated to be at 17331-17333 Tramonto Drive.

Countless environmental surveys, Time, and numerous landslides have shown the folly of overdeveloping of our coastal hillsides; this area cannot support continued development.

Notwithstanding the fact that the pristine and unspoiled vistas are what make Pacific Palisades one of the jewels of southern California for both residence and visitors.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 1: Views.

Comment Letter 57

April 1, 2003

Matthew Hensley

Comment 57-1:

Please allow this letter to serve as formal opposition to the condominium development slated to be at 17331-17333 Tramonto Drive.

Countless environmental surveys, Time, and numerous landslides have shown the folly of overdeveloping of our coastal hillsides; this area cannot support continued development.

Notwithstanding the fact that the pristine and unspoiled vistas are what make Pacific Palisades one of the jewels of southern California for both residence and visitors.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 1: Views.

Comment Letter 58

April 1, 2003

Matthew Schow

Comment 58-1:

Please allow this letter to serve as formal opposition to the condominium development slated to be at 17331-17333 Tramonto Drive.

Countless environmental surveys, Time, and numerous landslides have shown the folly of overdeveloping of our coastal hillsides; this area cannot support continued development.

Notwithstanding the fact that the pristine and unspoiled vistas are what make Pacific Palisades one of the jewels of southern California for both residence and visitors.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 1: Views.

Comment Letter 59

April 1, 2003

William Grieb, Jr.

Comment 59-1:

With the sparse (conflicting) data provided for the project, we have painstakingly attempted to undertake a viewshed analysis from our property and have come to the conclusion that the project, as proposed, would greatly affect our viewshed, especially our shoreline views. If you have information to the contrary, or if the developers have undertaken changes to their plans that indicate that the proposed construction does not affect our viewshed, please provide us with the appropriate documents or information.

While the burden of proof that our viewshed is affected and that the project's viewshed design is flawed should not rest on us, the affected homeowners, we are willing to meet with representatives of the City and a surveyor for the developer at any time to further analyze the viewshed issue from base viewpoint stations on our property. The attached photographs were taken from such a base station (lower deck) whose viewshed would be greatly affected.

We also insist that the project ridgelines, inclusive of all projections above the roofs be flagged (and certified as to accuracy prior to further permit processing) to provide the community as well as affected neighbors with a better understanding of the project's impacts and potential view obstructions.

Response:

As stated in Topical Response 1: Views, the project's obstruction and partial obstruction of scenic views from the adjacent private properties is considered to be a significant unavoidable impact. The commenter's suggestion that project ridgelines, inclusive of all projections above the roofs be flagged will be forwarded to the decision makers for consideration.

Comment Letter 60

April 1, 2003

William Grieb, Jr.

Comment 60-1:

The proposed excavation of 2.7 million cubic feet of material and replacement of an additional 1.89 million cubic feet of material with compacting every six inches poses significant danger of damage to our adjacent property. The EIR does not specify any bond for the successful completion of the project or compensation for damage resulting from vibrational and seismic damage that might occur during the project.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 60-2:

The proposed movement of 4 million cubic feet of material as well as hundreds of thousands of cubic feet of concrete and other building materials would entail over 15,000 truckloads traversing the site, Tramonto Drive, and Los Liones. In the last earthquake our property sustained almost $100,000 damage. What will the effect of 15,000 trucks passing adjacent to our property? Who is responsible if damage occurs?

Response:

The commenter is referred to Topical Response 2: Revello Landslide.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The commenter is referred to Topical Response 9: Bonds.

Comment 60-3:

It appears that 15,000 truck loads will be staged on or through Los Liones. Will this occur in conjunction with the massive Getty project which also uses this area? We have been delayed at Tramonto and Los Liones due to Getty equipment and materials. How much more will this project contribute to our loss of use of this route of egress from our property?

Response:

It is unknown at this time if soil hauling associated with the Getty project would coincide with such activities required for the proposed project, which ultimately depends on when the project is considered for approval and the commencement date of construction activities. The Getty Villa project has been under construction since 2000 and construction is anticipated to be completed in September 2005. The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2 and 21-3.

Comment 60-4:

Will we be required to find a separate space for work (I am working on a book, and my daughter and son-in-law are students who need reasonably quite space to work and study). I strongly object to having 15,000 trucks driving under our home.

Response:

The commenter is referred to Response to Comment 1-1 regarding the noise impacts associated with the proposed project. Noise impacts associated with project construction and soil haul trucks were determined to be significant and unavoidable in the Draft EIR. The commenter's question as to whether its family will be required to find a separate space for work (study) does not address the adequacy of the Draft EIR; therefore no response is required. The commenter is referred to Topical Response 5: Road Maintenance for a discussion of the number of trucks to be involved in construction, and to Topical Response 6: Traffic.

Comment Letter 61

April 1, 2003

William Grieb

Comment 61-1:

Residents on Castellammare hill have been evacuated due to danger of fires in the past. The proposed project of 82 units on a 1/7 mile cul-de-sac in a fire hazard zone will have major impact on the neighborhood whose only egress is Tramonto and Porto Marino Drive.

Is a density of 82 residential units consistent with fire regulations for a fire prone mountainous area?

Response:

Comment noted. The commenter is referred to Topical Response 6 regarding traffic and Topical Response 7 regarding emergency access. The commenter is referred to Section IV.F. Land Use of the Draft EIR for the discussion on land use compatibility. There are no known density requirements for buildings located within the Moderate Fire Hazard Severity Zone. However, the project would be required to comply with brush clearance requirements which are monitored by the Los Angeles Fire Department. Additionally, a new mitigation measures has been added to section IV.I, Public Service which states that the project shall be equipped with an automatic sprinkler system to the satisfaction of the Los Angeles Fire Department. These requirements would reduce the likelihood of fires spreading from or onto the project site. The Los Angeles Fire Department will also need to approve the plot plan for the project prior to the issuance of a final map or a building permit.

Comment Letter 62

April 1, 2003

Francis Shalant, Corresponding Secretary, and Robert Cavage, Board Member, Pacific Palisades Residents Association (PPRA)

Comment 62-1:

This proposed project of 82 units is out of scale for Pacific Palisades and for the coastal bluffs. It is located in an unstable area and significantly increases the traffic on a narrow street with a dangerous, steep hairpin-turn at the site entrance. The project proposed should be drastically downsized and the Slope Density Formula applied.

Response:

Please refer to Topical Response 2: Revello Landslide regarding the stability of the project area, to Topical Response 7: Access, and to Response to Comment 27-3. Lower density alternatives were analyzed in section VI. Alternatives to the Proposed Project, of the Draft EIR. Discussion of a No Project Alternative, a 61-Unit Condominium and Townhouse Alternative, and a 50-Unit Planned Unit Alternative can be found on pages 270 through 285. The proposed project is exempt from the slope density standards as it is not located in a minimum density land use designation.

Comment 62-2:

GEOLOGICAL, AND SOIL CONDITIONS: PPRA is submitting herewith a Geotechnical Critique focusing primarily on the feasibility of repair of the landslide and summarizing the more important geotechnical aspects of the project. The report has been prepared by E.D. Michael, Consulting Geologist and Certified Hydrogeologist (see Attachment 1.) Michael concludes that there are several serious weaknesses in the project design. Revised analyses based on his comments should be incorporated in a redesigned project prior to consideration of approval.

Response:

E.D. Michael is not a licensed civil engineer or geotechnical engineer in the State of California. Mr. Michael's critique contains comments and opinions regarding the geotechnical engineering aspects of the project. While Mr. Michael's may have experience with the geotechnical aspects of landslides, he is not licensed to offer professional opinions pertaining to geotechnical engineering practice or principles. His qualitative comments are noted. Geotechnical reports for this project have been prepared by licensed geotechnical engineers, and reviewed by licensed geotechnical engineers for the City of Los Angeles.

Comment 62-3:

Missing Reports (DEIR, Appendix 1)

The Draft EIR appear to be missing certain reports requested by the Grading Section of Building and Safety. "The reports cannot be approved as they lack sufficient information to determine the stability or safety of the proposed development," according to a letter dated October 29, 2001 from the Grading Section of Building and Safety, Appendix 1. This letter in turn refers to the March 19, 2001 letter from the Geotechnical Engineering Division which requests information before review can proceed. The requested information is for a groundwater dewatering and monitoring system, analysis of slope stability of the landslide downslope of the proposed development and clarification of whether the landslide will be completely removed and replaced with compacted fill within the area of the proposed development.

Response:

The J. Byer Group addendum report dated December 10, 2001 was prepared to provide additional information of the Grading Section and the Bureau of Engineering. The City letters dated October 29, 2001 from the Grading Section and the March 19, 2001 letter from the Bureau of Engineering are appended to The J. Byer Group report and included in Appendix I of the Draft EIR.

Comment 62-4:

There is no single report anywhere in this Draft EIR which provides a complete description of the proposed geotechnical concept being recommended to remove the landslide hazard and provide stability to the proposed 82-unit development. The documents represent on ongoing series of incremental changes in the proposed project design and analysis and thus are not a coherent presentation of the final proposed project.

Response:

The geotechnical repair concept did not change appreciably throughout the report/review process. The stability calculations and design earth pressures changed in response to concerns from the reviewing engineers. All of the reports represent the proposed project.

Comment 62-5:

We are concerned about adequate provision for stability of adjacent property and structures during landslide stabilization processes. There is no time-lined detailed plan for removal of the slide debris and placement of the soldier piles during slide repair and construction phases to assure adequate safety to the adjoining properties and construction workers.

Response:

The reports and the Grading Section approval letter contain a general construction sequence framework. No grading is to occur until after the soldier piles are installed. The piles are to be drilled, downhole logged by the geologist, and cast-in-place. Grading is not to commence until the Grading Section has received an as-built pile report that assures that the slide geometry is similar to that assumed for the design, and groundwater is not present. No grading is to occur if the groundwater surface is above the slide plane. Nor can grading begin unless there is adequate time to complete the grading before the start of the rainy season, which is generally October or November.

Comment 62-6:

The DEIR states that the current apartments may be removed before slide repair. If not, are the current apartment dwellers remaining? If tenants remain, slide excavation and debris removal prior to installation of the soldier piles could cause them unacceptable levels of risk.

Response:

It is anticipated that the existing apartment buildings would be removed prior to initiation of remediation of the Revello Landslide.

Comment 62-7:

Haul Route, Slide Debris Removal: The on-site truck haul route in the slide area is very sketchy in the DEIR. How will the slide debris be raised from the lower slide area to the level of the access road. How will the truck turn-around be accommodated on the currently steep terrain? In another context, the DEIR mentions a possible joint project with the downslope adjacent property owner, but nothing specific is proposed. No feasible detailed approach is presented to manage the on-site soil handling for landslide repair, including compaction of imported soil.

Response:

Sharma General Engineering Contractors (Contracting License # 617577 A HAZ) has indicated that the contractor would utilize double bottom truck and trailers (bottom dumps) for the removal of the slide material and subsequent import soil. The adjacent apartment units would be demolished to allow a 65' wide turnaround at the terminus of the existing driveway. A 65' wide area will provide an adequate turnaround for bottom dumps.

The slide debris would be raised to the level of the truck turnaround utilizing a Long-reach Excavator or crane and clamshell operation. A Caterpillar 966 rubber tire loader would then be utilized to load the bottom dumps from a stockpile created by the excavator and clamshell. A large rubber tire loader Caterpillar 980C and a Caterpillar D-8L dozer will feed the slide material to the Long-reach Excavator or clam. Import soil will be brought to the site utilizing bottom dump trucks. The import soil will be

dumped in the turn around area and pushed over the slide removal backcut utilizing a 980C loader. The import soil will be collected at the toe of the backcut, placed and compacted utilizing a 980C loader and D8L dozer. The soil would then be compacted utilizing a Caterpillar 824 rubber tire dozer with sheepsfoot.

Comment 62-8:

REPLACLMENT OF APARTMENTS WITH CONDOMINIUMS

In the year 2000 Initial Study/MND, there was discussion of replacement of apartments with condominiums in the coastal zone, giving options for mitigation. The DEIR does not mention this issue of removing relatively affordable rental units. The proposed development will evict the residents at 20 apartments. Many are retired and have lived in these units for many years, some as long as 30. One new option that could be considered is giving the current tenant, first option of buying condominium units at a discount price. The developer must commit to a single option for mitigating this impact, coordinated with the individuals involved.

Response:

Section IV.H (Population and Housing) of the Draft EIR includes a discussion of the loss of the existing apartments that would occur as a result of the proposed project. This section of the Draft EIR also discusses the displacement of existing residents on-site and required mitigation measures. Please refer to Topical Response 3: Mello Act Interim Ordinance. At this time the applicant is not offering current tenants the first option to buy a condominium at a discount price.

Comment 62-9:

TRAFFIC AND ACCESS (DEIR IV.J Traffic)

During Construction

Truck traffic for slide repair phase and the construction phases is massive and probably underestimated by the DEIR. The factors that seem variable and questionable are the amount of earth to be removed, the size of the trucks, the hours of hauling.

The quantity of soil to be exported during slide repair is 100,000 cubic yards of naturally compacted soil. That soil will expand approximately 20 percent in the process of being disturbed and loaded onto trucks, making the actual soil removal requirement 120,000 cubic yards.

The developer assumes that a 14 cubic yard capacity truck can be used on this project. That assumption must be justified, taking into consideration the steep terrain and space available on site. It

is possible that a truck of 8 to 10 cubic yard capacity is the largest that can maneuver in the available restricted space.

Response:

Sharma General Engineering Contractors has indicated that if bottom dumps are utilized there will be approximately 7,143 loads exported from the site. Bottom dumps have a water level capacity of 10 cy per trailer or 20 cy water level capacity. The industry standard swell factor from bank excavation to truck load is 30 %; thus, 14cyd per bottom dump load. The landslide debris (bulk of exported soils) has a low relative density and contains voids and open fractures. The bulking is expected to be less than 10 percent.

Comment 62-10:

The DEIR says haulers can move 100,000 cy in 256 vehicle trips per day (vtd) in 3 calendar months (p.243.) The DEIR is not clear on how many hours per day and days per week (pp. 30, 3l, 40, 186, 219, 243).

Response:

Utilizing the scenario described in Response to Comment 62-7 above, a load would be exported or imported in 5 minute cycles. A 7 a.m. start and 3 p.m. finish, Monday through Friday would yield 96 loads exported or imported per day. Ninety-six loads at 14 cy each equals 1,344 cy per day. 100,000 cy of export at 1,344 cy per day requires approximately three to four months to complete. Import operations based on 75, 000 cy would require approximately two to three months to complete.

Comment 62-11:

Our analysis says the DEIR vtd trip figures are low. Using the more accurate figure of 120,000 cy earth to be exported in 3 calendar months with two sets of assumptions about truck size, hauling hours per day and number of days per week, we calculate the number of trips per day required and the resulting minutes between trips.

