



## Division of Land / Environmental Review

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012



# ***FINAL ENVIRONMENTAL IMPACT REPORT***

***BRENTWOOD-PACIFIC PALISADES COMMUNITY PLAN AREA***

## ***Stephen S. Wise Middle School Relocation Project***

***ENV-2003-4563-EIR***

***State Clearinghouse No. 2003101055***

***Council Districts 5 and 11***

**THIS DOCUMENT COMPRISES THE SECOND AND FINAL PART OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROJECT DESCRIBED. THE DRAFT EIR THAT WAS PREVIOUSLY CIRCULATED FOR PUBLIC REVIEW AND COMMENT COMPRISES THE FIRST PART.**

**Project Address:** Stephen S. Wise Middle School, 15900 & 16100 Mulholland Drive,  
Los Angeles, CA 90049

**Project Description:** The project consists of the relocation of the existing 240-student Stephen S. Wise Middle School to a permanent location on the existing Milken Community High School (High School) campus, from currently leased facilities owned by the Bel Air Presbyterian Church, located approximately 0.52 mile west of the High School campus. The permitted enrollment of the Consolidated Middle School/High School site would be 240 Middle School students (grades 7 and 8) and 650 High School Students (grades 9 through 12), the same as currently permitted in the existing Stephen S. Wise Middle School and the High School. Proposed development for the Middle School consists of 30,000 square feet of classroom and ancillary space in four single-story structures. The Middle School would comprise 4.5 acres of the total 10.8-acre Middle School/High School campus.

The project also includes the development of physical education facilities and fields at a 2.8-acre nursery/pre-school site, located approximately 1,000 feet west of the proposed Consolidated Middle School/High School site, the Athletic Field site. The existing CUP for the nursery/pre-school permits 320 students at buildout. (A total of 290 students are permitted in the existing temporary buildings.) Under the proposed project, this facility, which is housed in several modular structures, would be permanently removed. Another component of the project includes minor improvements to the High School. Specifically, three existing balconies on the south side of the existing High School building would be enclosed for use as educational space, and a canopy would be added to the High School entrance and extended along walkways for protection during inclement weather.

**APPLICANT:**

**Stephen S. Wise Temple**

**PREPARED BY:**

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

**January 2006**

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I. SUMMARY

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## I. SUMMARY

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This Final EIR has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) with respect to the proposed Stephen S. Wise Middle School Project.

As described in Sections 15089 and 15132 of the CEQA Guidelines, the lead agency must prepare a Final EIR before approving the project. The purpose of a Final EIR is to provide an opportunity for the lead agency to respond to comments made by the public and agencies. Pursuant to CEQA Guidelines Section 15132, this Final EIR includes a revised summary, corrections and additions to the Draft EIR, a list of persons, organizations, and agencies commenting on the Draft EIR, responses to comments, and a Mitigation Monitoring and Reporting Program.

This Final EIR is intended to be a companion to the July 2005 Draft EIR, which is incorporated by reference and bound separately. (Refer to Volumes I and II of the Draft EIR). This Final EIR is organized into four sections:

**Section I, Summary**—This section provides an overview and background of the proposed project and its potential impacts.

**Section II, Corrections and Additions**—This section provides a list of revisions that were made to the Draft EIR, based on comments received from the public and agencies, and other items requiring updating and/or corrections.

**Section III, Responses to Written Comments**—This section presents a matrix of the parties that commented on the Draft EIR and the issues that they raised. This matrix is followed by each comment within the comment letter with a corresponding response.

**Section IV, Mitigation Monitoring and Reporting Program (MMRP)**—This section provides the full MMRP for the projects. The MMRP lists all of the proposed mitigation measures, by environmental topic, and identifies for each of the measures, the enforcement agency, the monitoring agency, the monitoring phase, the monitoring frequency, and the action indicating compliance.

**Appendix A, Original Comment Letters**—This Appendix includes comments letters in the form that they were submitted.

## A. PROPOSED PROJECT

The project consists of the relocation of the existing 240-student Stephen S. Wise Middle School to a permanent location on the existing Milken Community High School (High School) campus. The Stephen S. Wise Middle School currently operates in leased facilities owned by the Bel Air Presbyterian Church and located at 16190 Mulholland Drive, approximately 0.52 mile west of the High School campus at 15900 Mulholland Drive. The permitted enrollment of the Consolidated Middle School/High School site would be 240 Middle School students (grades 7 and 8) and 650 High School Students (grades 9 through 12), the same as currently permitted in the existing Stephen S. Wise Middle School and the High School. Proposed development for the Middle School consists of 30,000 square feet of classroom and ancillary space in four, single-story structures.<sup>1</sup> The Middle School would comprise 4.5-acres of the total 10.8-acre High School campus. With relocation of the Stephen S. Wise Middle School to the High School site, use of the Bel Air Presbyterian Church property south of Mulholland Drive for a 240-student Middle School may continue.

The project also includes the development of physical education facilities and fields at a 2.8-acre nursery/pre-school site, located approximately 1,000 feet west of the proposed Consolidated Middle School/High School site, the Athletic Field site. The existing CUP for the nursery/pre-school permits 320 students at buildout. (A total of 290 students are permitted in the existing temporary buildings.) Under the proposed project, this facility, which is housed in several modular structures, would be permanently removed. Another component of the project includes minor improvements to the High School. Specifically, three existing balconies on the south side of the existing High School building would be enclosed for use as educational space, and a canopy would be added to the High School entrance and extended along walkways for protection during inclement weather.

## B. OVERVIEW OF THE PLANNING CONTEXT

The City of Los Angeles is the Lead Agency for the proposed project, pursuant to CEQA. This EIR has been prepared at the direction and under the supervision of the City of Los Angeles Department of Planning in accordance with CEQA<sup>2</sup> and the CEQA Guidelines, as amended.<sup>3</sup> An Environmental Assessment Form and Initial Study were prepared by the Lead Agency, which made the determination that an EIR would be required. A Notice of Preparation (NOP) for the

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<sup>1</sup> *The 30,000 square feet of program floor area excludes non-program areas such as covered walkways, hallways, and awnings, as well as area excluded by Code.*

<sup>2</sup> *Public Resources Code Sections 21000-21178.*

<sup>3</sup> *California Code of Regulations Title 14, Chapter 3, Sections 15000-15387.*

EIR was then circulated for public and agency review on October 9, 2003. In accordance with CEQA, the period for receiving comments ended November 10, 2003. The Initial Study and NOP, in addition to comments received in response to the NOP, are contained in Appendix A of this EIR.

A Scoping Meeting to receive comments on the project was held on October 23, 2003. In response to public comments and other considerations, the Applicant has eliminated some of the project components described in the NOP. Specifically, a 25,000-square-foot, 400-seat performing arts center, which would have been located on the nursery/pre-school school site, is no longer a project component. Also, a proposed regulation-size soccer field has been replaced with smaller court, and track and field areas.

In accordance with Section 15121 of the State CEQA Guidelines, the purpose of the EIR is to identify all potentially significant effects of the project on the physical environment, to determine the extent to which those effects can be reduced or avoided and to identify and evaluate feasible alternatives to the project as proposed. Agency decision-makers will then use this information to take appropriate action on the project. The EIR, in itself, will not determine whether the proposed project will be approved.

In the Initial Study, the City determined that implementation of Stephen S. Wise Middle School project may, either by itself or in conjunction with past, present, and reasonably foreseeable future development in the vicinity, have significant effects in the following areas:

- Aesthetics
- Cultural Resources (Archaeological and Paleontological Resources)
- Air Quality
- Biological Resources
- Geology/Seismic Hazards
- Hydrology
- Land Use
- Noise
- Transportation/Circulation
- Parking

The City determined that the project would not have the potential to cause significant impacts in the following areas: Agricultural Resources, Historic Resources, Hazardous Materials,



Mineral Resources, Population/Housing, Recreation, Public Services, and Utilities. The areas determined potentially significant are addressed and evaluated in the Draft EIR. Mitigation measures are provided to reduce potentially significant impacts.

On July 14, 2005, the Draft EIR was circulated for a 45-day public review period, as required by CEQA. Based on a request from the community, this review period was extended to September 10, 2005. Copies of the original written comments received during this extended 45-day public review period are provided in Appendix A of this Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the City of Los Angeles, as lead agency, has reviewed all comments received during the review period for the Draft EIR. Each of these written comments has been responded to within Section III, Responses to Written Comments, of this Final EIR.

### **C. AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED**

Potential areas of controversy and issues to be resolved include issues known to be of concern to the community and issues raised in response to the circulated NOP. Issues known to be of concern to the community include traffic, improvements to Mulholland Drive, the location of the proposed Middle School access driveway and increased vehicular activity at the intersection of Walt Disney Drive/Mulholland Drive. Traffic at these and other intersections in the project area are analyzed in detail in this EIR. Access and safety issues relative to this intersection are specifically evaluated in this EIR. Other areas of concern raised during the NOP process regarded a performing arts center which has been subsequently removed from the project and is therefore not addressed in this EIR.

### **D. ALTERNATIVES TO REDUCE OR AVOID SIGNIFICANT EFFECTS**

The Draft EIR examined four alternatives to the proposed project: (A) No Project; (B) Ingress and Egress at Walt Disney Drive Alternative; (C) No Access at Walt Disney Drive Alternative; and (D) Alternative Location. Each of these alternatives, together with a discussion of other alternatives that were rejected, is discussed in detail in Section V, Alternatives, of the Draft EIR. A summary of each of these alternatives is provided below.

#### **Alternative A: No Project**

Under the No Project Alternative, the proposed project would not be approved and no development would occur within the project site. Thus, the physical conditions of the project site would remain as they are today. No new buildings would be constructed, none of the existing facilities would be expanded or improved, and the existing pre-school site, which is proposed for use as athletic fields for the Consolidated Middle School/High School site, would

continue to function as a pre-school (as permitted for up to 320 students at buildout). Under the No Project scenario, the lease held by the existing Stephen S. Wise Middle School would terminate, and the Stephen S. Wise Middle School would be disbanded. The Stephen S. Wise Middle School would not continue to operate in any location. The existing Stephen S. Wise Middle School site, currently owned by the Bel Air Presbyterian Church, would be reoccupied as a 240-student middle school under the auspices of the Presbyterian Church or other entity unrelated to the Stephen S. Wise Middle School (Related Project No. 4).

Under the No Project Alternative, the significant and unavoidable air quality and noise impacts associated with project construction would not occur. Although no new impacts associated with operational air quality, biological resources, cultural resources, geology/seismic hazards, hydrology, land use, operational noise, and operational traffic would occur under the No Project Alternative, these areas are determined to be less than significant under the project, or reduced to levels that are less than significant with mitigation measures.

The No Project's environmental benefit in relation to the project's short-term construction air quality and noise impacts may be offset by the higher enrollment permitted on the project sites under existing conditions. With the continuation of the nursery/pre-school under the No Project Alternative, total permitted enrollment of the existing nursery/pre-school and High School would be higher than the total proposed enrollment of the Consolidated Middle School/High School and 340 more daily trips ends would occur. In addition, reductions in existing surface water runoff within the proposed Athletic Field site would not occur.

The small environmental benefit of the No Project Alternative in comparison with the proposed project would be offset by the Alternative's failure to meet the project's objectives to provide a permanent middle school facility that supports the cultivation of excellence in education and spiritual tradition and values; to provide a school facility that can support a well-rounded academic program that prepares students for higher education, as well as an intellectual grounding in the principles of Judaism; and to support student education through the provision of the latest education technology (e.g. computers in every classroom, teleconferencing, digital and video capabilities, etc.). In addition, the No Project Alternative would not efficiently utilize lands currently under Stephen S. Wise Temple ownership for school needs; or consolidate the Middle School and High School on a single site to decrease the amount of physical facilities needed through beneficial sharing arrangements; or upgrade the quality of the students' educational facilities by relocating from the temporary educational facilities to new state-of-the-art facilities. As such, the No Project Alternative would not meet the underlying purpose of the project.

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### **Alternative B: Ingress/Egress at Walt Disney Drive Alternative**

Under Alternative B, Ingress/Egress at Walt Disney Drive, development of the Middle School structures and the athletic fields, enclosure of the High School balconies, and construction of the canopy would be identical to the proposed project. However, Alternative B assumes that full site access would be provided via a fourth (i.e., southerly) leg of Walt Disney Drive and that Zeldins Way would not be used by the Middle School for site access. However, Zeldins Way would still be used to provide ingress for the High School. In addition, this alternative assumes that roadway widening of up to 12 feet would occur along the south side of Mulholland Drive adjacent to the Consolidated Middle School/High School site to provide a second eastbound travel lane on Mulholland Drive so as to avoid a significant traffic impact at the Walt Disney Drive/Mulholland Drive intersection. This second eastbound travel lane would extend from the eastbound Mulholland Drive approach to the Walt Disney Drive intersection easterly to the existing bridge at the I-405 Freeway (a distance of approximately 2,000 feet).

As with the project, Alternative B would generate significant and unavoidable air quality and noise impacts associated with construction. However, the proposed widening of Mulholland Drive would somewhat increase these short term impacts. In addition, Alternative B would result in significant and unavoidable impacts associated with consistency with the Mulholland Scenic Corridor Specific Plan due to the proposed additional travel lane on Mulholland Drive to up to the I-405 bridge. Alternative B would also result in somewhat greater impacts associated with aesthetics, biological resources, and hydrology as a result of the widening of Mulholland Drive by up to 12 feet for approximately 2,000 feet. These impacts would remain less than significant. Impacts associated with cultural resources, geology, traffic and parking would be similar to those of the proposed project and would also be less than significant.

Alternative B would meet the development, design, and efficiency objectives of the project since the Stephen S. Wise Middle School would be relocated to a new permanent, state-of-the-art facility; the consolidation of the Middle School and High School on lands owned by the Applicant would occur; and the amount of physical facilities would be decreased through beneficial sharing arrangements.

### **Alternative C: No Access at Walt Disney Drive Alternative**

Alternative C assumes that the Stephen S. Wise Middle School would be relocated to the High School campus and that the two campuses would be consolidated. Three balconies on the high school would be enclosed, the canopy would be constructed and offsite recreational fields would be developed, as proposed. However, no egress or ingress into the proposed Middle School campus would be permitted at the Walt Disney Drive/Mulholland Drive intersection. The Walt Disney Drive/Mulholland Drive intersection would remain in its existing three-legged configuration and the Zeldins Way/Mulholland Drive intersection would be relocated

approximately 200 feet east of its current location and reconfigured to provide space for vehicle queuing for student pick-up and drop-off at the Consolidated Middle School/High School site, and to allow area for maneuvering buses and emergency vehicles. In addition, this alternative assumes that roadway widening of up to 12 feet along the south side of Mulholland Drive for approximately 1,500 feet from Zeldins Way extending east to the bridge at the 405 Freeway would be required. This widening would provide a second eastbound travel lane on Mulholland Drive so as to avoid a significant traffic impact at the Zeldins Way/Mulholland Drive intersection.

As with the project, Alternative C would generate significant and unavoidable air quality and noise impacts associated with construction. However, the proposed widening of Mulholland Drive would somewhat increase these short term impacts. In addition, Alternative C would result in significant and unavoidable impacts associated with consistency with the Mulholland Scenic Corridor Specific Plan due to the proposed additional travel lane on Mulholland Drive extending to the bridge at the I-405. Alternative C would also result in somewhat greater impacts associated with aesthetics, biological resources, and hydrology as a result of the widening of Mulholland Drive by up to 12 feet for approximately 1,500 feet. These impacts would remain less than significant. Impacts associated with cultural resources, geology and traffic would be similar to those of the proposed project and would also be less than significant. Alternative C would require the removal of approximately 80 High School parking spaces, and create an internal vehicle conflict point between inbound and outbound vehicles that could result in the queuing of vehicles onto Mulholland Drive. When compared with the project, these attributes of Alternative C would result in impacts associated with parking and access that would be greater and that would be significant and unavoidable.

Alternative C would meet the development, design, and efficiency objectives of the project since the Stephen S. Wise Middle School would be relocated to a new permanent, state-of-the-art facility; the Middle and High Schools would be consolidated on lands owned by the Applicant; and the amount of physical facilities would be decreased through beneficial sharing arrangements.

#### **Alternative D: Alternative Location Alternative**

Alternative D, the Alternative Location alternative, assumes the construction of the Stephen S. Wise Middle School in another location. Under this alternative, it would be the intent of the Middle School to find an equivalent-sized property to accommodate classroom structures and athletic facilities in the same manner as the existing project sites. Under this alternative, the High School property and existing nursery/pre-school sites would remain in their existing uses and location, and the Stephen S. Wise Middle School would be constructed in another location. An alternative site would have to be conducive to an educational setting and surrounding uses must be generally compatible with the normal activities of a middle school. In addition, the site

would have to be located within the greater Los Angeles area, and preferably within a reasonable distance of the existing campus, so as to continue to effectively serve the existing enrollment base. In addition, the availability of potential alternative properties and the relative ease of obtaining such a property must also be taken into account when considering alternate sites.

Although a site that could be reasonably acquired by the Temple was not identified, for purposes of the analysis, the most viable areas in which the project could be located are within the Mulholland Institutional Use Corridor and within the Sunset Boulevard Corridor in Westwood. Both of these general areas were deemed to be potential alternate sites due to the presence of a number of private schools in these areas. In addition, one specific alternative location within the Mulholland Institutional Use Corridor considered for the Middle School site is the existing nursery/pre-school site, an approximately 2.8-acre site, located approximately 1,000 feet west of the proposed Consolidated Middle School/High School campus. This location is the proposed Athletic Field site under the proposed project. Under this alternative, the athletic fields would be moved to the proposed Middle School site, adjacent to High School, and the proposed Middle School would be moved to the proposed Athletic Fields site.

Under Alternative D, significant and unavoidable environmental impacts associated with construction noise and air quality would be similar to the project, since the alternative location would likely be in the vicinity of other sensitive receivers (residences, schools, and other institutions). Impacts associated with traffic and circulation would be greater due to a longer busing and shuttling distance between the Middle School and High School and a net increase in vehicle trips to the extent that the existing nursery school site is not selected. Impacts associated with biological resources, cultural resources, geology and hydrology would be similar to those of the proposed project. Aesthetic impacts would be greater if the nursery/pre-school site were selected for the Middle School because size constraints would require greater density and less open space on this smaller site. Land use impacts would also be greater than under the proposed project since, in locating the Middle School adjacent to an existing high school, the project would maintain continuity and compatibility of use at this particular site.

The underlying purpose of the project is to consolidate the Middle School and High School on a single site owned by the Applicant and to decrease the amount of physical facilities needed through beneficial sharing arrangements. With the consolidation of the Middle School and High School on a single site, it is the intent of the project to provide for the efficient use of academic space and enhanced school programs; to allow students to walk to and from the respective schools (Middle School and High School), and to reduce or eliminate existing time-consuming bus travel between the schools. Alternative D would not meet the primary purposes of the project and would not reduce project's significant environmental impacts.