REQUIRED HAULING TRIPS AND TIMING TO MOVE 120,000 CY IN 3 MONTHS UNDER VAIRIOUS CONDITIONS:

Truck size	Hauling Schedule	Required VTD, Minutes between Trips
14 cy	11 hour day, 5 days/wk	286 Vtd
		4.6 minutes between, trips
	7 hour day, 5 days/wk	286 vtd
		2.9 minutes between trips
10 cy	11 hour day, 5 days/wk	400 vtd
		3.3 minutes between trips
	7 hour day, 5 days/wk	400 vtd
		2.1 mutates between trips
8 cy	11 hour day. 5 days/wk	500 vtd
		1.7 minutes between trips
	7 hour day, 5 days/wk	500 vtd
		2.6 minutes between trips

Response:

Please refer to Response to Comments 62-9 and 62-10 and Topical Response 10: Construction Schedule.

Comment 62-12:

Can trucks be loaded and turned around in the times calculated to meet the 3 month time allotted for hauling? The times must be realistic for on-site debris removal and loading. The actual loading times may exceed the times calculated for the "Minutes between trips" required to meet the 3 month schedule. If so, the developer's projected hauling calendar time must be increased.

Response:

Please refer to Response to Comments 62-9 and 62-10 and Topical Response 10: Construction Schedule.

Comment 62-13:

ROAD MAINTENANCE: HAULING TRUCK IMPACTS

In addition to the soil hauling truck traffic, the proposed project will require upward of 1000 cy of ready mix concrete. A typical cement truck capable of hauling 10 cy of concrete weights 76,000

pounds (38 tons.) This adds to the thousands of soil hauling trips by only slightly lighter trucks (61,000 pounds/31 tons, per the DEIR.) This is likely to cause severe maintenance problems to the haul route roads, Tramonto, Los Liones, Sunset and PCH, with attendant costs which should be borne by the developer.

Response:

The maximum gross weight of most bottom dumps is 80,000 lbs. Axle positioning and load distributions are designed to meet the State of California vehicle code load requirements. The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

Comment 62-14:

TRAFFIC FROM THE COMPLETED PROJECT

The increased traffic from the project after completion as well as during construction may lead to a dangerous situation at the intersection of Los Liones and Sunset Boulevard at rush hour and other heavy tragic times on Sunset. There is no signal and visibility is poor for those turning onto Sunset due to Sunset's curves.

Response:

A review of the most current five-year accident history report from LADOT for the intersection of Sunset Boulevard/Los Liones Drive revealed two accidents that involved vehicles making left-turns from Los Liones Drive onto Sunset Boulevard and vehicles traveling westbound on Sunset Boulevard. One of these accidents was reported in February 1997 and the other in May 1999. No unusual circumstances were reported as contributing to these accidents. The few other reported accidents were away from the intersection and/or involved a single vehicle. No high incidence of accidents or unusual accident trend was revealed for this location. It should also be noted that Los Liones Drive intersects Sunset Boulevard on the inside of a curve, which provides motorists on Los Liones Drive approaching Sunset Boulevard good sight distance visibility in both directions. Considering these factors, the usage of Los Liones Drive or this intersection by project traffic is not expected to increase the accident rate or cause a trend in accidents at this location.

Project construction traffic is expected to access the project site to and from the west on Sunset Boulevard. Outbound construction traffic would therefore be making right turns from Los Liones Drive onto Sunset Boulevard. These right turns would be less difficult and less conflicting than left turns from Los Liones Drive.

Also, please see Response to Comment 21-4.

Comment 62-15:

The Street Segment Impact Analysis (DEIR, IV.J, Traffic, p.240) presents this bit of nonsense on the effect of traffic on Tramonto and Los Liones, "The approximate 470-foot long segment of Tramonto Drive between the project driveway and Los Liones Drive, which is expected to be used entirely by project traffic is undeveloped on both sides. Consequently, the flow of project traffic on this segment of Tramonto Drive would not be affecting any residential or other developed use." The residents who live above the project will be surprised to hear that since they drive it daily and according to the chart above this quote there were 1,930 vtd in 2002 on Tramonto south of Los Liones, with 20 units on the subject site (133 vtd, Appendix D) rather than 82 units requested. Further, there is an additional new 16-unit project proposed for Los Liones.

Response:

Until properties along Tramonto Drive located below the project site are developed, the proposed project would not create traffic that affects residential homes along Tramonto Drive below the project site. The commenter is correct that other vehicles currently use this segment of Tramonto Drive. Page 240 of the Draft EIR clarifies that the majority of project traffic, not traffic from other nearby developments, would use this segment of Tramonto Drive which does not currently include residential land uses.

Comment 62-16:

NOISE IMPACTS

The construction vehicle noise impacts are proportional to the number of truck loads per day. Above it was noted that the DEIR estimates of loads per day/trips per day (1 load per day equals 2 trips per day, in and out.)

Accounting for the revised estimated number of soil truck loads per day from 128 to 143, 200 or 250 (depending on truck. size, sec above). This means 256, 248, 400 or 500 vehicle trips per day. Extrapolating the noise data presented in Table IV.G-3 (p. 187), the ambient noise levels would increase 1 to 2 db.

Response:

The Draft EIR counted each load as two truck trips (one in, one out). The Draft EIR further distinguished between uphill trips and downhill trips by assigning an additional noise "penalty" to each uphill trip. Each uphill truck is the noise-equivalent of two downhill trucks. Each load was therefore calculated as generating three trips (one into site, one out of site, and one uphill noise penalty trip). The Draft EIR summary of findings does not include the full assumption details that went into the calculation.

The Draft EIR acknowledges that noise impacts from soil haul trucks would be significant and unavoidable. Specifically, pages 186 and 187 of the Draft EIR include the following paragraph: "The City of Los Angeles CEQA Threshold Guidelines specify that that a noise increase of five dB or greater for ten days in a three-month period would be a significant impact. As shown in Table IV.G-3, if soil hauling activity exceeds 70 loads per day (10/hour), a significant noise impact may result along Tramonto Drive because the noise level would increase by five dB. If soil hauling activities exceed 112 loads per day (16/hour), truck noise impacts would be significant along both Tramonto Drive and Los Liones Drive. Because the excavation phase of the proposed project may involve up to 128 truck loads per day, noise impacts from soil truck hauling activities are considered to be significant."

Comment 62-17:

IMPACTS ON LOS LIONES STATE PARK

The DEIR barely mentions that nearby Los Liones Canyon is an entrance and trail head into Topanga State Park. The lower park has been greatly improved by planting, a mural and reconstruction of the stream in the last few years. The DEIR says that construction workers can park along Los Liones Drive (p. 40). The noise and fume impacts on the park are not discussed.

Response:

Noise impacts during the construction phase were not considered for the entrance to Los Liones State Park because no heavy vehicles or machinery would access the state park during any part of project construction. While construction workers may park along Los Liones Drive during the construction phase of the project, there would not be enough vehicles to extend all the way up Los Liones Drive near the State Park entrance. Air quality impacts associated with all phases of the proposed project were found to be below all applicable SCAQMD air pollution thresholds.

Comment 62-18:

ENVIRONMENTAL IMPACTS (DEIR IV.I.5 AND IV.J)

Project Impacts. Soil export amounts, page 219.

Page 219, paragraph 2 is incomprehensible. The amount of exported soil per day 3,500 cy multiplied by 120, the number of hauling days, calculates to 420,000 cy instead of the total of 100,000 cy the developer says in several other places will be exported.

The paragraph calculates the project grading duration of 120 days based on 8 hour hauling days and then says that hauling may occur only 7 hours a day. That means grading duration may actually be extended to 137 or more days of noise, dust, fumes and increased truck traffic on local streets.

The last sentence of the paragraph says, "Grading of the project site will also require 2,500 cy of imported soil per day." What does this mean? For how many days? 120? 30 day,? Page 243 estimates 2 months for import.

The DEIR is inconsistent and unclear on whether the projected times are hauling days or total calendar days, 5 days a week or 6? Note that page 243 estimates 3 months for export and 2 months for import. How many hauling days in a month?

Response:

Please refer to Response to Comments 62-9 and 62-10 and Topical Response 10: Construction Schedule. As indicated in Response to Comment 62-10, the contractor would require three to four months to complete the export operations and two to three months to perform import operations.

Comment 62-19:

VIEW AND MASSING (DEIR IV.B, p.75)

The 82-unit condominiums present a wall of stucco and glass not matched along the coastal bluffs of Pacific Palisades. To assert that it will not affect coastal views is absurd. Tens of thousands of people daily will see this cliff dwelling from Pacific Coast Highway and from the ocean, beach and beach parking lot. Landscaping could not mask this place because it covers the site so thoroughly and because trees would not be planted in front of the windows to obstruct the views of the Pacific Ocean. While it is true that the corner of Sunset Boulevard and Pacific Coast Highway is a commercial area, the business buildings are not situated on the coastal bluffs, but at street level and on nearly straight, wide highways.

This project is simply too large for this unstable site, for its coastal location and for narrow Tramonto Drive with the hairpin turn on which it is proposed. The Slope Density Formula should apply here to reduce the size of the project.

We question the accuracy of scale of the structures in the artist's rendering and would like to see an overlay of the existing apartment buildings over the Sections of Figure III. The four-story structures appear to be shorter than the existing two story buildings. The windows appear too small. A full mature tree has been added on the right behind a building.

Response:

Please refer to Response to Comment 27-3 regarding the slope density formula. The commenter is also referred to Topical Response 1: Views. As stated in Topical Response 1: Views, visibility of the proposed project from adjacent land uses and roadways is not considered to be a significant impact because the project area is highly urbanized with a mix of not only commercial land uses but also single- and multi-family residential uses, including multi-story office, apartment and condominium buildings, and because the proposed project is consistent with the site's zoning and height requirements. Furthermore, since the preparation of the Draft EIR and in response to concerns raised by the public and City Councilwoman Cindy Miscikowski, the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR. An overlay of the existing apartment buildings over Figure III-1 (Vesting Tentative Tract Map) is provided on page 62 of the Draft EIR. With the possible exception of chimneys, the proposed project would not exceed 45 feet in height above grade. Regarding the comment that the proposed four-story structures appear to be shorter than the existing two story buildings, it should be noted that the four-story structures would be developed at a grade that is lower than the existing grade of the two-story buildings. The project renderings include new trees and landscaping because these features will be required as a part of the proposed project.

The commenter is referred to Topical Response 7: Access regarding the commenter's reference to Tramonto Drive being narrow and a hairpin curve near the project entrance.

Comment 62-20:

HILLSIDE ORDINANCE (DEIR IV.F, p.166)

Under Land Use/Environmental Setting, the developer states that the Hillside Ordinance does not apply because the project is accessed from Tramonto Drive, a Limited Hillside Street of 36 feet which is fully improved. "Therefore, the project is exempt from the Hillside Ordinance (Request and Findings of

Coastal Development Permit.) In the DEIR and Appendix, we find no document with findings on this subject, nor a CDP. We request that any such document be included in the environmental documentation for this project.

Response:

The Revised Hillside Ordinance, dated January 9, 1995, applies to all new construction, additions, and major remodeling to single family dwellings and accessory buildings on a lot in the A1, A2, RA, RE, RS, R1 or RD zones. The ordinance also provides a list of exceptions. This ordinance does not apply to the proposed project because the proposed project is not for the development of single-family homes. Additionally, the project would fall under exemption b: "Any construction fronting on a street improved in such a manner that meets or exceeds the dimensions of a Hillside limited street". The project fronts on Tramonto Drive, with is a Limited Hillside Street, that meets the definition of such as defined in this ordinance.

Comment 62-21:

SLOPE DENSITY FORMULA HAS NOT BEEN APPLIED

The DEIR does not use Slope Density calculations in determining the number of allowable units. Eighty two units would be allowed under the RD2-1 zoning on property of this size which does not have a significant slope. This property has a significant natural slope. The only flat areas are the building pads for the existing apartment buildings and the access road.

It is difficult to believe that the density of the project would not be determined by the steepness of the property whether or not the adjacent road is improved to greater than 20 foot width. In this case that road is steep and has a hairpin turn right at the access driveway to the project.

Response:

Please refer to Response to Comment 27-3.

Comment 62-22:

SAFETY: REQUIREMENT OF A BOND FOR COMPLETION AND PROTECTION OF NEIGHBORS

The plan to remove and re-compact the landslide which took out the prior apartment building involves huge expense and a great deal of time. Any project which is approved should require a completion bond to cover the stabilization aspect of the site. Should the project not go as planned, failure to complete in a timely manner would present problems for the city and adjacent property owners. In addition, neighbors must be protected by such a bond from potential slope failure caused by the construction and grading and potential failure of the drainage system after construction.

Disclaimers of final elimination of risk for the project's safety appear throughout the DEIR and Appendix. For example, an entire page of J. Byer Group Report, August 16, 2000, p.38 states that, "The exploration was performed only on a portion of the site, and cannot be considered as indicative of the portions of the site not explored." The developer proposes to attempt to stabilize the portion of this huge slide on his property. On December 5, 2001, the Chief of Grading Section of Building and Safety approves the Tentative Tract 52928 subject to stringent conditions including that the owners record a sworn affidavit of awareness that an active landslide will still border three sides of the western portion of the site (buildings 1 and 2) after completion of the development, and that debris may collect affecting the surface drain system, and that there is potential for the landslide to remove support from the lower property line.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds. By nature, subsurface geology can be complicated and variable over short distances. For this reason, The J. Byer Group has recommended that the geologist downhole log each of the soldier pile excavations and continuously observe the grading process.

The repair and development concept does not rely on any of the adjacent properties. Therefore, assuming no development occurs on the adjacent properties, existing landslide debris will remain on three sides of the project. It is customary for the Grading Section to require Affidavits for projects located adjacent to landslides. As accounted for in the design, if the offsite slide moves away from the subject property toward Castellammare Drive, retaining walls will be constructed in between the proposed soldier piles. It is the opinion of The J. Byer Group that the affidavit requirement protects the existing and future property owners by notifying the property owners of their maintenance requirements.

Comment 62-23:

SAFETY: ACCESS AND ESCAPE ROUTES

Having one route for ingress and egress, over the top of a garage, is inadequate for safety. In a June 11, 2002 letter, the Land Development Group of Los Angeles City Bureau of Engineering states, "The developer should consider having a secondary emergency access to the project site and delineating it on the map for Tract No. 52928." Safety issues include potential earthquake damage to the garage, fire on or off site or instability in the area. In case of disaster, Tramonto traffic could be backed up, trapping residents if there is no secondary access.

Response:

Ingress and egress at the project site is required to comply with City of Los Angeles Fire Department requirements. In lieu of a secondary access, the proposed project provides a "hammerhead"

turnaround area at the terminus of the access way. The project plans, including access, will be subject to the review and approval by the City of Los Angeles Fire Department. The commenter is also referred to Responses to Comments 21-2, 21-3 and Topical Response 7: Access.