## **Environmentally Superior Alternative**

Of the four alternatives analyzed in this EIR, the No Project Alternative is considered the environmentally superior alternative, as it would avoid potential construction-related significant air, and noise impacts that would occur under the project. The No Project Alternative would fail to meet any of the project's objectives to provide a permanent middle school facility and to consolidate the Middle School/High School campus. As such, the No Project Alternative would not meet the underlying purpose of the project and would not be a feasible development alternative.

The CEQA Guidelines (Section 15126.6) require that if a no project alternative is determined to be the environmentally superior alternative an environmentally superior alternative must also be identified among the remaining alternatives. None of the other alternatives would reduce the project's potentially significant construction impacts while meeting the primary objective of the project to consolidate the High School and Middle School campuses. Alternatives B and C involve the same scale of development as the project and, as with the proposed project, Alternatives B and C would incur significant air quality, and noise impact associated with construction. Also, as with the project, Alternatives B and C would generate impacts that are less than significant in relation to aesthetics, views, lighting, operational air quality, biological resources, cultural resources, geologic hazards, hydrology, operational noise and traffic.

However, in evaluating the effects of Alternatives B and C in altering the driveway access scheme into the project site (see the analyses of Transportation and Circulation in the discussion of each of these alternatives above), it was determined that these alternatives were not advantageous over the proposed project's access scheme. Both include widening of Mulholland Drive up to the bridge at the I-405 to add an eastbound travel lane. This widening would somewhat increase the significant short term impacts associated with air quality and noise. In addition, both Alternatives B and C would result in significant and unavoidable impacts associated with consistency with the Mulholland Scenic Corridor Specific Plan due to the proposed widening of Mulholland Drive to up to the I-405 bridge to provide an additional lane. Further, these alternatives include other features which are unfavorable as compared to the proposed project. Alternative B would likely require the addition of a fourth phase to the traffic signal operations at the Walt Disney Drive intersection, thereby reducing the efficiency of operations. Alternative C would require the removal of approximately 80 High School parking spaces, and create an internal vehicle conflict point between inbound and outbound vehicles that could result in the queuing of vehicles onto Mulholland Drive. These attributes of Alternative C would result in significant and unavoidable impacts associated with parking and access.

Although Alternative B is environmentally superior to Alternative C and D, when compared with the project, Alternative B would result in additional significant and unavoidable

impacts associated with land use and somewhat greater impacts associated with aesthetics, air quality, biological resources, hydrology and noise as a result of the widening of Mulholland Drive by up to 12 feet for approximately 2,000 feet. In addition, while traffic impacts associated with Alternative B would be reduced when compared with the project, this reduction is attributable to the additional travel lane proposed along Mulholland Drive as part of Alternative B. Under the project, this new travel lane is not required to mitigate significant traffic impacts. Rather, under the project the TDM program alone mitigates traffic intersection impacts to less than significant levels. Impacts associated with cultural resources, geology traffic and parking would be similar to those of the proposed project. Therefore, the proposed project would be environmentally superior to Alternative B.

With regard to Alternative D, the significant impacts related to the construction process (i.e., significant air quality and noise impacts associated with use of construction equipment and vehicles) under the project would not be avoided due to the presence of sensitive uses in the areas identified. No other significant impacts are associated with the project at the proposed Consolidated Middle School/High School site. In addition, to the extent that Alternative D does not displace the existing permitted nursery school use at the athletic field site, this Alternative would likely result in a significant and unavoidable impact associated with traffic intersection impacts. Since Alternative D would not be environmentally superior in relation to construction impacts or other issue areas, such as aesthetics, views, light and glare, operational air quality, biological resources, cultural resources, land use, operational noise, and traffic generation and would not meet the primary objective of the project to consolidate the Middle School and High School Sites, it is not considered more beneficial than or environmentally superior to the proposed project.

## **E. SUMMARY OF PROJECT IMPACTS**

### **1. Aesthetics, Views, and Light and Glare**

#### **a. Environmental Impacts**

##### **(1) Aesthetics**

The project sites are located in the Institutional Use Corridor of the Mulholland Scenic Parkway Specific Plan and are generally surrounded by other institutional uses, and some undeveloped land. Both of the project sites are currently developed with educational uses.

The Middle School is designed as four linked buildings paralleling Mulholland Drive, on a north-rising terraced site below the gradient of the street. The proposed buildings would

feature varied-height, sloping roofs, stepped facades, and low profile buildings replicating the gradient changes on Mulholland Drive. All portions of the buildings would be single story, with a maximum height of 18.5 feet above finished grade. Building materials would be natural tones similar to the natural setting and other nearby uses and would be consistent with the general character of the institutional corridor. Natural landscaping on the northern portion of the site would provide a transition between the street, project buildings and courtyard/student area and would minimize the potential contrast with the surrounding setting and aesthetic character of the area. The proposed landscape plan at the Middle School site would consist of native plants and landscaping adjacent to Mulholland Drive and would include an informal arrangement of native plants and trees, with accent landscaping at the entrance to the site.

At the proposed Athletic Fields site, existing temporary classrooms would be removed and the site would be improved with a running track, grassy field areas, basketball/volleyball courts and batting cages. Those areas not containing grass (e.g., the track and courts) would contain natural toned playing surfaces. A 760-square-foot, 12-foot-high field house, containing washrooms and equipment storage rooms, would be located along the western edge of the site.

The project would be consistent with the aesthetics standards and policies of the Mulholland Scenic Parkway Specific Plan, including building heights, yard requirements, roofs, and allowable materials for fences, gates and walls. Among the proposed project actions is a request for a plan exception to allow buildings at the Middle School site to penetrate the Viewshed, as defined in the Mulholland Scenic Parkway Specific Plan. Granting an exception would not cause substantial adverse impacts, would be consistent with the general intent of the Specific Plan and would address that intent in the context of the unique circumstances of the project site. The project is consistent with the height limits otherwise applicable to the site (18.5 feet versus the allowed 40-foot limit), and the project has been designed to fit into the hillside with minimal effect on views. All buildings would fall below the grade of Mulholland Drive, and the building locations reduce the penetration to limited areas that are less visually accessible. Therefore, the project would be consistent with the general intent of the Viewshed provisions of the Specific Plan's Design and Preservation Guidelines.

Overall, implementation of project would not detract from the valued visual character of the community or area; introduce an inappropriate contrast between proposed project elements and existing features that embody the project area's valued aesthetic image; remove existing features that substantially contribute to the character or image of the area; or be inconsistent with the goals and polices of the Community Plan that are applicable to aesthetics.

## **(2) Views**

The project sites, including the Consolidated Middle School/High School site and the Athletic Fields site, are visible from public and private locations in the area. Public views are



generally those obtained by travelers along Mulholland Drive. Private views are originated from institutional uses such as schools and places of worship and a limited number of homes at more distant locations. The most notable view location in the area is Mulholland Drive, a scenic parkway. Other notable, public view locations are Sepulveda Boulevard, and I-405. In addition, limited public views and some private views are available from nearby and outlying hillside areas.

Views of and over the Middle School site from Mulholland Drive are extremely limited. The only notable view of the project site is from southbound Mulholland Drive, from approximately 400 feet north of Walt Disney Drive. From this location, viewers see the project site set into the depression below the Mulholland Drive roadway, its surrounding landscaping, and adjacent hillsides located to the north and east. From this perspective, the Middle School buildings would lie below the horizontal view line and no unique view resources would be blocked. In addition, the existing Middle School site is currently altered from its natural character and does not contain any features that would distinguish it as a unique view resource. The nearest major vista point, the Grove Major Vista Point is located 0.9 mile west of Sepulveda Boulevard. The project site is not visible from this vista point due to the winding road and intervening vegetation. Therefore, development of the Consolidated Middle School/High School site would not substantially obstruct a recognized or valued view currently enjoyed from a public roadway.

Views into the Athletic Fields Site from public and private vantage points are limited due to the vegetation surrounding the site, the steep upward slope along the eastern boundary of the site, and the screened fences along the western boundary. The proposed Athletic Field would be set back approximately 40 feet from Mulholland Drive at its closest point and would extend a maximum of 32 feet into the unutilized portion of the Mulholland Drive right-of-way. No prominent views would be blocked or altered as a result of the proposed outdoor uses in this location, and impacts would be less than significant.

### **(3) Light and Glare**

Within the Middle School site, pole lighting would be installed along the internal roadway and parking area, and security lighting would be placed along the building and walkways. All outdoor lighting would be low-level and would be shielded and directed away from off-site areas. Landscape lighting would be directed downward and emit low illumination. The proposed project would not result in a change in ambient illumination levels as a result of project sources. The Middle School's exterior would consist of natural colors and materials and non-reflecting standing seam metal roofs. Building materials for the balcony enclosures and field house would be non-reflective and would not produce substantial amounts of glare.

The proposed Athletic Field site would not introduce new sources of light that would substantially affect nighttime views or illuminate off-site, light-sensitive uses. Pole-mounted lighting that would be shielded and oriented to maximize light spread to the field area would be installed along the east and west sides of the playing areas. The lighting would be low-wattage, shielded, directed toward the playing fields to reduce off-site glare, and directed away from off-site areas to prevent spill over onto adjacent property. The athletic fields would operate primarily during daylight hours while school is in session. In the event that the fields are utilized during the evening, the hours of operation would be limited and, therefore, opportunities for impacts from lights would be minimal. Overall, the project would not introduce uses that would substantially illuminate adjacent, off-site, light-sensitive uses. Therefore, project impacts associated with light and glare would be less than significant.