Comment 62-24:

INSPECTION

The detailed landslide repair and construction inspection schedules must be made available to the public. Palisadians have experienced numerous cases where developer promises are not kept and the understaffed City Building and Safety Department does not provide adequate oversight. Citizens must have the ability to monitor if the required inspections are happening and are being done properly. For the assurance of the neighbors at risk, inspections of three types must occur: regular, event-driven and unannounced.

Response:

The commenter is referred to Chapter IV of the Final EIR which includes a mitigation monitoring and reporting program for the proposed project which is designed to ensure that all mitigation measures are completely implemented and monitored. The commenter is referred to Topical Response 9: Bonds. The commenter is also referred to Topical Response 10: Construction Schedule. Pages 69 and 218 of the Draft EIR state that the demolition, grading and construction phases of the proposed project would require a total of approximately three years. However, approximately twelve months of the three years would be required for the planning and design of the proposed project; therefore, the demolition, excavation, grading and construction phases of the proposed project are anticipated to require approximately 20 to 26 months instead of three years.[3] Specifically, the planning/design phase of the proposed project would require approximately twelve months; demolition would require approximately two months; excavation and grading (including export and import of soil) would require approximately six months; and construction would require approximately twelve months. It should be noted that these time frames are approximate and subject to change due to a variety of conditions such as weather conditions, traffic, permitted hours of grading or construction per day, etc. Pages 69 and 218 of the Draft EIR have been revised accordingly. At this time it is unknown what the start date of construction would be, so there are no construction inspection dates to provide at this time.

Comment 62-25:

PPRA will appreciate your close attention to the matters raised on this highly controversial project. Please put PPRA on the distribution list for future notices.

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[3] *Source: Morley Builders, Alan Merson, July 24, 2002.*

Response:

PPRA will continue to be part of the mailing list for future hearings on this project.

Comment 62-26:

1.0 INTRODUCTION

This subject of this critique is the Christopher A. Joseph & Associates, Inc. January, 2003 Draft Environmental Impact Report, hereinafter "DEIR," of the Palisades Landmark Condominium Project, hereinafter the "PLC Project," City of Los Angeles Tentative Tract #52928. It is specifically limited to a consideration of the geotechnical aspects of that project as it refers to modifications in the area of the Revello Drive landslide. That landslide, which was initiated in 1965, is one of a number that in aggregate cover about half of the slopes below Castellammare Mesa which is located in the western area of the Pacific Palisades, City of Los Angeles.

The DEIR has been prepared for the City of Los Angeles Planning Department which apparently is acting as the lead agency consistent with the basic requirements of the California Environmental Quality Act (CEQA). As is well established, CEQA invites public comments and generally provides for as much public participation as possible. Nevertheless, communications between the public and the lead agencies commonly are less efficient than they could be.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is correct that the City of Los Angeles is the lead agency for the proposed project and that CEQA encourages public participation in the EIR process.

Comment 62-27:

A case in point concerns receipt of the DEIR for this critique was on March 25, 2003 for delivery on April 2. Consequently, its scope is limited to a brief examination of the site, research on certain immediately available references, and the DEIR volumes themselves. No time is available for review of various references upon which, in part, the geotechnical reports for the projects are based. In general, the principal geotechnical investigator for the PLC Project, the J. Byer Group, Inc. (JBG) refers to numerous earlier geotechnical reports of the local area and presents some data from those reports. This critique accepts those data at face value. Nevertheless, they necessarily are taken out of context. The conclusions contained herein therefore are qualified to that extent.

Response:

Comment acknowledged. The commenter states that his review time frame was limited and he has not reviewed references cited in The J. Byer Group geotechnical reports. Both the 45-day public comment

period, which ended on March 3, 2003, and the informal 30-day extension for late comment letters, are in compliance with CEQA guidelines for public comment periods.

Comment 62-28:

1.1 REVIEWED DOCUMENTS

Geotechnical references in the DEIR relevant to this critique are contained the DEIR Appendix I and include the following:

[1] Irvine, Jon A., John W. Byer, and Robert I. Zweigler, 2000, Geologic and soils engineering exploration, proposed landslide repair and multi unit condominium and town home buildings, Tentative Tract 52928, 17331-17333 Tramonto Drive, Pacific Palisades, California; The J. Byer Group, Inc. consultant rpt., Project. Number 18457-I, August 16.

[2] Irvine, Jon A, and Robert I. Zweigler, 2000, Addendum geologic and soils engineering exploration report, proposed landslide repair, and multi-unit- condominium and town home buildings, Tentative Tract 52928, 17331-17333 Tramonto Drive, Pacific Palisades, California: The J. Byer Group, Inc. consultant rpt., JB 18457-I to Palisades Landmark LLC, November 29.

[3] Irvine, Jon A., and Robert I. Zweigler, 2001, Addendum geologic and soils engineering exploration report #2, proposed landslide repair, and multi-unit condominium and town home buildings, Tentative Tract 52928, 17331-17333 Tramonto Drive, Pacific Palisades, California: The J. Byer Group, Inc, consultant rpt., JB 18457-I, to Palisades Landmark LLC, June 29.

[4] Irvine, Jon A., and Robert I. Zweigler, 2001, Addendum geologic and soils engineering exploration report #3, proposed landslide repair, and multi-unit condominium and town home buildings, Tentative Tract 52928, Lot 1 (condominiums), 17331-17333 Tramonto Drive, Pacific Palisades, California: The J. Byer Group, Inc, consultant rpt., JB 18457-I, to Palisades Landmark LLC, August 28.

[5] Irvine, Jon A., and Robert I. Zweigler, 2001, Addendum geologic and soils engineering exploration report #4, proposed landslide repair, and multiunit condominium and town home buildings, Tentative Tract 52928, Lot 1 (condominiums), 17331-17333 Tramonto Drive, Pacific Palisades, California: The J. Byer Group, Inc. consultant rpt., JB 18457-I, to Palisades Landmark LLC, October 2.

[6] Irvine, Jon A., and Robert I,. Zweigler, 2001, Addendum geologic and soils engineering exploration report #4 (sic), proposed landslide repair, and multi-unit condominium and town home buildings, Tentative Tract 52928, Lot 1 (condominiums), 17331-17333 Tramonto Drive, Pacific

Palisades, California: The J. Byer Group, Inc. consultant rpt., JB 18457-I, to Palisades Landmark LLC, December 12.

1.2 PUBLISHED REFERENCES

References that are relevant in terms of the limited scope of this critique include the following.

Bruington, A.E., 1971, Hydrology Manual: Hydraulic Div., L.A. County Flood Control District, December

Campbell, Russel H., 1975, Soil slips, debris flows, and rainstorms in the Santa Monica Mountains and vicinity, southern California: U.S. Geol. Survey Prof. Paper 851.

Dibblee, Thomas W., Jr., 1992, Geologic map of the Topanga and Canoga Park (South 1/2) quadrangles, Los Angeles County, California: Dibblee Geological Foundation Map #DF-35.

Hoots, H. W,,1934, Geology of the eastern part of the Santa Monica Mountains, Los Angeles County, California: U.S. Geol. Survey Prof. Paper 165C

Hunt, Roy E., 1986, Geotechnical engineering analysis and evaluation: McGraw-Hill Book Co., NY, etc., 729 pp.

Lambe, T. William, and Robert v. Whitman, 1979, Soil Mechanics, SI Version: John Wiley & Sons, Inc., NY, 553 pp.

McGill. John T., 1989, Geologic Maps of the Pacific Palisades area, City of Los Angeles, California: U.S. Geol. Survey Misc. Investigation Series Map I-1828.

Michael, E.D., 2002, Reducing the mudflow risk: AEG NEWS, Program with Abstract, 2002 Annual Meeting, v. 45, p.77, July

Rutledge, Philip, and James P. Gould, 1959, Final report, Pacific Palisades landslide study: Moran, Proctor, Mueser & Rutledge consult. rpt. for State of Calif. Dept. Pub. Works, July.

Response:

Comment acknowledged regarding the reference documents used in the commenter's critique letter.

Comment 62-29:

2.0 PLC PROJECT DESCRIPTION

The PLC Project involves the removal of two condominium structures of the original Ocean Woods Estate development and the construction of four new ones according to three of development alternatives of 50, 61, and 102 units. Each of these alternatives includes development in the western part of the property where two of the structures would be located in an area that presently is affected by the active Revello Drive landslide. The primary focus of this critique is the issue of the feasibility of the repair of that landslide.

Response:

The proposed project involves the removal of the two apartment buildings that currently occupy the site, not two condominiums buildings. Comment acknowledged regarding the proposed project and alternatives analyzed in the Draft EIR.

Comment 62-30:

2.1 PLC PROJECT DEVELOPMENT AND THE CEQA PROCESS

The fundamental purpose of the CEQA process is to predict the kind and extent of environmental impacts of a particular development other than single-family residences and certain other categorically exempt projects. Since such impacts can vary, alternatives to the development of a particular property commonly are considered. Intrinsic to such consideration is a sort of balancing between the levels of impact, the costs to achieve it, and the developed value of the property. In the case of the PLC Project, this is especially a problem because it involves remediation of the Revello Drive landslide.

Response:

Comment acknowledged. Please refer to Response to Comment 47-19.

Comment 62-31:

2.1.1 Conceptual Character of the EIR Process

It is important to understand that the EIR process considers developments only conceptually. Although there may well be actual grading plans the developer is considering, such plans are not normally included in the DEIR, nor, generally, are detailed grading plans necessary for purposes of environmental review. This is because in the most cases, whatever grading is required has been considered by the developer at least in broad terms and found to be economically feasible. However, problems during actual construction arise that cannot be foreseen at the conceptual stage. The seriousness of such problems varies directly with the magnitude of the development and the extent to which sole remedial work is required.

The DEIR describes a development plan presumably devised by the PLC Project geotechnical consultant, JBG. This plan describes in general terms, the extensive remedial work necessary to eliminate the risk presented by the Revello Drive landslide. Fundamentally, it postulates: [i] three lines of soldier piles along tract boundaries adjacent to the landslide mass; [ii] removal of landslide debris within those lines of soldier piles; [iii] grading the surface exposed below the debris to receive fill compacted so as to be suitable, generally, to bear foundation loads of normal wall footings; [iv] importation of the fill and its compaction.

Less clear is the relationship of this remedial work to the G.H. Palmer (GHP) Project immediately south of the westernmost 240 feet of the PLC Project. The GHP Project has received approval for a 21 unit condominium…(text illegible*)*… Revello Drive landslide at its toe. Consequently, massive excavation will be necessary not only to eliminate the slide debris but also to remove much underlying bedrock in order to provide automobile parking space. Specific plans or other indications of how the PLC and GHP projects are to interact during construction are not addressed in the DEIR or its appendices.

Response:

The J. Byer Group is the geotechnical consultant of record for both this and the downslope Palmer project (17325 Castellammare Drive). Neither project requires the cooperation or coordination of the other. However, the repair/development concepts dovetail with respect to the depths of removals for landslide debris and parking garage (17325 Castellammare Drive) as shown on the Geologic Maps and cross sections contained in Section IV.D (Geology and Soils) of the Draft EIR. Joint cooperation and construction would make the project more efficient by reducing redundant soldier piles/retaining walls and by possibly opening up an addition ingress/egress point.

Comment 62-32:

2.1.2 50-Unit Alternative

Consistent with CEQA requirements, the DEIR considers several alternatives for development. Among these, a "… 50-Unit Planned Unit Development (PUD) Alternative, (Alternative C)…" has been selected as "…environmentally superior…," (DEIR, p. 292).

2.1.2-1 Hauling in Support of Proposed Grading

Grading for Alterative C would require 30,000 cubic yards (cy) of cut, 5,000 cy of fill, the export of 100,000 cy, and the import of 75,000 cy of fill for landslide repair…" (DEIR, p. 280). These data presumably mean first that 100,000 cy would be excavated including, 30,000 cy for structural cuts to make room for various buildings and 70,000 cy to remove landslide debris, and exported to some staging area. Second, 75,000 cy of this excavated material, probably having been reworked at some

staging area, would be imported, 5,000 cy of which would be used for local structural fill(s) and 70,000 cy to replace the volume of the excavated landslide debris. This would leave a balance of 25,000 cy off site.

It is asserted that the grading would require exportation of 3,500 cy per day and importation of 2,500 cy per day. Furthermore, the hauling would occur during the 7-hour period from 9AM to 5PM on weekdays and would require transport probably along Pacific Coast Highway and the Santa Monica Freeway to one or more of several landfills. Finally, the hauling is to be done with 10-wheel dump trucks (DEIR, p. 219) capable of carrying 14 cubic yards (DEIR, p.219, footnote 15).

2.1.2.2 General Plan of Stabilization - Revello Landslide Area

Reference [1, pp. 18-19] indicates that stabilization of Revello Drive landslide debris within the area of the PLC Project requires the installation of at least the northern (upslope) line of soldier piles and the western line as well prior to excavation of the landslide debris. It appears that the southern line would be of less concern because of a deep depression there due to secondary landsliding within the main mass largely or entirely within the GHP property. Eventually, the lower line of piles would be required "…to support the future compacted fill along the downslope property line." However, that lower line is the northern boundary of the GHP development that will have retaining walls "…which will be the full height of the slide" [ibid.].

The fill that is to replace the landslide debris is to be installed within the upper and lower lines of soldier piles at some depth below the existing slide surface. Figure 1 indicates relationships of the PLC Project to the Revello Drive landslide. The area of the debris mass within the PLC boundaries is roughly 40,000 square feet (sf) based upon the small-scale geologic map included in the DEIR documents (DEIR, Fig. IV.D-1, DEIR App I. [1]). The side contacts of the debris mass have been found by subsurface exploration to be nearly vertical [2, p. 2, item 3]. Since the postulated volume of debris is 70,000, cubic yards (cy), i.e., 1,890,000 cubic feet, the average depth of the slide debris must be about 47 feet. However, "...removal depths could be up to 60 feet…" [1, p.20] subsurface drainage is to be controlled through the use of "chimney" drains, and at least three continuous drains located beneath replacement fill transverse to the slope. The lateral rains are to be constructed of ¾-inch crushed gavel along the pilings where they penetrate bedrock at the base of the landslide. The chimney drains are to be masses of 3/4-inch crushed gravel in the spaces between the piles [3, attached untitled diagram].

Response:

Comment acknowledged.

Comment 62-33:

2.1.2.3 Surface Drainage

Drainage from Alternative C will be directed partly to Tramonto Dive and partly to Castellammare Drive. Peak flows generated from runoff are estimated through use of a computer program (DEIR, App. F). Based upon this program, it is asserted that runoffs from the completed project will be only slightly different from those that existed prior to development of the Revello Drive landslide. In particular, peak flows to Castellammare Drive would be 13.0 cubic feet per second (cfs) from the completed Alternative C development compared to 13.4 cfs prior to landsliding (DEIR, p.161, Figs. IV.E-1; IV-E.2). As part of the plan for controlling peak flow, a catch basin is to be located on Castellammare Drive.