#### **b. Cumulative Impacts**

Six related projects would be constructed within a similar time frame as the proposed project. The related projects are generally infill and would not involve substantial degradation of open space or views. Three of the related projects would be subject to the provisions in the Mulholland Scenic Parkway Specific Plan Design Review Board review, which would assure that these two related projects would not contrast with the overall character of the immediate area. All related projects would be analyzed on a case-by-case basis to determine their impact on aesthetics, views and light and glare. The related projects are not situated in visually contiguous areas and would not have a composite visual impact on views or visual quality. As with impacts of the proposed project, cumulative impacts associated with aesthetics, views, and light and glare would be less than significant.

#### **c. Mitigation Measures**

Impacts on aesthetics, viewsheds, and light and glare would be less than significant. However, the following mitigation measure is proposed to ensure that impacts associated with lighting would be less than significant.

**Mitigation Measure A-1:** Pole lighting within the Athletic Field site shall not be used after 9 P.M.

#### **d. Level of Significance After Mitigation**

Through the integration of environmentally appropriate architectural design and building and landscaping materials, the proposed project would complement the visual aspects of the project sites and would not significantly impact views or the visual quality of the site or the surrounding area. The proposed project would not result in a substantial change in ambient

illumination levels as a result of project sources. In addition, the mitigation measure above will ensure that pole-lighting within the Athletic Field site will not be used after 9 P.M. Therefore, impacts to aesthetics, views, and light and glare would be less than significant.

## 2. Air Quality

### a. Environmental Impacts

The construction and operation of the project would result in short-term construction emissions and long-term operation emissions. Since the proposed Middle School would be fully completed and operational prior to the demolition and redevelopment of the Athletic Field site, construction activity would not overlap between the two sites. Thus, no combined regional emissions from construction activities would occur. Daily construction-related regional emissions for the Middle School site would not exceed the SCAQMD daily significance thresholds for Reactive Organic Compounds (ROC), Carbon Monoxide (CO), or Sulfurs compounds (SO<sub>x</sub>). In addition, the project would comply with SCAQMD Rule 403 and would implement all feasible mitigation measures for control of dust and Particulate Matter (PM<sub>10</sub>). However, construction of the Middle School would generate 120 to 125 pounds/day of Nitrogen compounds (NO<sub>x</sub>), thereby exceeding the SCAQMD daily significance threshold of 100 pounds/day of NO<sub>x</sub>. Thus, construction activity at the Middle School site would result in a significant short-term regional air quality impact. Maximum regional emissions at the Athletic Field site would not exceed the SCAQMD daily significance thresholds for NO<sub>x</sub>, ROC, CO, PM<sub>10</sub>, or SO<sub>x</sub>. Therefore, construction activity at the Athletic Field site would result in a short-term regional air quality impact that is less than significant.

Localized PM<sub>10</sub> emissions generated from construction activity at the Middle School site would exceed the SCAQMD daily significance threshold level at the Curtis School during site preparation activity. Therefore, construction activity at the Middle School site would result in a significant localized PM<sub>10</sub> impact without incorporation of mitigation measures. Based on maximum localized emissions and sensitive receptors distances, localized construction emissions generated from construction activity at the Athletic Field site would not exceed the SCAQMD daily significance thresholds for NO<sub>x</sub> or CO at all sensitive receptors. Localized PM<sub>10</sub> emissions would also be less than significant with the exception of the Mirman School during site preparation activities. Therefore, the project would result in a significant localized PM<sub>10</sub> impact without incorporation of mitigation measures.

During long-term operation, the project is estimated to result in a net reduction of 340 trip ends per day when accounting for the CUP for the use of the Nursery School site that would no longer be utilized. Therefore, mobile emissions would decrease as a result of the project. Regional emissions resulting from the project would be well below the SCAQMD thresholds for CO, ROC, NO<sub>x</sub>, PM<sub>10</sub>, or SO<sub>x</sub> and the project operations would not result in significant impacts

associated with regional air quality emissions. The project would also be consistent with the goals and policies of the AQMP. Therefore air quality impacts associated with the operation of the project would be less than significant.

### **b. Cumulative Impacts**

The project would result in a short-term regional construction impact for an O<sub>3</sub> precursor (NO<sub>x</sub>), thereby contributing to a significant cumulative construction air quality impact since the Basin is non-attainment for O<sub>3</sub>. However, the project would not contribute to a cumulative localized construction air quality impact associated with related projects.

Under SCAQMD criteria, the analysis of cumulative operational impacts focuses on determining whether the project is consistent with forecasted future regional residential or employment growth. The operation of the project would not increase employment relative to the Middle School and would not have a significant cumulative impact on regional air quality based on the SCAQMD's criteria. If all cumulative projects are individually consistent with the growth assumptions upon which the SCAQMD's AQMP is based, then future development would not impede the attainment of ambient air quality standards and a significant cumulative operational air quality impact would not occur.

### **c. Mitigation Measures**

Mitigation Measures B-1 and B-2 are in addition to SCAQMD Rule 403 (Fugitive Dust) requirements to reduce localized PM<sub>10</sub> emissions during construction. Mitigation Measures B-3 and B-4 address regional NO<sub>x</sub> emissions that exceed SCAQMD daily significance thresholds during construction. No mitigation measures relating to operations would be required.

**Mitigation Measure B-1:** Water three times daily or non-toxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce off-site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.

**Mitigation Measure B-2:** Streets shall be swept as needed during construction, but not more frequently than hourly, if visible soil material has been carried onto adjacent public paved roads.

**Mitigation Measure B-3:** General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues will have their engines turned off when not in use, to reduce vehicle emissions. Construction activities

should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

**Mitigation Measure B-4:** To the extent feasible, electric-powered construction equipment shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.

#### **d. Level of Significance After Mitigation**

Construction activities for the Middle School would exceed SCAQMD daily emission thresholds for regional NO<sub>x</sub>, even after implementation of all feasible mitigation measures. Therefore, construction of the project would have a significant and unavoidable impact on regional air quality. With regard to localized emissions, the mitigation measures would reduce localized PM<sub>10</sub> emissions at the Curtis School and the Mirman School to below the SCAQMD localized significance thresholds. Therefore, construction of the project would result in impacts on local air quality that are less than significant at both project sites.

### **3. Biological Resources**

#### **a. Environmental Impacts**

The project site is not located within a designated Los Angeles County Significant Ecological Area (SEA). Due to the lack of native vegetation and the absence of listed endangered, threatened, rare, protected, candidate, or sensitive species on the project site, the previously developed condition of the project sites and abundance of non-native ornamental landscaping, the project is not expected to result in the loss of individuals, or the reduction of existing habitat of a state or federally listed endangered, threatened, rare, protected, candidate, or sensitive species, or a reduction in a locally designated natural habitat community. The project is also not expected to interfere with habitat such that normal species behaviors are disturbed to the degree that may diminish the chances for long-term survival of a sensitive species. In addition, no riparian vegetation, sensitive natural community, waters or wetlands are present on the project site.

The project site does not appear to support regional movement of wildlife between the eastern and western portions of the Santa Monica Mountains, due to the densely developed areas to the north of the project site and the presence of large, arterial highways to the east. Regional wildlife movement is not occurring in the area of the Mulholland overpass and wildlife movement in this area for the purpose of crossing the I-405 Freeway would be unlikely. Since the proposed project is occurring within already developed areas of the current campus, significant impacts associated with wildlife corridors or other biological resources are not expected to occur.

Of the 19 oak trees located on the proposed Middle School site, a total of 11 oak trees would be removed for development. One oak tree would be removed from the Athletic Fields site. Oak trees would be replaced on a minimum two-to-one basis in accordance with City of Los Angeles Ordinance No. 153,478. With adherence to the Oak Tree Ordinance and with the implementation of mitigation measures, the project would not result in the loss of individuals or reduction of existing habitat of a locally designated plant community. Thus, the project's impact relative to on-site oak trees would be reduced to a level that is less than significant.

### **b. Cumulative Impacts**

Since the six related projects consist of infill development on previously disturbed land, impacts on biological resources would not be significant. Related projects would be analyzed on a case-by-case basis for their impacts to oak trees pursuant to City of Los Angeles Oak Tree Ordinance. Thus, no cumulative impact to biological resources would occur.

### **c. Mitigation Measures**

The following mitigation measures would apply to oak trees subject to the City of Los Angeles Oak Tree Ordinance (Ord. No. 153,478).

#### **(1) Tree Protection Measures Prior to Construction**

Throughout the construction period, the preserved oak trees shall be protected by fencing and signage. All contractors shall be made aware of the tree protection measures.

**Mitigation Measure C-1:** Communication: All construction work potentially impacting any protected oak tree shall be approved by, performed under the supervision of, and inspected by a certified arborist or registered consulting arborist. This arborist shall also oversee all maintenance work on the oak trees including irrigation, pruning and spraying. The on-site construction supervisor shall be responsible to ensure that all contractors, equipment operators, spotters, assistants, or those directing operations in the area are fully informed of the oak tree protection practices. This shall include information on the oak tree protection zone, the necessity of preventing damage, and the discussion of work practices that will accomplish such.

**Mitigation Measure C-2:** Fencing: Six-foot-high, brightly colored construction fencing secured to heavy-gauge posts 8 feet on-center shall be erected along the construction side of each oak tree. The protective fence shall be installed 5 feet outside of the drip line, if possible. If construction is to occur within the drip line, the fencing shall be installed 12 inches inside the new footing or

trenching line. The fence shall delineate the oak tree protection area and prevent unwanted activity in and around the oak trees. Construction personnel shall keep the fenced area clear of building materials, waste, and excess soil (ISA 2001). In addition, no digging, trenching, compaction, or other soil disturbance shall be allowed in or around the fenced area (ISA 2001). Tree protection signs shall be attached to every other post. An opening (or gate) in the fence shall be provided to allow access within the tree protection zone for tree maintenance purposes. All work within the fenced area shall be approved in writing and performed under the supervision of an arborist. The fence shall be maintained upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are complete.

**Mitigation Measure C-3:** Irrigation: The oak trees shall not be irrigated during the summer or fall months prior to any root pruning.

## (2) Protection Measures and Maintenance During Construction

Once construction activities have begun the following measures are recommended:

**Mitigation Measure C-4:** Equipment Operation and Storage: Heavy equipment operation around the trees shall be avoided. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and subsequently reduces water penetration in the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced tree protection zone, unless where specifically approved in writing and under supervision of the certified arborist.

**Mitigation Measure C-5:** Storage and Disposal: Supplies and materials, including paint, lumber, concrete overflow, etc., shall not be stored or discarded within the protection zone. All foreign debris within the protection zone shall be removed; it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Draining or leakage of equipment fluids near retained trees shall be avoided. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Equipment shall be parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil.

**Mitigation Measure C-6:** Grade Changes: Grade changes, including adding fill, shall not be permitted within the tree protection zone, without special written authorization and under supervision by the certified arborist. Lowering the grade within this area would necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the trees. Adding soil, even

temporarily, on top of the existing grade would compact the soil further, and decrease both water and air availability to the trees' roots.

**Mitigation Measure C-7: Moving Construction Materials:** Care shall be taken when moving equipment or supplies near the trees, especially overhead. Tree damage shall be avoided when transporting or moving construction materials and working around the trees (even outside of the fenced tree protection zone). Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon. If contact with tree crowns is unavoidable, the interfering branch(es) shall be pruned by a licensed tree trimmer experienced with oak trees using ISA standards.

**Mitigation Measure C-8: Pruning:** Unless unavoidable, trees shall not be pruned until all construction is completed. This will help protect the tree canopies from damage. All pruning shall be done under the direction of an ISA Certified Arborist and using ISA guidelines.

**Mitigation Measure C-9: Root Pruning:** Except where specifically approved in writing, all trenching shall be outside of the fenced protection zone. Roots primarily extend in a horizontal direction forming a support base for trees that are similar to the base of a wineglass. Where trenching is necessary in areas that contain tree roots, hand trenching or an air spade is recommended. Prune the roots using a Dosko root pruner or equivalent. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary. If trenching within the tree protection zone is unavoidable, an air spade shall be used rather than mechanical trenching equipment. Any underground line within the tree protection zone shall curve so that no roots are impacted.

**Mitigation Measure C-10: Irrigation:** Approximately 48 hours before root pruning, the soil shall be irrigated to a depth of 3 feet. The liquid root stimulant "Root Concentrate" shall be added to the irrigation water prior to root pruning. This product helps the trees to regenerate root growth. Root Concentrate can be purchased from Target Specialty Products Inc. located in Santa Fe Springs, California, 562/802-2238. Application of this product is best achieved in a dilution state via the use of a water truck. Follow "Root Concentrate" label instructions.

**Mitigation Measure C-11:** Once roots have been pruned (30 percent or more of the total root zone), the trees shall be irrigated for the first 12 months. The first irrigation shall be within 48 hours of root pruning, containing a liquid root stimulant such as "Root Concentrate." For the first 12 months following root pruning, the soil shall be deep watered every two weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One



irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil should dry out between watering; avoid keeping a consistently wet soil.

**Mitigation Measure C-12:** One person shall be designated to be responsible for irrigating (deep watering) the trees. Check soil moisture with a soil probe before irrigating. Irrigation is best accomplished by installing a temporary above ground micro-spray system that will distribute water slowly (so as to avoid runoff) and evenly throughout the fenced protection zone. If irrigated via a water truck, a 12-inch-high berm shall be built around the fenced area. Constructing several dividing berms within the fenced area (like spokes on a wheel) will help to distribute evenly the water within the irrigation zone.

**Mitigation Measure C-13:** Washing: During construction, the trees' foliage shall be washed with a strong water stream every week in early hours before 10:00 A.M. to control mite and insect populations. Washing should include the upper and lower leaf surfaces and the tree bark.

**Mitigation Measure C-14:** Spraying: Following root pruning a preventative spray is recommended for insect control. Insects and other damaging organisms are attracted to and will proliferate in trees under stress. The spraying should be performed by a licensed applicator under the direction of a licensed pest control advisor.

**Mitigation Measure C-15:** Inspection: An ISA Certified Arborist shall inspect the oak trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of the trees are to be included in the report on a minimum annual basis.

### (3) Maintenance After Construction

Once construction is complete the fencing may be removed and the following measures performed to sustain and enhance the vigor of the oak trees.

**Mitigation Measure C-16:** Mulch: The natural duff layer under the trees shall be maintained. Additional mulch shall be added in areas where the natural duff layer is less than 3 inches. All mulch added shall be organic mulch such as wood chips, shredded bark, or pine needles. Avoid piling mulch up against the trunk of trees to avoid disease problems. The mulch helps condition the soil, moderates soil temperatures, maintains moisture, and reduces competition from weeds and grass.

**Mitigation Measure C-17: Pruning:** The trees will not require regular pruning. Pruning should only be done to maintain clearance and remove broken, dead or diseased branches. Pruning shall only take place following a recommendation by an ISA Certified Arborist and performed under the supervision of an ISA Certified Arborist. No more than 15 percent of the canopy shall be removed at any one time. All pruning shall conform to International Society of Arboriculture standards.

**Mitigation Measure C-18: Irrigation:** Beyond the 12 months following substantial root pruning, the trees should not require regular irrigation. However, soil probing shall be performed to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation may be necessary. If recommended by the appointed arborist, trees should be irrigated only during the winter and spring months. Once native oaks are placed in an improved landscape setting, there is a greater concern for over watering than under watering.

**Mitigation Measure C-19: Other Plant Material:** There shall be no additional plants installed within the drip line of an oak tree. A minimum 30-inch dry zone shall be maintained around tree trunks.

**Mitigation Measure C-20: Washing:** Periodic washing of the foliage is recommended even after construction. This shall be completed twice a year (early June and late August) with a high-powered hose only in the early morning hours. Washing shall include the upper and lower leaf surfaces and the tree bark. Washing will help control dirt/dust buildup that can lead to mite and insect infestations.

**Mitigation Measure C-21: Spraying:** Because of the impact that trees will sustain during construction, trees may require regular application of insecticides to prevent the intrusion of bark-boring beetles and other invading pests. An ISA Certified Arborist shall develop a preventative spraying program once the extent of construction activity is known. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.

**Mitigation Measure C-22: Inspection:** The oak trees impacted by construction shall be monitored by an ISA Certified Arborist, appointed by the Recreation and Parks Department, for the first five years after construction completion. The Arborist shall submit an annual report with photographs and comparisons of current tree health and condition to original, pre-construction baselines.

**Mitigation Measure C-23: Compliance with the Migratory Bird Treaty Act (MBTA):** Due to some sizeable trees and shrubs occurring within and adjacent to the

Sites, removal of any large trees and large vegetation (i.e., large branching shrubs) shall take place outside of the nesting season (February 15–August 15) in accordance with the MBTA. If such removal activities must occur during the nesting season, a biological monitor shall be present during the removal activities to ensure that no active nests will be impacted. If active nests are found, a 200-foot buffer radius (500 feet for raptors) shall be established until the fledglings have left the nest.

#### **d. Level of Significance After Mitigation**

With incorporation of the mitigation measures, no significant impacts to biological resources would occur as a result of the proposed project.

### **4. Cultural Resources**

#### **a. Environmental Impacts**

The South Central Coastal Information Center's records search concluded that no prehistoric or historic archaeological sites were identified in the project sites or within a 0.5-mile radius of the project area. In addition, the project sites have been previously graded and contain shallow fill. Thus, the potential for the discovery of unique or important archeological resources is considered low and impacts would be less than significant.

Implementation of the project would require some excavation and grading to modify the existing topography. Within both sites, areas to be developed have been previously disturbed by grading and development activities. However, construction activities have the potential to directly or indirectly destroy a unique paleontological resource if excavation into any underlying marine Late Miocene Monterey Formation bedrock, also known as Modelo Formation bedrock, is required. The Modelo Formation is known to contain a broad range and magnitude of vertebrate fossils. If Modelo formation bedrock were excavated or breached, the probability of encountering remains of fossil marine vertebrates would be high. With implementation of the proposed mitigation measures, potential impacts associated with paleontological resources would be reduced to levels that are less than significant.

#### **b. Cumulative Impacts**

Cumulative impacts associated with archeological resources would be less than significant since, like the proposed project, each of the related projects would be required to comply with state regulations, in the event that archeological resources are found. The potential for damaging any paleontological resources during construction would be similar for all related projects, since the Modelo formation bedrock commonly occurs throughout the Santa Monica

Mountain region. With the implementation of the proposed mitigation measures, project impacts associated with paleontological resources would be less than significant. It is expected that the related projects, as a function of the mandatory environmental review process, would also implement appropriate mitigation measures to address paleontological resources on a case-by-case basis, if deemed necessary. Therefore, cumulative impacts associated with archaeological and paleontological resources would be less than significant.

### c. Mitigation Measures

With implementation of the following mitigation measure, potential impacts on paleontological resources would be reduced to a level that is less than significant.