Response:

Comment acknowledged.

Comment 62-34:

3.0 GEOLOGICAL CONTEXT

The geologic characteristics of the Pacific Palisades generally, and in particular that of the area of the PLC Project, while not directly related to the manner in which it will modify the local area, nevertheless, has some relevance when considering overall environmental impact. In a word, parts of Pacific Palisades, including that of the PLC Project, are especially prone to landsliding.

Hoots (1934) was the first to map the geology of the Pacific Palisades area in significant detail as part of his study of the eastern Santa Monica Mountains. He recognized the major geological formations of the area, much of its geomorphic character, and many of the faults. However, the primary purpose of his work was an evaluation of economic potential with special emphasis on the occurrence of structures that might be petroleum reservoirs. He was either unaware of landslides, or did not consider them relevant. He mapped as bedrock many areas in Pacific Palisades now known to be underlain by landslide debris.

The surge in property development beginning in the latter half of the 1940s had two important geological aspects in terms of landsliding. First, building was undertaken in hillside areas without proper consideration for potential or existing problems of slope instability, and this began to result in major property losses. Second, increased residential development produced a net increase in ground water that has initiated landslides in some instances and reactivated masses of pre-historic landslide debris in others.

Such conditions soon became especially apparent in the seaward-facing slopes and adjacent canyons of the Pacific Palisades. Partly as a result of this and also a question of improvements along the Roosevelt Highway, now Pacific Coast Highway, public concern led to the first comprehensive study of landsliding in the Palisades as well as elsewhere along the shores of Santa Monica Bay by Rutledge and Gould (1959). They recognized many landslides previously unknown, but they did not consider the slope now underlain by the Revello Drive landslide as one, even though the topography then suggested-it (*op. cit.*, PI. L-10).

John T. McGill of the U.S. Geological Survey began his work on landslides in the Pacific Palisades about the same time as Rutledge and Gould began theirs. He produced a number of maps beginning with his 1959 preliminary map of landslides. That was supplemented with two others of increasing detail and culminated in a final map (McGill, 1989) which is unquestionably the best source of data for the Pacific Palisades to date not only for landslides, but geologic interpretation in general.

McGill's work, which carefully distinguishes pre-historic and historic landslides, leaves no doubt that current landsliding in the Pacific Palisades is generally a result of ground water recharge due to the direct infiltration of [i] rain, [ii] residential irrigation, and [iii] local artificially concentrated surface runoff. Knowledge not only of how ground water occurs, i.e., where it is located and how it gets there, is necessary for slope stability analysis, because its presence can have a significant effect on the static forces operating in a slope. Through the principle of effective stress, ground water reduces the weight of earth materials at particular elevations in the slope and consequently the forces they otherwise would exert at such locations. Furthermore, as a result of groundwater movement, a seepage force is created that also can affect stability. There are no studies of ground water in the Pacific Palisades that could be used as one basis for predicting slope stability.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 62-35:

4.0 SUMMARY GEOTECHNICAL ANALYSIS.- PROPOSED PLC PROJECT

The following analysis of the of the reviewed DEIR documents summarizes the more important geotechnical aspects of the PLC Project. Generally, in such an analysis of DEIR documents, it is very important to distinguish project geotechnical feasibility from related environmental impacts. In all instances, the issue is whether the technical problems are of such a character that actual development would result in impacts significantly different from those the documents describe. Feasibility, or lack thereof, are technical matters either of which may have an important impact. However, the significance of the impact is an administrative matter.

Response:

Comment noted. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.

Comment 62-36:

4.1 SLOPE STABILITY

Slope stability analysis as routinely presented in geotechnical engineering reports is essentially a study in statics, *i.e*, the branch of mechanics that deals with bodies at rest and hence in equilibrium, meaning that the sum of the forces is zero. Generally, such an analysis does not go beyond two dimensions. Rather, it is directed to one or more "critical" surfaces of failure shown in cross-section as a sort of worst-case scenario. The goal is the calculation of the ratio of forces tending to resist gravitational movement to forces tending to cause gravitational movement. That ratio is called the "safety factor." Even in the case of the seismic force, which is dynamic, the time--honored pseudo-static model for analyzing slope stability substitutes a static force for the seismic effect.

A technique for considering the dynamic effects of seismic activity on slopes called "Newmark displacement analysis" now is being considered by public agencies as a building code requirement. If Newmark analysis is adopted before building permits are issued for the PLC Project, an entirely different approach to the analysis of pile-supported slopes may be necessary.

Estimates of safety factors by JBG are based the REAME program [1, Calc. Sheets 1 – 37]. Forces exerted on pilings that consequently affect safety factors have been calculated using something called the Mononobe-Okabe method [1, Calc. Sheets 38, 39, 41, 42]. Since these sheets are not accompanied by at least free-body force diagrams upon which such programs must be based, the validity of their use cannot be determined. Although it is reasonable to assume that the programs produce correct results, there is no basis for an assumption that JBG has applied variables that correctly reflect field conditions. In computer parlance, this is referred to as the GIGO principle: garbage in - garbage out.

Response:

Extensive engineering analysis has been applied regarding the stability of the Revello Drive landslide in its current state and the stability of the proposed repair. Contrary to commenter's suggestion, both two- and three-dimensions calculations were performed as referenced in The J. Byer Group reports. The calculations and analyses were performed in conformance with the Building Code, the Building Department's rules of General Application, and the standard of care of the industry. "Newmark displacement analysis" (sliding block analysis) is not appropriate for modeling the geology at the site and the proposed repair. In fact, Newmark's method does not calculate stability as required by the code, but rather deformation.

All calculations in the project geotechnical reports satisfy static and/or static and moment equilibrium. For the commenter's edification, a good reference for the Mononobe-Okabe method is Kramer, S.L. 1996, Geotechnical Earthquake Engineering.

The computer programs used are known by the City's geotechnical reviewers. As stated in the J. Byer Group reports, the geotechnical reviewer for the City hand-checked both the two- and three-dimension calculations. .

Comment 62-37:

4.1.1 Surficial Stability

A similar concern to be evaluated in geotechnical documents submitted in support of the application for the building permit in the City of Los Angeles is that of "surficial stability", *i.e.*, the stability of surficial materials in slopes. It is standard practice to analyze this problem in terms of "infinite slope analysis" an example of which is given in Appendix I of the DEIR (1. Calc. Sheet 40). The primary objection to such an analysis is the common use of a cohesion that is too high. In the case at hand, a value of 400 pounds per square (psf) for surficial materials at a depth of 3 feet is utilized, although no evidence is presented justifying such a high value. Possibly, JBG has assumed that the results of shear tests of slide plane material or "future compacted fill" [1, Calc. Sheets 4 and 5] are representative of the cohesive strength of the natural local surficial materials. Nevertheless, no basis for this is presented. In fact, the standard "shear-box" test commonly used in soils engineering laboratories is incapable of producing accurate results at normal loads less than about 1000 psf. Therefore, the linearity of the shear stress - normal stress envelope below that level of stress is merely assumed.

Authorities recognize that cohesion should be much lower than the intercept value derived from the standard shear-box test. As a matter of fact, Campbell (1975, p.19, footnote) indicates that cohesion in such analyses should be zero. Geotechnical engineers commonly understand that unless a high cohesion is utilized in infinite slope analysis, a safety factor significantly less than 1.5 almost invariably is the result. This is about as politically incorrect as the geotechnical engineer can get when dealing with public agencies. Beyond this, as recently discussed by Michael (2002), the standard laboratory shear test in which friction angle and cohesion are determined by the addition of load does not reflect field conditions where failure results from the reduction of load through the principle of effective stress. This implies different and lower real values for friction angle and cohesion.

Response:

With respect to the Revello Drive landslide and repair, all slopes will be manufactured with approved compacted fill at a slope gradient of 2:1 or flatter. The shear strength for the compacted fill was determined in a soils engineering laboratory following approved methods, and approved by the Grading

Section. Statistically, manufactured 2:1 compacted fill slopes are surficially stable and perform well. Development of the project will greatly enhance both the surficial and gross stabilities of the site.

Comment 62-38:

4.1.2 Soldier Pile Mechanism

The steps to be taken in developing the part of the PLC Project affected by the Revello Drive landslide include: [i] drilling the borings and installing cast-in-place piles; [ii] excavating debris in the PLC property temporarily leaving the piles free-standing; [iii] installation of chimney drains between piles as compacted replacement fill is added.

4.1.2.1 Bridging

Soldier piles work by the bridging effect that occurs, hopefully, when the retained material begins to be forced between them. Fundamentally, bridging causes the material to become denser, thus increasing its frictional strength. Whether bridging will occur between the proposed pilings that are to support landslide debris depends upon the mechanical characteristics of the materials as well as the pile spacing which in this case is 10 feet on centers [1, p. 18], and initially "...assumed (to be) fixed at 10 feet into bedrock below the slide debris…" [op. cit., p. 30].

Response:

Based upon the assumed weakest strengths of the bedrock and slide debris, a 10 feet on center spacing, combined with the anticipated pile diameters, is more than sufficient for bridging to occur.

Comment 62-39:

4.1.2.2 Stress on Free-standing Pile

The design loads that the landslide debris will exert on pilings 1 - 30 prior to installation of the replacement fill will range from 145 to 175 kips (1 kip = 1,000 pounds) [1, p.20; 2, p.7]. An embedment depth of "…20 feet into bedrock below the 1 ½. 1 setback plane…" [3, Item 1, Item 11, p.2] apparently is meant to apply to pilings 31-40 which will support bedrock [2, Item 11, p.7]. However, based upon Cross-sections A-A, B-B, and C-C [2], all of which pass through the landslide debris, it appears that pilings 1 - 30 will be about 60 feet deep and extend a revised 20 feet into bedrock as well. A fair model of the geometry these data appear to represent is shown in Figure 2.

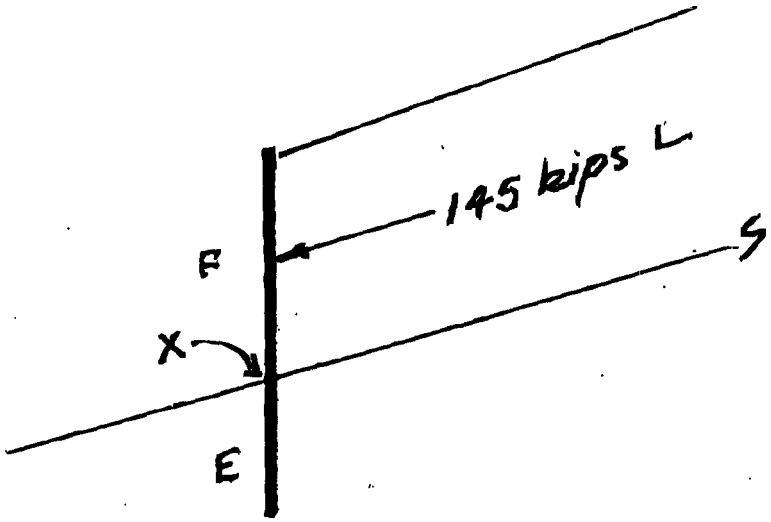

Figure 2. Pile supported Slope Cross-section after Excavation of Slide Debris.

Dimension F is in the range of 40 - 60 feet. Dimension E is 20 feet. S-S represents the slide surface and X the point of fixity. The load, L, 145 kips, is due to the debris when there is saturation. It is exerted through the centroid of the pile column above S-S rather than at an elevation 1/3 of the column height above the slide surface, because the force is evenly distributed along the pile length and is not a function of increased pressure with depth as in the case for active or passive pressure calculations.

Response:

The embedment depth (depth into bedrock below the slide plane) for soldier piles contained in the project geotechnical reports does not represent the design embedment depth. The depths in the reports is the minimum required to mobilize the available passive and friction values of the bedrock. Actual embedment depths will be determined by the structural engineer. Typically, embedment depths of cantilevered piles are between ½ and 2/3 of the retained height or 22 to 33 feet, depending on the pile diameter.

Comment 62-40:

4.2.3 Hydrogeologic Aspect

It has been the practice for many years in the field of geotechnical engineering to routinely record the occurrence of ground water in exploratory borings and to assume from such observations the manner in which ground water will occur in the future. In certain cases, such an assumption may be valid, but in most it is not. It is a matter of common knowledge that the occurrence of ground water is in part a function of rainfall and in hillside areas of southern California at least, especially important.

Nevertheless, the exigencies of property development are generally such that a protracted study of ground-water occurrence is seldom undertaken, and that is true in the case of the PLC Project.

A proper analysis of the slope in which the PLC Project is to be located would be based upon a record of ground-water levels over a period of years sufficient to determine, through the construction of ground water contour maps how ground water actually occurs with respect to time. It was the lack of such knowledge that resulted in the extensive damage from the Revello Drive landslide. Scattered observations of seepage in borings in the local area over many years is certainly not adequate for use in slope stability analysis there.

City officials, in recognizing this problem, first requested clarification regarding "…highest acceptable ground water levels…" and how such levels were to be verified. In response, JBG stated that grading should not commence until the summer when "…it can be demonstrated that ground water is not present above the lower slide plane…" and that the "…water level can be demonstrated by logging the shoring pile excavations…" [2, Item 5, p.4; 6, Item 1, p.2]. Thereafter, in recognizing that it "…may not be possible to de-water the off-site properties…" JBG indicated that calculation of the safety factor would produce a value greater than the required standard of 1.5 even if ground water rose to the top of the pilings [3, Item 6, p.4]. Apparently, this assumes a resisting force due to the presence of the replacement fill.

Response:

None of the borings drilled as part of the geotechnical investigation, and none of the numerous borings drilled by others studying the Revello Drive landslide encountered artesian conditions, either within the slide mass or in the bedrock below the slide plane. Water was always found or reported to be perched on top of the slide plane or secondary shears with the slide mass. The groundwater conditions assumed for the analyses are considered reasonable.

Comment 62-41:

4.3 HYDROLOGY

The hydrologic analysis presented in the DEIR is based upon a computer program which apparently solves some form of the rational method for calculating peak flows. Presumably, this is the Los Angeles County Flood Control District (LACFCD) capital storm hydrology method set out by Bruington (1971). It appears that the LACFCD's "K" rainfall zone and its related rainfall intensities for various storm frequencies have been accepted as controlling (DEIR, App. F). If that is the case, the LACFCD runoff coefficient curves probably have been used. As in the case of slope stability analysis, a computer program has been utilized, but the underlying rationale is not presented.