**Mitigation Measure D-1:** A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the project site where excavations into bedrock material of the marine Late Miocene Monterey Formation (also known as the Modelo Formation) may occur. The services of a qualified paleontologist shall be secured by contacting the Natural History Museum of Los Angeles County. The frequency of inspections will be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains.

**Mitigation Measure D-2:** If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.

**Mitigation Measure D-3:** At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

**Mitigation Measure D-4:** Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.

**Mitigation Measure D-5:** Any fossils collected should be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

**Mitigation Measure D-6:** If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

#### **d. Level of Significance After Mitigation**

With the implementation of the mitigation measures listed above, no significant unavoidable adverse impact associated with paleontological resources is anticipated. Although the occurrence of archaeological resources is not anticipated, any archaeological findings would be subject to State of California regulatory requirements. With the implementation of state statutes, no significant archaeological impacts would occur as a result of the proposed project.

### **5. Geology/Seismic Hazards**

#### **a. Environmental Impacts**

Project development would require grading (site preparation) and excavation for the removal of existing foundations and placement of new foundations. Earthwork for the Middle School would require 29,000 cubic yard of cut material, 5,800 cubic yards of fill material and an additional 6,000 cubic yards of removed foundation material, resulting in a total of 29,200 cubic yards of exported material. Construction of the Athletic Fields would require 2,600 cubic yards of cut material, and 1,200 cubic yards of fill material, resulting in removal from the site of 1,400 cubic yards of exported material. The project sites have been previously graded and impacts associated with the destruction or permanent loss of any prominent geologic or topographic feature would be less than significant.

The proposed Middle School site is underlain by bedrock of the Modelo Formation beneath shallow fill soils. The Modelo Formation has the potential to be highly expansive when oxidized and acidic and highly corrosive to ferrous metals, copper and concrete. Therefore, expansive and corrosive bedrock and fill soils could cause distress to building foundations, slabs, walkways and pavement at the site. In accordance with geologic recommendations, buildings would be supported on drilled cast-in-place concrete piles and the floor slabs would be structurally supported with a void (e.g., crawl space) beneath the floor. As such, corrosive, expansive soils would be addressed and the proposed Middle School project would not cause or accelerate geologic hazards associated with soils.

The west-facing slope of the Middle School site along Sepulveda Boulevard generates loose debris from the weathering of bedrock materials. This slope would continue to generate soil and rock fragments downslope and would likely regress upslope into the building pad unless measures are implemented to stabilize the slope. The project would incorporate a retaining wall with a catchment fence as recommended in the geotechnical report. A potential slope stability hazard would also be addressed through correction of the drainage at the top of the slopes. The geotechnical report for the proposed Athletic Fields site also recommends construction methods to promote slope stability as well as specifies foundation types, excavation procedures, and location of piles. With the implementation of project design features and additional recommendations provided in the site-specific geotechnical reports, the proposed project would not cause or accelerate geologic hazards, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury or constitute a geologic hazard to other properties by accelerating instability from erosion. Therefore, impacts related to slope stability would be less than significant.

The project sites are not located within an Alquist-Priolo Earthquake Fault Rupture Hazard Zone or a Seismic Hazard Zone. Risk of strong ground motion at the project sites would be no greater than at other sites in the region. The proposed Middle School buildings should perform satisfactorily when designed and constructed according to Los Angeles Building Code and California Geologic Survey requirements. The potential for ground rupture due to faulting is considered remote. The project would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. Therefore, impacts related to seismic hazards would be less than significant.

### **b. Cumulative Impacts**

Cumulative impacts associated with geologic and seismic issues are typically associated with massive excavation projects on contiguous sites or cumulative development in an area of geological vulnerability, such as fault rupture zones, liquefaction areas, or areas of known instability. Of the six related projects, (Related Project 4) is located at the current Stephen S. Wise Middle School site, west of the proposed athletic fields site. Related Project 4, and other related projects, are sufficiently removed from the project sites that separate development of each area would not cause cumulative geologic hazards. In addition, the project and related project sites are mutually located in areas of high seismic risk or geologic instability. Adherence to applicable building regulations and standard engineering practices would ensure that geologic and seismic impacts would be less than significant on the individual sites. Therefore, the proposed project and related projects would not contribute to a cumulative impact related to geologic hazards.

### **c. Mitigation Measures**

**Mitigation Measure E-1:** The Applicant or its contractor shall incorporate the recommendations detailed in the site-specific geotechnical investigations prepared for the proposed project, as approved by the City of Los Angeles.

### **d. Level of Significance After Mitigation**

With implementation of the project design features as well as the mitigation measure, significant impacts associated with geology and seismic hazards would not occur as a result of the proposed project.

## **6. Hydrology**

### **a. Environmental Impacts**

#### **(1) Construction Phase**

Development of the proposed Middle School site would require the removal of and existing grass playing field, basketball courts, bleachers, and storage structures currently serving as recreational facilities for the existing High School site. The Middle School project is likely to be under construction during portions of the rainy season, October 1 through April 15, as well as during the dry season. As such, construction of the Middle School would temporarily increase the potential for soil erosion and increase the turbidity of runoff from the site. However, the proposed project would be required to prepare a Notice of Intent (NOI) and Storm Water Pollution Prevention Program (SWPPP) to comply with the State National Pollution Discharge Elimination System (NPDES) General Construction Permit as well as to comply with local City of Los Angeles requirements regarding construction activities, including erosion control. As part of these requirements, Best Management Practices (BMPs) would be implemented that would serve to minimize sedimentation, reduce or eliminate other pollutants in stormwater runoff, and reduce or eliminate non-storm water discharges. With the implementation of the SWPPP erosion control plan and associated BMPs, construction activities would not result in or produce a substantial change in the current or direction of water flow or cause pollution, contamination, or nuisance as defined in Section 13050 of the California Water Code, or cause regulatory standards to be violated. As such, impacts associated with hydrology during the Middle School's construction phase would be less than significant.

The proposed Athletic Fields project would require the removal of the existing nursery/pre-school structures, building foundations, play areas, driveway, and parking area. Development of the site would require grading of approximately 2,600 cubic yards of cut

material, and 1,200 cubic yards of fill material. As with the Middle School project, a SWPPP erosion control plan and associated BMPs would reduce wet weather erosion and off-site sedimentation to acceptable levels. Therefore, impacts associated with hydrology during the Middle School's construction phase would be less than significant.

## (2) Operations Phase

With development of the Middle School, the total impermeable area would increase and storm water runoff during the operation of the project would incrementally increase. Storm water discharges from the Middle School site and the hillside at the west of the site would be conveyed through a closed pipe to Sepulveda Boulevard in two locations, one near the tunnel at the north and another at the southerly end of the project. Discharges generated from the middle portion of the project site would be conveyed through surface and pipe flows toward Milken High School where it would join the existing storm drain at that site. The discharge characteristics of this tributary would be such that the generated discharge not exceed  $Q_{50} = 5.5$  CFS from the site to Sepulveda Boulevard

The discharges from the most northerly drainage area, which will be conveyed from the site to Sepulveda Boulevard, including the hillside to the west will be  $Q_{50} = 21.4$ . The discharge from the developed portion of this area would be run through a proposed detention basin, where  $Q_{50} = 2.6$  would be detained and  $Q_{50} = 1.4$  CFS would be let out into Sepulveda Boulevard. The discharge from the developed portion of the southerly end of the project would be run through a second detention basin, where  $Q_{50} = 3.5$  CFS would be detained, and  $Q_{50} = 0.5$  would be let out into Sepulveda Boulevard. Through these two detention basins the total quantity of water on Sepulveda Boulevard at the south end of the project site is calculated to be 44.9 CFS, which is 0.1 CFS less than the existing discharge of  $Q_{50} = 45$  at the same point.

Storm water that currently runs down the steep hillsides on the west portion of the Middle School site would be untouched by the project. A debris wall to be constructed along Sepulveda Boulevard will capture this runoff and would reduce erosion potential. In accordance with the SUSMP, the Applicant would be required to provide proof on ongoing maintenance and adherence to all BMPs listed in the project's approved hydrology report.

With the implementation debris basins along Sepulveda Boulevard and installation of a new on-site drainage system, water runoff conditions would be improved in relation to existing conditions and would not increase the potential for harmful or damaging flooding in a 50-year storm event. With the implementation of the SUSMP, development of the property would reduce existing pollution and contamination and would not create a nuisance as defined in Section 13050 of the California Water Code. The development of the project would be conducted in accordance drainage plans, reviewed and approved by the regulatory agency in accordance with RWQCB and city code requirements. The project would not cause regulatory



standards to be violated or result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the current or direction of flow. Therefore, impacts associated with surface water quality and hydrology would be less than significant.

The proposed Athletic Fields project would replace existing structures and impermeable asphalt areas with permeable parking lot and playing fields and a 760-square-foot field house. The developed area of the site is primarily 90 percent impermeable under existing conditions. Therefore, storm water discharge would be reduced. Post-development drainage plans would be subject to review and approval by the City of Los Angeles Department of Public Works. With the development of the site, drainage from the hill, which ascends above the south section of the site, would continue to be conducted by concrete drains to the existing storm drain with no change. The proposed athletic fields and related facilities would all drain to the existing storm drain that was installed for the previous school facility. Due to greater permeability of the soil as a result of the new grass playing field and other non-impervious surfaces, the volume of water that would be conveyed through the storm drain from this site would be reduced from  $Q_{50} = 28.3$  CFS to  $Q_{50} = 26.8$  CFS.