Response:

The commenter is referred to Section IV.E of the Draft EIR, Hydrology and Water Quality, page 155, which states that "hydrology analysis was performed based on the Los Angeles County Rational Method." The computer program used for the computations was "Rational Method Hydrology Procedure" and was used in accordance with the instruction manual written by Mr. R. Eric Bredehorst in November of 1988. This is the program adopted and used by the Department of Public Works, County of Los Angeles and by the Bureau of Engineering, City of Los Angeles. The rainfall zone and soil type were determined using per County Hydrology/Sedimentation Manual (Figure 1-H1-16, Exhibit 3). Rainfall zone K and soil classification 022 were used.

Comment 62-42:

5.0 CONCLUSIONS

The geotechnical environmental impacts of the PLC Project during its development are to a great extent temporary, but very significant. The impact of hauling has been greatly under estimated, and in terms of safety it is inadvisable to attempt slope stabilization as currently planned until additional data are developed.

Response:

The commenter is referred to Topical Response 2: Revello Landslide; Topical Response 5: Road Maintenance; and Topical Response 6: Traffic. The commenter is also referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 219, which states under the conceptual grading plan, the proposed project would require 30,000 cubic yards (cy) of cut and 5,000 cy of fill. The maximum amount of soil to be exported for landslide repair would be 100,000 cy and the maximum amount of soil to be imported for landslide repair would be 75,000 cy. Grading of the project site would require 3,500 cy of export per day. Exported soil is not suitable for backfill, therefore, ten-wheel dump trucks would export the soil from the project site down the Santa Monica Freeway to the nearest landfill facility, such as the Calabasas, Azusa, or Bradley Landfills, (via Tramonto Drive/Los Liones Drive/Sunset Boulevard/Pacific Coast Highway). Dump trucks would be used Monday-Friday, 9 a.m. to 5 p.m. for the 120 day project duration. However, depending on the hauling distance, hauling may occur only 7 hours a day. Additionally, the Department of Building and Safety has stated, in a letter dated December 5, 2001, that the geotechnical report prepared for the proposed project is adequate. Therefore, no additional data is required.

Comment 62-43:

5.1 HAULING IMPACT

The estimated hauling period of 120 days (DEIR, p. 219) is far too low. The assumption that there is available a 10-wheel truck with a 14-cy capacity (ibid, footnote 15) is incorrect according to earth-moving contractors with whom I have consulted. They unequivocally assert that there is no such thing as 10-wheel truck with a 14 cy capacity. Furthermore, it appears that in estimating the hauling period for the PLC Project no consideration is given to "break-out" which is the increase in volume that occurs when relatively dense earth materials are excavated.

Hauling contractors commonly employ a breakout factor of 1.2 - 1.3 for bedrock materials. For landslide debris, a fairer break-out factor would be perhaps 1.15. Assuming a factor of 1.25 for the 30,000 cy of cut material, that export volume would be would be 37,500 cy. Similarly, allowing for a factor of 1.15 for the 70,000 cy of landslide debris, that export volume would be 80,500 cy. Consequently, the total export volume would be 118,000 cy. Import of 5,000 cy for structural fills, and 70,000 cy for debris replacement fill would not require a break-out factor because those materials would be reworked loose material. Therefore, the total volume of export and import would be 193,500 cy. Furthermore, the project is such that the export and import operations could not be done simultaneously.

It is inconceivable that the massive self-loading scraper could be used to move earth materials for the PLC Project because of the residential character of the local area. All hauling will require the use of 10 wheel trucks that have a capacity of about 7.5 cy. This means that 25,800 trips would be required, a "trip," being the travel required to move from the staging area to the site and return. The different rates at which materials would be imported and exported are difficult to estimate because of the number of trucks the contractor could employ, the haul distance, and the loading and unloading operations which require different times for export loading and import dumping. However, assuming a favorable staging area for storage and blending on Los Liones Drive in the vacant area behind Fire Station 23, an average trip probably would be in the range of 10 to 15 minutes, for an efficient operator. If hauling had to be along thorough fares such as Pacific Coast Highway or a freeway, additional time would be required to cover the load to prevent dust loss during transit.

Assuming then an average trip time of 12.5 minutes, the total haul time required would be 322,500 minutes, or 5,375 hours. Finally, assuming a 35-hour work-week for hauling, and a 50-week work-year, hauling for the PLC Project would require 3.07 years. Considering unforeseen conditions due to such conditions as breakdown or adverse weather, it is reasonable to expect considerably more than-3 years to accomplish the hauling. Even an overly optimistic 5-minute trip time would require 1.23 years.

Response:

Sharma General Engineering Contractors (Contracting License # 617577 A HAZ) has indicated that the contractor would utilize double bottom truck and trailers (bottom dumps) for the removal of the slide material and subsequent import soil. The adjacent apartment units would be demolished to allow a 65' wide turnaround at the terminus of the existing driveway. A 65' wide area will provide an adequate turnaround for bottom dumps.

The slide debris would be raised to the level of the truck turnaround utilizing a Long-reach Excavator or crane and clamshell operation. A Caterpillar 966 rubber tire loader would then be utilized to load the bottom dumps from a stockpile created by the excavator and clamshell. A large rubber tire loader Caterpillar 980C and a Caterpillar D-8L dozer will feed the slide material to the Long-reach Excavator or clam. Import soil will be brought to the site utilizing bottom dump trucks. The import soil will be dumped in the turn around area and pushed over the slide removal backcut utilizing a 980C loader. The import soil will be collected at the toe of the backcut, placed and compacted utilizing a 980C loader and D8L dozer. The soil would then be compacted utilizing a Caterpillar 824 rubber tire dozer with sheepsfoot.

Sharma General Engineering Contractors has indicated that if bottom dumps are utilized there will be approximately 7,143 loads exported from the site. Bottom dumps have a water level capacity of 10 cy per trailer or 20 cy water level capacity. The industry standard swell factor from bank excavation to truck load is 30 %; thus, 14cyd per bottom dump load. The landslide debris (bulk of exported soils) has a low relative density and contains voids and open fractures. The bulking is expected to be less than 10 percent.

Utilizing the scenario described in Response to Comment 62-7 above, a load would be exported or imported in 5 minute cycles. A 7 a.m. start and 3 p.m. finish, Monday through Friday would yield 96 loads exported or imported per day. Ninety-six loads at 14 cy each equals 1,344 cy per day. 100,000 cy of export @ 1,344 cy per day requires approximately three to four months to complete. Import operations based on 75, 000 cy would require approximately two to three months to complete.

Please refer to Responses to Comments 62-7, 62-9, 62-10, 62-13 and 62-18. The commenter is also referred to Topical Response 10: Construction Schedule.

Comment 62-44:

5.2 SLOPE REMEDIATION IMPACT

Slope stability analyses presented in support of the DEIR are unsatisfactory for two reasons. First, it is virtually certain that the line of soldier piles, and particularly the northern line, will fail when the existing adjacent landslide debris is removed. This is because the depth of embedment in bedrock

below the slide mass of 20 feet is too shallow. Second, the use of a design fill cohesive strength of 400 psf does not appear to be justified. Third, the effective stress that may act on the retained landslide debris has not be properly evaluated.

Response:

The commenter offers the opinion that the solider piles will fail due to a shallow embedment depth. The embedment depth (depth into bedrock below the slide plane) for soldier piles contained in the reports does not represent the design embedment depth. The depth in the reports is the minimum required to mobilize the available passive and friction values of the bedrock. Actual embedment depths, and pile diameters, will be determined by the structural engineer. Typically, embedment depths of cantilevered piles is between ½ and 2/3 of the retained height or 22 to 33 feet, depending on the pile diameter.

Based upon the assumed weakest strengths of the bedrock and slide debris encountered during exploration, 10 feet in center spacing, combined with the anticipated pile diameters, is more than sufficient for bridging to occur.

The shear strength of the future compacted fill was determined by remolding bulk samples of the slide debris to 90 percent of the maximum dry density. The cohesion intercept was determined to be 400 pounds per square foot. The remolding of the soil and the shear testing was performed in accordance with ASTM standards, the standards of the city of Los Angeles, and the standard of care. The confining pressures of the test are consistent with the anticipated range of pressures for the proposed repair. The reviewing geotechnical engineer for the city of Los Angeles has concurred with the design strength of the fill. This cohesion value is reasonable for the earth materials at the site.

It is common practice to perform shear testing of the compacted fill during the grading process, especially, when soils are imported to a site. Imported soils that have an insufficient shear strength are rejected and not allowed to be placed in the fill.

Comment 62-45:

5.2.1 Questionable Pile Resisting Force

A serious question to be examined is whether the free-standing plies along the northern PLC Project boundary will stand during the period when the landslide debris has been removed and replacement fill not yet installed. The over-turning moment represented by Figure 1 needs to be considered. The initial question in this regard seems to be whether resistance offered to the buried 20-foot pile section due to the strength of the bedrock is greater than over-turning moment due to the 145- kip per foot of landslide debris force acting at the centroid of the exposed pile section.

The period during which JBG assumes the free-standing condition would exist is unreasonably short. It is proposed that excavation should "…not commence until the summer and it can be demonstrated that groundwater is not present…" [2, p.4]. However, it is well established that highest ground water levels lag as much as several months after recharging rains and may be as late as August. More to the point, however, if the grading is to take as much as three years, it is virtually certain that temporary slopes within the grading area, and particularly the temporary free-standing pile-supported slopes will have to exist during through at least two and perhaps three storm seasons. Moreover, the JBG stability analyses fail to take into to account seepage force which may add significantly to the 145-kip static load that is utilized, and no data on the bridging capability of the landslide debris.

Response:

The commenter has assumed that the maximum embedment depth is 20 feet into bedrock below the base of the slide. The embedment depth (depth into bedrock below the slide plane) for soldier piles contained in the geotechnical reports does not represent the design embedment depth. The depths in the reports is the minimum required to mobilize the available passive and friction values of the bedrock. Actual embedment depths will be determined by the structural engineer. Typically, embedment depth of cantilevered piles is between ½ and 2/3 of the retained height or 22 to 33 feet, depending on the pile diameter. Finally, the commenter is referred to Topical Response 10: Construction Schedule.

Comment 62-46:

5.2.2 Questionable Value for Cohesion

It appears that a certain amount of guesswork has been employed to arrive at a design cohesion of 400 pounds per square foot (psf) for the proposed compacted fill that will replace the landslide debris as shown along sections A, B, and C [1, Cal. Sheets 18 - 25]. Such a value is necessarily a matter of judgment for which the geotechnical engineer rather than the engineering geologist, but some evidence to support such judgment should be presented. Generally, the strength of the compacted fill will be dependent upon the manner in which it its blended and the resulting equivalent soil group. The question is, can the excavated landslide debris be blended to a texture which, when properly compacted will have a cohesive strength of 400 psf? None of the reviewed documents addresses this issue.

Presumably, the 400-psf value is based upon Shear Test Diagram #5 [1, App. 1]. However, the assumption that a single test from a bulk sample of slide debris can be representative of that 70,000 cy strains the imagination. On the other hand, the few data presented in the logs of borings [*ibid.*] indicate that the granular materials locally derived as landslide debris or reworked colluvium or fill are of the Unified Soil Classification soil group ML, *i.e.*, "inorganic silts and very fine ands, rock flour, silty or clayey fine sands with slight plasticity" (Lambe and Whitman, 1979, p. 35). According to Hunt (1986, p.212, Table 5.3) typical cohesion for compacted materials of this type range between 190 and 460 psf when saturated. As previously noted, the linearity of the typical shear test envelope as routinely

conducted in soils engineering laboratories [1, App. 1, Shear Test Diagram #5] is highly questionable at lower normal loads.

Based upon the geological data available, it seems fair to say that insufficient work has been done to support engineering judgment that the debris of the Revello Drive landslide is suitable in terms of compacted strength to estimate slope stability as calculated [1, Calculation Sheets 18 - 25].

Response:

The shear strength of the future compacted fill was determined by remolding bulk samples of the slide debris to 90 percent of the maximum dry density. The cohesion intercept was determined to be 400 pounds per square foot. The remolding of the soil and the shear testing was performed in accordance with ASTM standards, City of Los Angeles standards, and the standard of care. The confining pressures of the tests are consistent with the anticipated range of stresses for the proposed repair. The reviewing geotechnical engineer for the City of Los Angeles has concurred with the design strength of the fill. Based upon The J. Byer Group's experience, this cohesion value is reasonable for the earth materials at the site.

It is common practice to perform shear testing of the compacted fill during the grading process. Especially when soil is imported to a site. Imported soils that have insufficient shear strength are rejected and not allowed to be placed in the fill.

Comment 62-47:

5.2.3 Questionable Effective Stress Analysis

The principle of effective stress is fundamental in the practice of geotechnical engineering. Briefly, effective stress is the reduced stress subsurface earth materials exert in the presence of water. This reduction is due to the fact the water causes the materials to "weigh" less. Essentially two mechanisms are involved. In one, which is considered in the stability analysis performed for the PLC Project thus far, the loss in weight is due to buoyancy. In the other, the weight is effectively reduced when hydrostatic pressure works against an impermeable surface such as the base of a mass of landslide debris. In this case, the mechanism is much like that of a hydraulic jack so that a force is applied which reduces the weight of the debris and hence the coefficient of friction.

The JBG analyses fail to take into account the possibility that, as a result of periodically especially high recharge in Castellammare Mesa, a high piezometric head acting at the base of the retained mass of Revello Drive debris could cause a pressure much greater than that due to pore pressure from simple saturation of the debris mass above the slide surface. In fact, it is well established that with sufficiently high head developed in this manner, frictional resistance can be entirely eliminated.

Response:

None of the borings drilled as part of the geotechnical investigation, and none of the numerous borings drilled by others studying the Revello Drive landslide encountered artesion conditions, either within the slide mass or in the bedrock below the slide plane. Where encountered, groundwater was always found or reported to be perched on top of the slide plane or secondary shears with the slide mass.

The shear strength along the base of the Revello Drive landslide was determined using the back-calculation methodology, with both two- and three-dimensional models. It is reported that when the slide first failed in the 1960's, the groundwater table was high. Also, periodic movement of the slide has occurred following years of high rainfall, and therefore, a high groundwater table. The back-calculations did not assume a phreatic surface (groundwater as a triggering mechanism was left out of the model). As a result, the back-calculated phi angle/cohesion intercept along the base of the slide is artificially low since it contains the effects of groundwater. This factored shear strength is therefore conservative. The safety factor of the repair was then calculated assuming that groundwater along the uphill side of the piles rose to near the ground surface. All of the stability analyses are very conservative and understate the safety of the repair.

Comment 62-48:

5.3 FLOODING

Regardless of the validity of the manner in which the software program used to model runoff in the PLC Project [DEIR, App. F], the data are based strictly upon the assumption of vertical rainfall. However, it is well established that local rains commonly are wind-driven and fall at some angle less than vertical. In such cases, the presence of building walls and other impermeable vertical surfaces has the effect of increasing the effective catchment area. The PLC Project has a number of such vertical surfaces, and the peak flows to be expected along Castellammare Drive under especially intense wind-drive rains will be greater than those currently calculated.