As a design feature of the project, all water from the site will be collected in catch basins, which would be fitted with settlement trap and filters. The catch basins would filter runoff water within the site to remove pollutants and debris, before the water conveyed to the existing storm drain, would be filtered. Water quality to the existing storm drain would be significantly improved.

Water runoff from the Athletic Fields site would be reduced in relation to existing conditions and would not increase the potential for harmful or damaging flooding in a 50-year storm event. The project hydrology report and post-development drainage plans would be subject to review and approval by the City of Los Angeles Department of Public Works. As with the Middle School project, a SUSMP for the operational life of the Athletic Fields project would be required. The SUSMP would ensure that storm water pollution is addressed through BMPs in the design phase of development. With the implementation of the SUSMP, development of the property would reduce existing pollution and contamination and would not create a nuisance as defined in Section 13050 of the California Water Code. The development of the project would be conducted in accordance drainage plans, reviewed and approved by the regulatory agency in accordance with RWQCB and city code requirements. The project would not cause regulatory standards to be violated or result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the current or direction of flow. Therefore, impacts associated with surface water quality and hydrology at the Athletic Fields Site would be less than significant.

### **b. Cumulative Impacts**

The proposed Middle School site would generate an incremental increase in runoff and the proposed Athletic Fields site would reduce runoff in relation to existing conditions. Runoff from the proposed Middle School site is conveyed into the exiting curb and gutter system in Sepulveda Boulevard and runoff from the proposed Athletic Fields site is conveyed into Mulholland Drive. Project impacts related to drainage and surface water quality would be localized on-site and would not affect any offsite areas associated with the six related projects. Cumulative development in the area would, however, increase the overall potential for increases in surface water runoff and a decline in surface water quality. Nevertheless, as with the proposed project, adherence to Best Management Practices required by the RWQCB and the City of Los Angeles Department of Public Works, would improve water quality, reduce erosion, and minimize runoff impacts. Therefore, cumulative impacts associated with drainage and surface water quality would be less than significant.

### **c. Mitigation Measures**

Impacts associated with surface water runoff and water quality would be less than significant, and no mitigation measures would be required.

### **d. Level of Significance after Mitigation**

Through the implementation of erosion control plans, Best Management Practices, and water filtering and flood control devices, as proposed, development of the property would not increase existing pollution and contamination, create a nuisance as defined in Section 13050 of the California Water Code, cause regulatory standards to be violated, and result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the current or direction of flow. Therefore, impacts associated with surface water and hydrology would be less than significant.

## **7. Land Use**

### **a. Environmental Impacts**

The proposed project is located within the boundaries of the Brentwood-Pacific Palisades Community Plan and the Mulholland Scenic Parkway Specific Plan. The Specific Plan designates an Inner Corridor, a 500-foot-wide buffer zone on both sides of Mulholland Drive in which the project sites are located. The Inner Corridor is subject to numerous regulations that address use, building design, construction procedures, building heights, building size and placement, and setbacks. The Specific Plan also designates the sites as lying within the

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Institutional Use Corridor, which provides for uses such as schools, religious institutions, and accessory buildings.

The project sites are located in the RE-40 zone, which allows private schools under a Conditional Use (CU) permit. Under the proposed project, the approval of a new CU to permit the Middle School within the existing High School site and to allow the nursery/pre-school site to be converted to athletic fields is proposed. Such approval requires a determination that the project is consistent with environmental protection findings established in the Specific Plan. Other project actions include approval by the Mulholland Scenic Parkway Design Review Board.

The proposed project includes a request for a plan exception to allow building structures at the Middle School site to penetrate the “Viewshed,” a visual field within the Inner Corridor, defined by a seven degree angle from four feet above the edge of Mulholland Drive. Visible structures are not to penetrate the Viewshed unless the Director of Planning approves the project, subject to a determination that a project is otherwise consistent with allowable height limits and that a project is designed to complement the view from Mulholland Drive. Granting an exception would not cause substantial adverse impacts, would be consistent with the general intent of the Specific Plan and would address that intent in the context of the unique circumstances of the project site. The building height and visual quality analysis of the project in Section IV.A, Aesthetics, demonstrates that the project is consistent with the height limits otherwise applicable to the site, and the project has been designed to fit into the hillside with minimal effect on views.. Further, all off the project components (i.e., Middle School, balcony enclosures, canopy, and Athletic Field) would be consistent with relevant regional policies and general community policies established in the Brentwood-Pacific Palisades Community Plan. In addition, all of the project components would be consistent with the provisions of the Mulholland Scenic Parkway Specific Plan; and consistent with applicable zoning regulations. The proposed CU would result in a reduction in student activity permitted at the project sites. Therefore, the project would not be in substantial conflict with either the adopted Community Plan or with the whole of relevant environmental policies in other applicable plans. Impacts regarding the regulatory framework would be less than significant.

The proposed educational uses would be compatible with existing religious institution, school, and school-related athletic land uses in the vicinity. Specifically, the proposed building heights would be consistent with existing building heights in the project vicinity. The project site is isolated from residential neighborhoods by distance, terrain, and other institutional uses. Therefore, the project would not adversely change the existing relationships between numerous land uses or properties in an established neighborhood or community or have the long-term affect of adversely altering a neighborhood or community through ongoing disruption, division or isolation. Impacts associated with land use compatibility would be less than significant.

**b. Cumulative Impacts**

The six related projects include the infill and expansion of existing uses. Related Projects 1, 2, 4, 5, and 6 are also institutional uses and Related Project 3 is a state park. All of the related projects are consistent with the underlying land use designations and none would alter existing land use relationships in their general vicinity. These projects would be subject to policies and regulations similar to those of the proposed project and, as with the proposed project, related projects would be consistent with applicable Community Plan and Specific Plan policies and regulations. As such, these projects would not create cumulative inconsistencies with the governing land use plans. None of the related projects would have the long-term affect of adversely altering an established neighborhood or community through ongoing disruption, division or isolation. Therefore land use impacts associated with the regulatory framework or compatibility would be less than significant.

**c. Mitigation Measures**

The project would not have an adverse impact on the relationship between uses in the area. Proposed project actions include project reviews and approvals to ensure that the project is consistent with all land use policies and regulations. With the implementation of the entitlement actions, no further mitigation measures would be required.

**d. Level of Significance After Mitigation**

Proposed entitlement actions include project reviews and approvals to ensure that the project is consistent with all land use policies and regulations. With the finding of conformity by the Director of Planning and the implementation of conditions of approval associated with proposed entitlement actions, the project would be consistent with the intent of the governing land use plans. The project would also be consistent with land use compatibility thresholds. Therefore, no adverse land use impacts would occur and no further mitigation measures would be required.

**8. Noise****a. Environmental Impacts**

Schools, religious institutions, residential uses, and parks are considered sensitive receivers, which would be significantly impacted by an increase in ambient noise levels of greater than 5 dB. Construction noise from the use of heavy equipment such as bulldozers, backhoes, cranes, loaders, concrete mixers, and delivery trucks may increase ambient noise levels at sensitive receiver locations in the area. Projected construction noise from the Middle

School Site would increase ambient levels by approximately 3.9 dBA at the Curtis School and by approximately 1.5 dBA at the Berkeley Hall School. Since these noise levels would not result in a 5-dB increase in presumed ambient noise levels, impacts would be less than significant. However, construction-related noise levels would exceed the presumed ambient noise levels by 9.6 dBA at the Skirball Cultural Center, resulting in a significant impact at that sensitive receiver location. Also due to its proximity to the proposed Middle School site, ambient levels would increase by more than 5 dB at the existing High School.

Projected construction noise at the Athletic Fields site would increase ambient noise levels by approximately 26 dBA at the Mirman School, 19.1 dBA at the Berkeley Hall School, and 16.6 dBA at the Bel Air Presbyterian Church. Since these noise levels all result in greater than a 5-dB increase in the presumed ambient noise levels, construction noise impacts would be significant. An increase in ambient noise levels above 5 dB from the construction at the Athletic Field site would not occur at the Westland School, Curtis School, or at any park or residential uses.

During the operation of the project, noise may emanate from parking lots and recreation fields. Parking lot noise increases would not exceed 1.2 dBA at the Middle School site and 3.0 dBA at the Athletic Fields site. The greatest composite noise of increase due to parking lot and outside activities would be 3.5 dBA CNEL at the Mirman School, where the CNEL could potentially increase from 59.6 dBA to 63.1 dBA. The composite increase in daytime average  $L_{eq}$  (1-hour) at all other receiver locations would be 0.7 dBA or less. Potential noise impacts associated with the operation of the project would be less than significant.

### **b. Cumulative Impacts**

Construction and operational noise would be generated by the six related projects. Since the timing of construction activities for the related projects is not known, quantitative analysis that assumes multiple, concurrent construction projects would be speculative. However, it is possible that construction could take place simultaneously at the project's Athletic Field site and Related Project # 4 (12600 Mulholland Drive). In this case, construction-related noise levels at the Mirman School, the Berkeley Hall School, and the Bel Air Presbyterian Church would be 5 dBA above the City's presumed noise level of 50 dBA. Therefore, it is assumed that a cumulative construction-period noise impact would occur.

Related projects are not anticipated to result in composite operational noise increases in the immediate project locale due to their distance from the project site. Noise generated on the project site during project operation would be localized and, therefore, would not contribute to any cumulative noise outside the immediate vicinity of the site.

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## c. Mitigation Measures

### (1) Construction

As noise associated with on-site construction activity would have the potential to result in significant impacts at the Middle School and Athletic Field sites, the following measures are recommended to minimize construction-related noise impacts:

**Mitigation Measure H-1:** To the extent feasible, construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.

**Mitigation Measure H-2:** Engine idling from construction equipment such as bulldozers and haul trucks shall be limited, to the extent feasible.