There are no data from which the direction or angle of rain approach can be estimated. In cases where it appears vertical surfaces may be a factor in rain catchment, it is appropriate to apply some factor to increase the calculated peak flows.

Response:

The commenter is correct in stating that all runoff from the project site is based on vertical rainfall. This is the accepted standard for the industry and is used throughout the Southern California region including projects along the coastlines. Because the computations meet all current standards, it would not be appropriate to apply some factor to increase the calculated peak flows.

Comment Letter 63

April 1, 2003

Kim Coleman

Comment 63-1:

There are several areas that the Draft Environmental Impact Report for this project does not seem to address adequately. I share the concerns of the Castellammare Mesa Homeowners Board of Directors about the negative impacts of this project on our neighborhood. In addition, I would hope that the final report would address the following six issues:

Response:

Comment noted. The commenter's six issues are addressed in Responses to Comments 63-2 through 63-7 below.

Comment 63-2:

1. The Draft EIR states that "residential street impacts to Los Liones Drive and Tramonto Drive would remain significant and unavoidable", I agree that the impact would be significant but it is clearly not unavoidable. The easiest way to mitigate the impact is to build substantially fewer units. But the magnitude of the issue is not made clear in the report. Tramonto Drive has been withdrawn from public use only two blocks beyond the driveway of the proposed project, leaving the route past its driveway the only emergency egress for many Castellammare residents, including my family. There are several possible mitigating possibilities that I believe need to be explored, the most satisfactory being making Castellammare Drive the primary means of egress for the project. Because fewer houses use this road as access, it would not impart as negatively on the neighborhood as the access to Tramonto Drive. There is also a traffic light at Sunset Boulevard. While grading for construction of the new access is significant, it is in the area where substantial grading is already proposed. Having two access points would also add substantially to the safety of project residents as well. Other mitigating measures would be rebuilding the slide section of Revello Drive to connect to its lower section, and improving the part of Tramonto Drive that has been withdrawn from public use before beginning construction on the proposed project. Measures to assure safety, access and egress for the neighborhood have not been considered to an appropriate level to date.

Response:

The commenter is referred to Topical Response 6: Traffic, to Topical Response 7: Access, and Responses to Comment 21-2, 21-3 and 62-23 regarding an additional access location and improvements

to Tramonto Drive. A primary egress location via Castellammare Drive is not considered to be feasible due to the steep slope between Castellammare Drive and the project site and because it appears that the only portions of the project site that connect to Castellammare Drive are too narrow to accommodate vehicle egress. Also, the approved G.H. Palmer condominium project is to be developed between Castellammare Drive and the project site which may also preclude an egress location via Castellammare Drive.

Comment 63-3:

2. More information is required on the feasibility of improving the steep slope of Tramonto Drive from Los Liones to the driveway for the project, as is mentioned in the report. An analysis of the slope and transitions from slope to flat needs to be done before assuming that road can be upgraded to safe standards. The road is currently so steep that a required stop at the intersection of that driveway, as proposed with a stop sign installed during construction, is extremely hazardous and likely to generate more danger than it alleviates.

Response:

The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced with a new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The applicant is also willing to investigate other feasible options from the City to enhance visibility and safety at this location. However, any widening to Tramonto Drive as a part of the proposed project would be subject to additional engineering studies prior to construction.

Comment 63-4:

3. The claim in the report that the proposed project is a compatible land use for the neighborhood fails to take into consideration similar projects in the area. The "Related Projects" listed in the report do not relate in size or scope to the project under discussion. Two projects that have gone through the entire approval process and are presently in construction are Parcel Map 5938, a four and a half acre parcel at 7400 block of Tramonto Drive and Tract 50232, two acres in the 174300 block. Both sites were initially proposed as multiple unit projects. Both projects, one approved in 1989 and one in 1999, went through significant downsizing after City and neighborhood review. These projects, one in the same block as the subject project and one in the next block, have no active landslides are on more gradual slopes than the subject property, yet they were limited to four dwellings each. It seems that in light of conditions on the proposed site, there is no justification for any more than the twenty units currently existing on the site to be permitted.

Response:

The commenter is referred to Section IV.F of the Draft EIR, Land Use, where on page 177 it is stated that the proposed project consists of an 82-unit condominium project that would develop below the allowable residential density currently permitted on the project site. The proposed residential project would be consistent with the existing land use pattern in this area of the Pacific Palisades and with adjacent properties, which consist of multi-family and single-family residential uses, and various commercial retail and office uses along Sunset Boulevard.

The commenter is referred to Section II.B of the Draft EIR, Environmental Setting, where on page 59 it states that all proposed (those projects with pending applications), recently approved, under construction, or reasonable foreseeable projects that could produce a related or cumulative impact on the local environment when considered in conjunction with the proposed project are included in the EIR. For an analysis of the cumulative impacts associated with these related projects and the proposed project, the commenter is referred to the cumulative impact discussions under each individual impact category in Section IV (Environmental Impact Analysis).

The list of related projects consists of all approved, proposed or potential projects located in the City of Los Angeles within an approximate one-mile radius of the project site. The Deputy Advisory Agency has the authority to reduce the number of units if it is deemed appropriate. The Draft EIR evaluates the applicant's proposed density.

Comment 63-5:

4. Under the category of Visual Resources, the Draft EIR dismisses the importance of the views of the project as seen from the coast and Pacific Coast Scenic Highway. The view of the project from the PCH, as shown in the EIR, vividly demonstrates the importance of the views. The buildings are too high, too dense, too monotonous. There is no variation in facade or material. The illustration of poor quality design, even in what one would expect to be an "eyewash" rendering, is frightening. As an architect and Professor of Architecture at the University of Southern California for the past twenty years, I am appalled at the lack of effort to aspire to at least reasonably good design for a series of units that is expected to be repeated so often and so visibly. The two large commercial/residential buildings below the proposed site on Sunset Boulevard are substantial concrete buildings, thoughtfully designed and improved by the swath of landscape (from the slide) that visually separates them from the houses above. The view of the project site as one drives up the Pacific Coast Highway is significant. Mitigation measures, such as substantial planting of trees to screen the units, reducing the scale of the units to a maximum of two stories, and requiring colors and natural materials that recede and blend more with the landscape of the hills and chaparral are some of the measures that should be considered in the EIR.

Response:

The commenter is referred to Topical Response 1: Views and Topical Response 8: Building Heights. The height and density of the proposed project is consistent with the permitted zoning for the site. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 63-6:

5. The Draft EIR describes the obstruction of views from single family dwellings above to be an "unavoidable impact" when, in fact, this obstruction is completely avoidable if the proposed project were two stories maximum height, or 36 feet, as designated for single family residences in the hillside zone. The existing houses on Revello are restricted in height to one story above the street. A comparable height restriction on the new development would certainly mitigate its impact on the houses above.

Response:

The commenter is referred to Topical Response 1: Views and Topical Response 8: Building Heights. The height and density of the proposed project is consistent with the permitted zoning for the site.

Comment 63-7:

6. Finally, there is no coverage of archeological issues in the report. The site is adjacent to the location of a Native American village site at the junction of Pacific Coast Highway and Sunset Boulevard. I would expect the EIR to take into consideration potential archeological finds during construction and mitigating measures to address that possibility.

Response:

The commenter is referred to Section IV.A of the Draft EIR, Impacts Found to be Less Than Significant, where on page 73 it states that no National register or California State Historic Resource properties, California Historical landmarks, California Points of Historic Interest exist on the proposed project site or within one-half mile radius of the site. Additionally, the project site does not contain any significant paleontological resources or unique geological features. Further, no known prehistoric archaeological resources exist on the project site, and no known human remains are interred on the site. Based on a cultural resources records search conducted by the South Central Coastal Information Center (Appendix H), no historic archaeological sites or historic isolates have been identified within a one-half mile radius of the site. In addition, no recorded historic built environments have been identified within a one-half mile radius of the site. Therefore, no significant impacts to cultural

resources would occur. As stated above the reader is also referred to Appendix H of the Draft EIR which includes a copy of the letter we receive from the South Central Coastal Information Center dated May 15, 2002.

Comment Letter 64

April 1, 2003

Kristen and Douglas McCormick

Comment 64-1:

We are very concerned at the number of issues that, when taken into consideration collectively, make it obvious that a project of the scale being considered in the above-referenced matter is ill-advised.

Without question, normal traffic flow in and out of the Castellammare area via Los Liones Drive to Sunset will be terribly disrupted during this construction period. In addition, the diversion of that normal traffic volume onto PCH via Porta Marino will only make matters worse for that already-overloaded artery. And when the units are completed and occupied the delays for entering Sunset from Los Liones, without the addition of a traffic signal, are inconceivable!

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2, 21-3 and 62-23. The commenter is referred to page 240 in Section IV.J in the Draft EIR, which states that significant impacts to residential street traffic on both Tramonto Drive and Los Liones Drive is expected to occur. The commenter is referred to Topical Response 6: Traffic for further discussion. The reader is also referred to Appendix D: Traffic Report of the Draft EIR includes a letter from Crain & Associates which addresses the intersections that were evaluated in the traffic analysis of the Draft EIR. The letter states that the traffic analysis examined intersections that the Los Angeles Department of Transportation (LADOT) approved as intersections most likely to be impacted by the project. LADOT did not request analysis of the intersection of PCH and Porto Marina. Furthermore, the letter states that the traffic analysis performed by Crain & Associates is in compliance with guidelines set forth by LADOT.

Comment 64-2:

These concerns pale, however, in comparison with the potential property damage and loss of life that could result from inadequate consideration given to the geological quagmire that exists in the area of the proposed buildings. Anyone who regularly drives past the "toe" of the Tramonto Drive slide, that repeatedly pushes out onto the Coast Highway, knows that anything affecting, or affected by, the geology here must be considered in the broadest possible context.

Response:

The commenter is referred to Topical Response 1: Revello Landslide.

Comment 64-3:

We urge you to take the most conservative possible stand on every issue relating to this proposed project, not the lest of which should be a significant reduction to the size of the project, as described in Alternative B (page 5) of the EIR.

We appreciate your careful and thoughtful attention to this matter.

Response:

The commenter's opinions regarding Alternative B will be forwarded to the decision makers for consideration.

Comment Letter 65

April 2, 2003

Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles

Comment 65-1:

I am writing to you regarding case number ENV2000-2696 (EIR), the proposed 82 unit condominium located at 17331-17333 Tramonto in the Castellammare area of the Pacific Palisades. As I am sure you are aware, this proposal is located on an historic landslide where 12 units were actually lost on this specific site. While I understand that this project, if approved, would remove the majority of this dangerous slide and while the approved project below at 17325 Castellammare will remove the toe of this slide, it is of the utmost importance that the most detailed review possible is provided regarding the proposed engineering analysis of this project. As I have requested in the past, I would like the owner of this site and the owner of the site on Castellammare to work together when repairing this landslide. This would create the least impact on the community and would result in a better engineered project.

Response:

The commenter is referred to Topical Response 1: Revello Landslide. The applicant is willing to work with the owner of the site on Castellammare Drive (G.H. Palmer Project) in repairing the slide.

Comment 65-2:

In addition to the concerns surrounding the geology, the impact this development will have on the local streets should be further reviewed. The majority of the streets in this area were removed from public use many years ago due to landslide concerns. My office is working diligently to restore these streets to public use and to require that they be re-engineered and resurfaced, however, in the meantime, this project will bring many vehicles, both construction related and eventually residential traffic onto Tramonto, only further degrading the condition of this street. Therefore, I would like to request that the applicant be required to work in conjunction with the City to redesign and resurface this street which will provide access to the project.

Response:

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 218, which states that due to the weight of the various trucks in the transportation of construction debris, soil, heavy equipment, and building materials, roads used for the proposed truck haul route could be damaged, increasing the demand for road maintenance services provided by the

Bureau of Street Services. Additionally, the extent to which the roads could be damaged would also depend upon the condition of the roads prior to usage by the trucks. As a condition of each grading permit required of the project applicant by the City, the applicant would be responsible for the repair of any damage to roads from the heavy trucks used for the proposed project. Compliance with such conditions would ensure potentially significant road maintenance impacts are less than significant.

The commenter is referred to Section IV.I of the Draft EIR, Public Services, Section 5 Road Maintenance, page 220, Mitigation Measures which lists mitigation measures that as a condition of each grading permit required of the project applicant by the city, the applicant responsible for the repair of any damage to roads resulting from the delivery of heavy machinery, equipment, and building materials to or from the project site, as well as the import and export of soil to and from the project site. Furthermore, such roadway repair shall be to the satisfaction of the City of Los Angeles Bureau of Street Services.

The commenter is also referred to Topical Response 7 (Access).

Comment 65-3:

While Tramonto is in need of serious repair, it is also a very difficult street to travel due to its narrow and curvy nature. Access to this project will be taken immediately off of one of the sharpest curves on this hillside. The draft EIR suggests mitigation measures for that curve such as trimming the vegetation on the lot across from proposed project, installing traffic warning devices or installing a 3 way stop sign. I do not believe that any of these mitigation measures will entirely address the problem at hand nor do I believe all are appropriate for a residential area. The developer should further review the options for widening this street to eliminate the curve at this location or provide an acceleration/deceleration lane allowing vehicles to turn into or out of the proposed driveway. I understand that the City's right of way may be limited due to the private ownership of the lot across Tramonto but the safety of the current residents on this street and the proposed new residents must be more thoroughly considered in the exploration of all options.

Response:

Comment noted. However, it would not be feasible to eliminate the curve as the applicant does not own the property on the opposite side of Tramonto Drive. Additional right-of-way from that property would be needed to straighten or eliminate the curve. The mitigation measures recommended on page 245 of the Draft EIR for significant traffic access impacts at the site have been replaced a following new mitigation measure to reduce the impacts to a less than significant level (see Topical Response 7: Access). The new mitigation measure has been reviewed by LADOT and will reduce the impact to a less than significant level. Section III of the Final EIR, Corrections and Additions to the Draft EIR, has been amended to include this new mitigation measure. The applicant is also willing to investigate

other feasible options from the City to enhance visibility and safety at this location. Please also refer to Response to Comment 65-2.

Comment 65-4:

Another concern surrounds the massing of the proposed project. The current housing on the site, while not the most aesthetically pleasing design, allows for visual breaks in the massing creating the appearance of a smaller development. As shown in Figure IV.B-18 of the DEIR, this proposal does not have similar visual breaks but instead gives the appearance of one long wall of development with very limited articulation. The developer should consider using breaks to further minimize the massive appearance o£ his buildings.

Response:

The commenter is referred to Topical Response 1: Views. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 65-5:

While I understand that the overall community will benefit from the removal of this landslide along with the restoration of some of the roadway I understand their concerns that 82 units may bean overabundance on such a narrow and winding street that has already had serious damage and will only suffer more during construction. I look forward to reviewing the responses to the issues I have raised and to discussing this project further with the department, the community and the developer to address these legitimate issues.

Response:

The commenter is referred to Topical Response 2: Revello Landslide; Topical Response 6: Traffic; and Topical Response 7: Access.

Comment Letter 66

April 2, 2003

Alexander Mann, Board of Directors, PPRA

Comment 66-1:

The Pacific Palisades Residents Association (PPRA) has reviewed the above referenced tree impact evaluation and for the following reasons has determined that it is not in compliance with the California Environmental Act or the Los Angeles City CEQA Guidelines:

1) N0 SITE DEVELOPEMENT PLANS PROVIDED/TREE REMOVAL IMPACT STUDY:

At page 2, of arborist Donald F. Rodrigues letter to the applicants representative, Mr. Rodrigues states: "Since no site development plans were provided, no determination of the disposition of any of the species is addressed in this report."

Without site development plans Rodrigues was unable to provide the location and number of trees that will be destroyed, should the project be approved. Without the tree locations on site development plans there is no way to establish the environmental impacts of the tree destruction. The omission of such vital environmental information from the Draft E.I.R., renders the Draft EIR invalid. Rodrigues attempted to get around that serious defect in his study by deciding that many of the trees are in poor condition. However, PPRA representatives were refused entry to the project hillside in order to examine the 36 trees on the project site.

Response:

As described on pages 72 and 73 of the Draft EIR, the vegetation on the site consists of a moderately thick assemblage of cultured trees, chaparral, shrubs, and grasses. Specifically, thirty-six non-native trees are located on the site. These are specimens that measured 12' or larger in trunk diameter. The primary tree species present include fourteen Monterey Pine (*Pinus radiate*), seven Aleppo pines (*Pinus halepensis*), one Canary Island Pine (*Pinus canariensis*), 10 Blue Gum (*Eucalyptus globules*), one Lemon Eucalyptus (*Eucalyptus citriodora*), one NCN (Eucalyptus species), and two Shamel Ash (*Fraxinus uhdei*). There are no oak or other indigenous species found on the project site. Based on a review of the tree location map and the Vesting Tentative Tract Map 52928, twenty-nine trees are proposed for removal with development of the proposed project. However, a majority of the trees found on the site have sparse foliage, insect and disease infestations, and show signs of lack of regular irrigation and proper structural pruning.

The potential impacts to biological resources would be mitigated to a level of insignificance by the following mitigation measures:

1. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall provide per the current Street Tree Division standards.

2. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

3. The applicant shall have a field survey conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 100 feet (200 feet for raptors) of the construction zone. The field survey shall occur no earlier than 3 days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically March 1 through August 31). Additionally, raptor (nesting) surveys shall be conducted on the site prior to the commencement of construction related activities. Should an active raptor nest be discovered on the site, a 500-foot buffer shall be maintained between project-related activities and the nest until such time fledglings leave the nest and the site and it has been determined by the sites' biological monitor that the nest is not being used for repeated, same season nesting attempts. If active nests are found (other than raptors), a minimum 50-foot fence barrier shall be erected around the nest, and clearing within the fenced area shall be postponed or halted, at the discretion of a biologist, until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by a qualified biologist. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. The Draft EIR is valid and in compliance with CEQA.

Comment 66-2:

2) TREE LOCATION MAP PROVIDED,UNREADABLE DUE TO SMALL SCALE OF MAP:

Tree location map provided in appendix of DEIR is totally lacking in identifiable tree locations even with eye loop. Call to the applicant's representative, requesting a larger tree map, went unanswered.

Considering the tree study flaws listed above, with the failure of the arborist to establish the extent of the environmental impacts from the proposed project, renders this critical portion of the Draft Environmental Impact Report unacceptable, pursuant to CEQA Guidelines.

Response:

The commenter is referred to Response to Comment 66-1. A full size Tree Location Map prepared by Grimes Surveying & Mapping , Inc.(survey date on map April 14, 1999 and date map plotted May 10, 1999) is on file at the City of Los Angeles, City Planning Department, 200 North Spring Street, Room 763, Los Angeles, CA 90012.

Comment Letter 67

April 2, 2003

Michele Shafroth and Marker Wiegand

Comment 67-1:

1. Substantial increase in density of the Mesa, from some 240 families to 300 or so (an incremental 64 units). This represents a 25% increase, which is huge!!

Response:

The proposed project is consistent with the residential density permitted for the project site.

Comment 67-2:

2. Very significant danger to existing property, i.e. all of the homeowners on Revello, who live near landslide area. The excavation of all of that dirt, by a contractor who has never had ANY experience on hillside construction, let alone, LANDSLIDE construction, and all of the very HEAVY equipment and pounding could cause a landslide, either immediately or in the future and cause existing residences to slide.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The applicant will hire contractors that have experience with hillside construction and landslides.

Comment 67-3:

3. Substantial increase in traffic due to a 25% increase in the number of households, causing congestion on Tramonto.

Response:

The commenter is referred to Topical Response 6: Traffic.

Comment 67-4:

4. Substantial inconvenience to existing residents during the 3 year construction period due to heavy trucks being on Tramonto. Tramonto is essentially the only viable way in and out of the mesa, and heavy equipment will block people in, or force them to use Porto Marina, and the road is in very bad shape.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The commenter is referred to Topical Response 4: Short-Term Noise, which describes how the proposed project would result in significant unavoidable noise impacts during grading, soil hauling and construction. The commenter is also referred to Section IV.C of the Draft EIR which concludes that short-term air quality impacts would be less than significant. The commenter is referred to Topical Response 7: Access, and Response to Comment 21-2.

Comment 67-5:

5. Inappropriate overall density increase. The monolithic structure contemplated is not in keeping with the rest of the area architecture and density.

Response:

The proposed project is consistent with the permitted density for the project site. The commenter is referred to Topical Response 1: Views and Topical Response 8: Building Heights. The height and density of the proposed project is consistent with the permitted zoning for the site. The applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

Comment 67-6:

Please, do NOT permit this project to go ahead.

At a minimum, the requirements detailed in the letter from the Castellammare Mesa Home Owners Board of Directors should be imposed. And rather than reiterate the entire letter from Andrew Martin, CMHO President, dated February 21, 2003, it is incorporated herein by reference, and all the points made therein.

Response:

Comment noted. The commenter is referred to Responses to Comments 11-1 and 11-2 which address issues raised by Andrew Martin.

Comment Letter 68

April 2, 2003

Thomas A. Stewart, Law Offices of Thomas A. Stewart

Comment 68-1:

Please accept the following comments on the January 16, 2003 Draft Environmental Impact Report ("Draft EIR") for the proposed Palisades Landmark Condominium Project as referenced above. These comments are submitted on behalf of the following neighboring land owners, all of whom own property adjacent to or in the immediate vicinity of the proposed project:

Dr. Todd F. Sadow, owner of 17411 Posetano Road and vacant lot #6, block 16, Castellammare ("Sadow Property");

Mrs. Robert Beagles, owner of 17446 Revello Drive ("Beagles Property");

William E. Grieb and Sylvia Daves Grieb, owners of 17440 Revello Drive ("Grieb Property");

Jonathan Congdon, owner of 17452 Revello Drive ("Congdon Property"); and,

David Vaun Crumly, owner of 17480 Revello Drive ("Crumly Property").

Response:

Comment noted.

Comment 68-2:

1. The Draft EIR is inconsistent, incomplete and inadequate in that it fails to provide a sufficient degree of analysis with regard to the issues relating to geologic stability.

CEQA Guidelines generally provide that a project indicates a potentially significant geologic and soils impact if it exposes people or structures to landslide or unstable geologic units or soils, and if the potential result is on or off-site landsliding, lateral spreading, subsidence, liquefaction or collapse. Similarly, the LA CITY CEQA Thresholds Guide discusses such an impact as that created if a project causes or accelerates geologic hazards which could result in damage or injury to person or property. This project fits squarely within, these definitions and requires a well defined and sufficient analysis going far beyond that presented in The Draft EIR.

A. The general proposal for earthworks at this site is to remove landslide debris down to bedrock and to place compacted fill to support the proposed buildings. However, the amount of proposed fill to be placed will result in grade elevations far higher than those existing prior to the last episode of the Revello Landslide, a fact not presented or discussed in The Draft EIR at all. Aerial photographs and topographic analysis show that the proposed driveway grade elevations of 165 feet to 185 feet above sea level are actually approximately fifteen to thirty five feet higher in the West and Northwest portions of this project than the pre-landslide natural elevations. This significant change to the pre-existing natural conditions will result in surcharge being placed upon the bedrock at the base of the fill far in excess of that which existed in the times prior to the last activation of the Revello Landslide, a condition not analyzed or even addressed in The Draft EIR. Further and sufficient analysis must be provided on this critical issue.

Response:

The commenter is misstating the grading concept of the proposed project. The grades would not be raised as a part of the proposed project.

Comment 68-3:

B. The proposed plan calls for the use of soldier piles along the North, West and South sides of the debris removal in order to provide stability to neighboring properties during the grading process, but provides that they are to go only ten feet into bedrock. There are several significant questions raised by this proposal which are not sufficiently analyzed in The Draft EIR. Firstly, the amount of actual removal at any particular location on the site is not known with certainty and will be subject to review and investigation during grading as the actual slide plane is encountered and removed down to competent bedrock, at depths now only the subject of best estimates or guesses. This is due in part to the small amount of subsurface information actually available in proportion to the total amount of soil involved in the removal process. Further subsurface information is needed to more completely analyze this issue. Thus, the actual amount of soil to be retained on neighboring properties as a result of the actual conditions encountered during removal is not identified with specificity, and therefore the actual required depth into bedrock of soldier piles sufficient to provide that retaining support may vary in a manner which needs to be sufficiently discussed and analyzed in The Draft EIR and provided for in the grading process. Today's best guess does not provide adequate geologic stability to neighboring properties during the grading process of this project as proposed and further detailed analysis is needed.

Response:

It is understood that the piles have not been designed yet. The 10 foot embedment is the minimum embedment required to obtain the recommended design vertical and lateral capacities of the bedrock. The embedment depths of the piles will almost certainly be embedded more than 10 feet into bedrock, especially if tie back anchors are not employed. A 'rule of thumb' is that the actual pile embedments

into bedrock will be ½ to ¾ the retained height. Therefore, for a 50 foot retained excavation, the embedment will likely range between 25 and 33 feet into rock below the base of the slide.

The slide has been investigated by The J. Byer Group as well as other geotechnical consultants (references included in our previous reports). The exploration to date was adequate to develop a 3-dimensional model of the slide and was sufficient with respect to the reviewing governmental agency. All soldier pile excavations are to be downhole-logged by the geologist. Therefore, the exact depths to the slide plane will be known at every pile location, prior to excavation of the slide.

Comment 68-4:

C. The Draft EIR is confusing and inconsistent in its discussion and analysis of the use of tie-back anchors to provide strength and stability to the soldier piles. At numerous places in The Draft EIR, reference is made to approval for the use of such tie-back anchors in conjunction with the soldier piles. Yet, in the December 5, 2001 Building and Safety Grading Section letter, the statement is unambiguously made that no tie-backs are proposed or approved. Further, it appears that such tie-backs, if installed, would necessarily be placed into and under neighboring properties at lengths and depths not even mentioned, and with anchors of sizes and in locations not even referred to in terms of the potential. No discussion or analysis of the issues raised by the potential use of tie-back anchors is given, other than the statements referred to from the developer's consultants and the Building and Safety conditions, which are inconsistent if not in total conflict with each other. Clarification of this issue is required in order to provide sufficient analysis upon which decisions which intelligently take account of environmental consequences to off-site properties can be made.

Response:

Tie-backs are technically feasible, but must be approved by the adjacent property owners and the Building Department. Tie-backs are not proposed as a part of the proposed project.

Comment 68-5:

D. The proposed soldier piles as shown along the West property side of the proposed soil removal area, are actually depicted as being on the neighboring property and within the existing driveway which provides access to the residence at 17411 Posetano Road (The Sadow Property). This obvious un-requested and un-permitted encroachment seems to have gone un-noticed in The Draft EIR. Further discussion, analysis and revision of this portion of the proposed grading scheme must be provided, in addition to and without regard to other changes required by the issues raised in the preceding paragraphs.

Response:

Soldier piles and grading are to stay within subject property.

Comment 68-6:

E. The proposed grades for driveways and building access levels at the West, North and Northwest of the proposed project appear to be higher than the existing grade levels on the adjacent properties by up to fifteen feet. Yet, details for property line perimeter retaining wails are lacking in The Draft EIR. If grades are allowed to remain at these levels on the proposed project, which is objected to as discussed above, then those details must be sufficiently disclosed and analyzed, including size of walls, locations relative to property lines, materials proposed and foundation sizes and locations. A manner of construction providing stability, safety and lack of intrusion with regard to the neighbors is without mention in The Draft EIR and requires discussion and analysis.

Response:

All proposed grades will match existing grades and be in compliance with all applicable building codes.

Comment 68-7:

F. The proposed geologic stability analysis is dependent upon the proposed downslope condominium project (The Palmer Project) being constructed in such an manner as to provide stabilization for the toe of the slope of the Revello Landslide. However, the possibility that The Palmer Project might not be built at all, or might not be successful in toe of slope stabilization after construction, is not discussed in The Draft EIR. This would clearly have a major impact upon the feasibility and geologic stability of the proposed project and it should be clearly dealt with and analyzed so that everyone knows what would take place with regard to the proposed project in such an event.

Response:

The geotechnical recommendations for this project and the conditions of approval by the Grading Section are to perform the stabilization and grading assume the Palmer project never goes forward. Although possibly mutually beneficial from a cost and construction standpoint, neither project relies on the other. Please refer to Response to Comment 65-1.

Comment 68-8:

G. The proposed project is located in an area of fragile geologic and topographic conditions. The passage of time brings with it the increased possibility for changed conditions requiring further and additional analysis, such that any approved EIR should include a time limit after which submittal of an updated EIR is required. Many factors could easily result in years of delay before project commencement. In this area, the period of three years would not be unreasonable as a period triggering a requirement for an updated EIR.

Response:

The commenter is correct that conditions can change over time, particularly conditions like traffic, population density, air and noise pollution levels, etc. However, such conditions are not anticipated to change substantially prior to the City's consideration of project approval. The EIR will be used by City decision makers to make an informed decision on the proposed project. Should the project be approved, the Draft EIR will not be used by the City to assess the projects impacts after the project is constructed, as suggested by the commenter. Rather, the Draft EIR is to be used to assess the potentially significant impacts that the proposed project may pose if developed. Additional environmental analysis could be required by the City, if substantial changes were made to the proposed project prior to construction which could lead to new significant impacts that have not been adequately addressed in the Draft and Final EIR.

The commenter is referred to Topical Response 2: Revello Landslide and to Topical Response 10: Construction Schedule.

Comment 68-9:

2. The Draft EIR is incomplete and inadequate in that it fails to provide sufficient analysis with regard to the issues relating to hydrology and drainage.

The Draft EIR concludes that the proposed project will have no significant impact to adjacent properties from drainage or hydrology changes because it calls for the collection of all on-site runoff into on-site drains, and eventually directs it to street drains below. Thus, the issues related to runoff flow potentials onto adjacent properties is dealt with. However, The Draft EIR completely fails to address any impact resulting from drainage or hydrology changes related to drainage onto the proposed project site from those off-site properties. When this is considered in the context of the proposed grade elevations at and near the perimeter property lines at the West, North and Northwest of the proposed project, several unmentioned and negative impacts are presented. The proposed project is located such that the property now receives runoff from properties above it. If retaining walls are allowed because of grades on the proposed project at levels above those on neighboring properties (as discussed and objected to above), some very real drainage problems must be dealt with. In fragile hillside areas, anything which has the potential to increase the amount of subsurface water on a site, such as would result from drainage being blocked from flow off of it by grade elevation changes on adjacent lands, is of critical concern. This issue is, of course, directly related to many others that follow from the project proposals relating to the raising of grades on the site to those higher than neighboring properties and higher than those pre-existing the Revello Landslide.

Response:

The report does include the impacts of all offsite drainage into the project site. Figure IV.E-1: Hydrology Map-Conditions Prior to Landslide shows areas north of the property boundary included in the drainage area. The commenter is referred to Section IV.E of the Draft EIR, Hydrology and Water Quality, p. 159, which states the intent to accommodate emergency offsite overflow into the property from the Revello Drive drain should it fail. The same page of the Draft EIR also indicates that swales will be placed along the north property line to collect surface waters and place them in the project drainage system. In Section IV.D of the Draft EIR, Geology and Soils, a requirement that subdrains be place along all retaining walls covers the collection of subsurface waters that would approach the north building walls.

The reader is also referred to Response to Comment 27-6.

Drainage devices will be present along the upslope property lines to collect the offsite, uncontrolled drainage. There is no intent or need to collect water in a basin or block downslope drainage. As a condition of approval, the Grading Section has required the owner to file an affidavit that notifies future owners of their obligation to maintain drainage devices along the uphill side of the property.

Comment 68-10:

3. The Draft EIR is incomplete and inadequate in that it fails to provide sufficient analysis with regard to the issues relating to project mass, increased lighting and loss of neighborhood privacy.

This project, as proposed in The Draft EIR, will result in buildings only a few feet away from adjacent properties to the West, North and Northwest and rising to elevations up to 30 to 45 feet above the grades existing on directly adjacent sites. These neighboring properties are occupied by residents. These are not vacant or commercial uses and will be severely impacted.

A. The proposed project, at the grades and elevations of buildings proposed, represents a major mass of construction and of structures which are incongruous with the existing neighborhood, as well as with the nature and topography of this neighborhood for many years into the past. With grades above those on adjacent lots, and buildings rising up to 45 feet above those grades on adjacent lots, this project will certainly result in the quality and nature of neighboring properties being severely and negatively impacted. Views towards the ocean are discussed in The Draft EIR as if they are the only neighborhood aesthetics of concern. Such is not the case. This project will look from many angles like a seven story building mass and placing it next to the Sadow and Beagles properties will have a significant negative impact which can be greatly mitigated with reasonable effort and requires further analysis.

Response:

The commenter is referred to Topical Response 1: Views. The commenter is also referred to Topical Response 8: Building Heights. As discussed in Topical Response 1, the project's obstruction and partial obstruction of scenic views from the adjacent private properties is considered to be a significant unavoidable impact.

Since the preparation of the Draft EIR and in response to concerns raised by the public and City Councilwoman Cindy Miscikowski, the applicant has prepared revised renderings of the proposed project which incorporate vertical breaks in the façade of the project. These changes in the project design better preserve the existing scenic views from the single-family and multi-family dwellings located above the project site, and also reduce the building massing impact of the proposed project. The revised project renderings are provided in Chapter III of the Final EIR.

The project site is located in an urbanized area characterized by a mix of commercial and residential uses with varying elevations and building heights. The project site is situated in an area where the zoning designations transition (east to west) from commercial to multi-family residential, and then to single-family residential. The project site was rezoned in 1998 from [Q]R3-1 to RD2-1 pursuant to the Pacific Palisades Specific Plan. The proposed project is considered to be visually compatible with the adjacent multi-family residential and office uses. While the project is consistent with the permitted density and building height for the site, the increase in density and height compared to the existing on-site apartments represent a potentially significant building massing impact in relation to the upslope single-family homes located along Revello Drive. Building massing impacts are considered to be potentially significant but can be mitigated to less than significant levels by implementing the mitigation measures on pages 99 and 100 of the Draft EIR:

Comment 68-11:

B. Another result of the proposed massive structure height and proximity to neighboring residential occupants will be the intrusion of night lighting and general loss of privacy. These impacts are severe and need not be inflicted upon these neighbors as proposed. Further discussion and analysis of mitigation of these impacts by better and more reasonable restrictions on grades, building heights and locations, and project density must be addressed and are ignored by The Draft EIR.

Response:

Section IV.B of the Draft EIR includes mitigation measures for potentially significant light and glare impacts of the proposed project. These mitigation measures were found to reduce the light and glare impacts to a less than significant level without better or more reasonable restrictions on grades, building height and locations, and project density as suggested by the commenter.

Comment 68-12:

As summarized above, there are several important and significant negative environmental impacts which are not sufficiently analyzed in The Draft EIR. Some, but not all, of those are included in the preceding sections of this letter. Many of those, but not all, flow from one major design proposal, that of the construction of this massive new construction upon fill grades that are much too high. The neighbors on whose behalf these comments are presented respectfully submit that The Draft EIR is inconsistent, incomplete and inadequate and must be revised in a manner providing acceptable written responses to each of the issues mentioned here, or be rejected as failing to provide a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences, as required by Section 15151 of CEQA Guidelines.

Response:

As stated in Topical Response 2: Revello Landslide, in order to repair the landslide, the landslide debris would be removed, at depths of up to 60 feet, down to bedrock. Once the landslide debris is removed, compacted fill would be placed on the bedrock up to the planned grades for Buildings 1 and 2. This compacted fill would be used as primary structural fill to support the proposed buildings. Additionally, the Draft EIR was subject to several reviews by the City of Los Angeles and is considered to be adequate for the purposes of informing the public, applicable agencies and decision makers about the possible significant environmental consequences of the proposed project, and offers feasible mitigation measures and alternatives to the proposed project.

Comment 68-13:

Finally, it should be noted that Dr. Sadow and the developer of the proposed project have had recent amiable and potentially productive discussions regarding many of the concerns identified herein. These talks make it clear that most, if not all, of these issues can be dealt with if given additional scrutiny. While my clients must object to The Draft EIR as presently constituted, and demand further written analysis as indicated, there is considerable hope that providing time and opportunity for the process of continued study and discussion to take place will result in an acceptable EIR and project that will benefit all concerned.

On behalf of my clients, I thank you for your attention to and consideration of these matters and look forward to your response.

Response:

Comment noted.

Comment Letter 69

April 2, 2003

Victoria and Richard Miller

Comment 69-1:

We have been residents of the Castellammare Mesa area 16 years. We are deeply opposed to the Tramonto Drive 82 Unit Condominium Project.

We are strongly *against* to traffic density in our area. We have seen many problems with the geology of the land and wish *NOT* to disrupt our hills any further.

We *DO NOT* want this development in our neighborhood.

Thank you for your attention to this matter.

Response:

The commenter is referred to Topical Response 6: Traffic. The commenter is also referred to Topical Response 2: Revello Landslide.

Comment Letter 70

April 2, 2003

Rudy and Sirilak Hirschmann

Comment 70-1:

1. Potential geological problems

The subject Project foresees a very extensive amount of excavation as well as export and import of soils. We believe that such massive removal of existing soil can not help but undermine the fragile stability of the soil in this neighborhood. We are very concerned that the construction site actually intrudes upon the Revello Drive landslide area and fear that the integrity of existing structures such as ours are unnecessarily put at risk.

This inevitably raises the question as to who will be responsible for any damages to existing structures and/or loss in market value arising from the Project.

Response:

The existing Revello Drive landslide is active and moves in response to rain and a high groundwater level. In the current condition, the Revello Drive landslide does not increase the stability or support any of the adjacent properties. The forces resisting failure are about the same as forces causing failure (safety factor of 1.0). The safety factor of temporary excavation will be 25 percent greater than the safety of existing condition (safety factor of 1.25). Extensive shoring systems are being designed to support temporary slopes during the removal and recompaction of the landslide mass. The design earth pressures on the shoring system have been determined using conservative or 'worst case' conditions. The design parameters have been reviewed by and approved by the Grading Section of the city of Los Angeles. Performance of the shoring system will be monitored during grading and construction, which will include extensive surveying of the shoring system and the upslope properties. Temporary excavation and the re-grading of the Revello Drive landslide will not put adjoining properties and structures at an 'unnecessary risk'.

Property values are not a CEQA impact area, however, this comment will be forwarded to the decision makers for consideration.

Comment 70-2:

2. Liability for damage to existing properties

Page 150 of the EIR addresses the problem of liability thus: "owners shall record a sworn affidavit with the Office of the County Recorder" assuring responsibility for adequate drainage, etc. It seems to us that this diffuses responsibility to future parties and fails to address the problems squarely. It seems more reasonable-to require the Project applicant to provide a permanent physical solution by means of demonstrably adequate drainage and additional retaining wall mechanisms - and this should be done NOW as a condition of the permitting requirements.

Response:

The property owner can only make improvements to the property line. Therefore, until the adjacent properties are improved, landslide debris will remain on three sides of the property. Drainage devices are planned to collect and convey water from upslope properties to Castellammare Drive. The drainage devices will be designed in conformance with the Building Code. All drainage devices require periodic maintenance and cleaning to remain effective and to function as design. The J. Byer Group is not aware of a drainage system that will not require maintenance. It is our opinion that the affidavit protects the adjoining properties by notifying future owners of the obligation to maintain drainage devices. It should be noted, that drainage is currently not controlled.

Comment 70-3:

3. Completion of Project assurance

The documents on file do not specify the fate of the Project in case of a business failure during the course of construction. There is apparently no bond provision that would assure that the project could not simply be abandoned. We believe that this issue needs to be addressed. An abandoned Project would have a horrific impact on the neighborhood.

Response:

The commenter is referred to Topical Response 2: Revello Landslide. The commenter is also referred to Topical Response 9: Bonds.

Comment 70-4:

4. Size and density of Project

The Project envisions the construction of eighty-two dwelling units on a rather small footprint. The inevitable result is that dwelling density in the neighborhood will skyrocket, and its character will be irretrievably altered. In particular, the open character that we value so dearly will be seriously eroded. For this reason and others, we urge consideration about a reduction in the scope of this Project.

Response:

The height and density of the proposed project is consistent with the permitted zoning for the site. The commenter is referred to Topical Response 1: Views. The commenter's recommendation to consider a reduced project will be forwarded to the decision makers for consideration.

Comment 70-5:

5. Length of time for construction

The EIR envisions a three-year period for the completion of the Project. Over half of this time (18-19 months, p. 39) will consist of heavy grading, construction activities, and trucking of materials and supplies. This will surely cause major disruption in the life style of those of us living adjacent to the Project site. Further, we fear concomitant negative market value impacts.

Response:

The commenter is referred to Topical Response 10: Construction Schedule. The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Topical Response 4: Short-Term Noise. Property values are not a CEQA impact area, however, this comment will be forwarded to the decision makers for consideration.

Comment 70-6:

6. Impact upon traffic patterns

If the full Project is built with eighty-two units, we fear that traffic patterns into and out of our neighborhood will be seriously affected. In fact, the EIR (page 240) acknowledges this. Although we nominally have two routes of ingress and-egress, the Tramonto option is be far the most effective. It is clear that this route will suffer seriously from the Project in its currently planned size.

For the reasons stated above, we urge that a scope reduction be considered for the Project.

Response:

The commenter is referred to Topical Response 6: Traffic and Topical Response 7: Access. The commenter is also referred to Responses to Comments 21-2, 21-3 and 62-23.

Comment Letter 71

April 7, 2003

Stephen Buswell, IGR/CEQA Branch Chief, Department of Transportation

Comment 71-1:

This follows our letter of February 28, 2003. The following is our comment after we received the Traffic Analysis for Palisades Landmark Residential Project.

Please reference the Department's Traffic Impact Study Guideline on the Internet at:

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

Apply the equitable share responsibility formula on page 2 of Appendix B (Methodology for Calculating Equitable Mitigation Measures) to set aside portion of the Transportation Impact Fee for the future State Highway improvement projects. The city may need to establish an additional fee for this purpose.

If you have any questions, please feel free to contact me at (213) 897-4429 or Alan Lin the project coordinator at (213) 897-8391 and refer to IGR/CEQA No. 030358AL.

Response:

The commenter is referred to Response to Comment 20-2.

Comment Letter 72

April 11, 2003

Cindy Miscikowski, Councilwoman, Eleventh District, City of Los Angeles

Comment 72-1:

Thank you for your letter, regarding the Draft Environmental Impact Report that has been circulating in reference to the property at 17331-17333 Tramonto. With this letter I am forwarding your correspondence to the Department of City Planning so that a response may be included within the Final Environmental Impact Report (FEIR).

I am aware that in the past your community has had grave concerns regarding bonds being posted on projects in your area. You should know that the Department of Building & Safety requires that projects proposing this amount of grading actually post a bond so that if the site is abandoned for any reason and the hillside is not secure, then the City can step in and do work on the slope to ensure that all surrounding properties are protected. However, if the Project is not abandoned, the responsibility for any damages would be that of any private property owners involved.

I hope this information has been helpful. You can also expect a response to appear in the FEIR. If you have any farther concerns, please feel free to contact my office.

Response:

Comment acknowledged. The commenter is referred to Topical Response 9: Bonds for the requirements the project applicant is to abide by. According to the City of Los Angeles Municipal Code, project applicants are required to file a bond with the Department of Building & Safety to ensure that all applicable requirements are followed.

Comment Letter 73

April 17, 2003

Terry Roberts, Senior Planner, State Clearinghouse, Governor's Office of Planning and Research

Comment 73-1:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on March 3, 2003. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2002051086) when contacting this office.

Response:

Comment noted. The State Clearinghouse is referring to a comment letter received from Stephen Buswell, of the Department of Transportation. This letter is included as Comment Letter 71 above. The commenter does not address the adequacy of the Draft EIR; therefore, no further response is required.