**Mitigation Measure H-3:** The construction staging area shall be located as far as feasible from sensitive receivers.

**Mitigation Measure H-4:** An 8-foot temporary sound barrier shall be erected along the eastern edge of the Middle School site such that the “line of sight” between construction activity and the High School is obstructed where feasible.

**Mitigation Measure H-5:** A 6-foot temporary sound barrier shall be erected along the western edge of the Athletic Field property boundary such that the “line of sight” between construction activity and the Mirman School is obstructed.

**Mitigation Measure H-6:** In accordance with the Los Angeles Municipal Code, construction shall be prohibited between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, 6:00 P.M. and 8:00 A.M. on Saturday, and at any time on Sunday.

### (2) Operations

No noise impacts would result from long-term project operations. However, the following mitigation measure is proposed to ensure that noise from outdoor activities would be less than significant:

**Mitigation Measure H-7:** Amplified sound devices such as loudspeakers, shall not be used outdoors within the Middle School or Athletic Field sites.

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#### **d. Level of Significance After Mitigation**

Implementation of an 8-foot temporary sound barrier at the Middle School site would decrease construction noise by approximately 10 dBA at the High School. However, construction noise levels from the proposed Middle School would still exceed ambient conditions by more than 5 dBA at the High School and Skirball Cultural Center. Implementation of an 8-foot temporary sound barrier at the Athletic Field site would decrease construction noise levels at the Mirman School by 5 dBA. However, such noise levels would remain significant. Thus, construction noise impacts would continue to be significant and unavoidable. Implementation of Mitigation Measure H-6, above, would ensure that no significant noise impacts would result from long-term project operations.

### **9. Traffic, Circulation, and Parking**

#### **a. Traffic and Circulation**

##### **(1) Environmental Impacts**

The proposed project would generate 3,115 trip ends a day, including 819 A.M. peak-hour trips and 570 P.M. peak-hour trips. Compared with the existing High School and existing nursery/pre-school, which currently generate 3,455 trip ends a day, including 809 A.M. peak-hour trips and 640 P.M. peak-hour trips, the project is expected to generate 10 net new vehicle trips (20 more inbound and 10 fewer outbound) during the A.M. peak hour. During the P.M. peak hour, a net reduction of 70 vehicle trips (34 fewer inbound and 36 fewer outbound) is expected to occur. Over a 24-hour period, a reduction of 340 trip ends per day (170 fewer inbound and 170 fewer outbound trips) is forecast.

The impacts of the project on traffic operations were determined by evaluating the impacts of adding the project trips during the A.M. and P.M. peak hours to the traffic conditions that would occur during the future 2007 condition without the project. The increment of change was compared to the significance threshold to determine whether the impacts would be significant. Application of the City's threshold criteria to the With Proposed Project scenario indicates that two of the study intersections (Walt Disney Drive and Mulholland Drive, and Zeldins Way and Mulholland Drive) are anticipated to be significantly impacted by the proposed project during the A.M. peak hour. Therefore, mitigation is proposed to reduce the impact to a level that is less than significant. While the project impact without mitigation would be significant due to the proportional increase in the amount of traffic at these intersections, it may be noted that the intersections would still operate at an LOS C level (i.e., good operating conditions) and LOS D (i.e., fair operating characteristics), respectively.

Access to and from the relocated Middle School facility would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Middle School traffic would enter the site at Zeldins Way, proceed west through the Middle School parking area, and exit at the proposed driveway opposite Walt Disney Drive. Student drop-off and pick-up is proposed to occur at the westerly end of the Middle School site. Appropriate school staff would assist in safely directing students between the school and passenger vehicles. A secondary circular drop-off area is planned to be provided toward the eastern end of the site to facilitate drop-off and pick-up activity during off-peak periods. The operations levels that would occur at the project's two access locations are LOS C in the A.M. peak hour and LOS A in the P.M. peak hour for Walt Disney Drive and LOS D in the A.M. peak hour and LOS A in the P.M. peak hour for Zeldins Way. These service levels for access would be than significant.

All of the project's access design features would be designed to meet all applicable safety standards. Appropriate roadway geometrics relative to lane-widths, lane transitions, turn pockets and driveway spacing and distances would be provided. One potential sightline was identified where views between travelers on Mulholland Drive and visitors accessing the project site could potentially be affected by vegetation growth. A mitigation measure is proposed to avoid significant impacts along this sightline.

The proposed project would also have impacts on traffic flows due to construction. Impacts would occur as a result of initial mass grading, final grading, and structure construction. Impacts would occur due to the added number of vehicles on nearby roadways (e.g., construction workers, haul trucks, construction equipment). Impacts could also occur due to various staging operations and construction activities on, or in the vicinity of Mulholland Drive. The number of additional vehicle trips during construction would not be sufficient to cause a significant impact on traffic operations. A construction program for the project has been developed to minimize staging of activities on Mulholland Drive, and limit potential interference of traffic on Mulholland Drive. Nonetheless, construction impacts typically have the potential to interfere with off-site traffic conditions. While the proposed project does not include extra-ordinary construction activities, because of the amount of excavation, and the estimated duration of construction activities, it has been conservatively assumed that disruptions of traffic due to construction activities may on occasion rise to levels that would be considered to constitute a substantial inconvenience by local travelers and neighbors. Therefore, such impacts have been identified as potentially short-term significant impacts prior to mitigation. Mitigation measures are provided to reduce potential impacts to a level that is less than significant.

The proposed project would meet all project-related parking demand through the provision of on-site parking spaces and the use of shared off-site facilities. Impacts related to parking would be less than significant.



## b. Cumulative Impacts

Cumulative effects of traffic have been incorporated into the above analysis for the proposed project's impacts on roadway/intersection operations, and access operations. Consequently, impacts of cumulative growth are already incorporated in the traffic models for each project and are equivalent to those indicated for the "Future With Ambient Growth" conditions. Impacts pertaining to the safety of site access are localized impacts, and would not contribute with related projects to cumulative effects. Cumulative impacts on neighborhood streets and cumulative impacts resulting from construction activities would be less than significant. The project's parking impacts are localized and would be fully addressed by the project. Therefore, the project would not contribute to a cumulative impact on parking.

## c. Mitigation Measures

The analysis of project impacts identified potentially significant impacts, prior to mitigation, with regard to intersections operations, construction impacts, and access-safety. Mitigation measures are provided for each of these conditions.

**Mitigation Measure I-1:** The project applicant shall implement a Transportation Demand Management (TDM) program for the Middle School project, operated in conjunction with the existing TDM program for the High School. Required elements of the TDM program shall include offering bus service for students, as well as requiring that all adult-driven and student-driven vehicles entering the campus for student drop-off or pick-up be part of a carpool registered with the High School administration. Ride-share targets shall be established at 3.3 students per student-driven carpool and 2.3 students per adult-driven carpool. Also, the number of permitted student-driven carpools shall be increased to 120 and the existing satellite parking program shall be expanded to permit up to 90 student-driven vehicles to park off-site at the Skirball Center East Lot or the Stephen S. Wise Temple.

**Mitigation Measure I-2:** Prior to the issuance of construction permits, the developer shall prepare a Work Area Traffic Control Plan that at a minimum shall include the following provisions:

- Excavation resulting in the export of material on the Middle School site and the Athletic Field site shall not occur simultaneously.
- The applicant shall provide a five-day written notice to all residents and institutions within a 500-foot radius of the Middle School site and the Athletic Field site apprising them of the commencement date and anticipated schedule of planned grading, excavation and construction

activities. This notice shall include the name and telephone number of a person for the applicant that may be contacted to register questions or concerns.

- Construction personnel and construction-related vehicles shall not park on any off-site street, with the exception of the early stages of the construction grading period.
- As needed, construction personnel shall be positioned at the Mulholland Drive entry to the Middle School site and Athletic Field site to safely facilitate the entry and exit of large trucks.
- The hours of excavation and construction, except interior finish work and installations, shall be limited to the period of 7:00 A.M. to 5:00 P.M., Monday through Friday, excluding holidays.
- The hours of hauling shall be limited to the period of 9:00 A.M. to 2:30 P.M., Monday through Friday, excluding holidays.
- Construction-related vehicles shall arrive at the site no earlier than 6:30 A.M. Actual construction activities may begin no earlier than 7:00 A.M. Construction worker vehicles shall exit the property by 5:30 P.M. Construction worker vehicles shall avoid travel to and from the site between 8:00 A.M. and 9:00 A.M. and between 3:00 P.M. and 4:00 P.M. This condition does not apply to construction personnel engaged in supervisory, administrative or inspection activities.

**Mitigation Measure I-3:** Sightline visibility shall be maintained in the sightline area identified in the Sight Distance Analysis by maintaining vegetation in the right-of-way and project site at or below a height of 42 inches above Mulholland Drive.

#### **d. Level of Significance after Mitigation**

No potentially significant impacts were identified regarding CMP impacts, neighborhood street impacts, site access impacts regarding operations, construction impacts regarding the amount of construction traffic, nor parking impacts. No mitigation measures were required.

Potentially significant impacts prior to mitigation were identified for intersection operations, site access safety, and construction impacts regarding potential interference with traffic. A recommended mitigation measure, the implementation of a TDM program would reduce potentially significant impacts at two locations to less than significant levels. Mitigation

measures were also recommended to address the potentially significant impacts associated with site access safety and construction impacts regarding potential interference with traffic. In both cases the implementation of the recommended mitigation measures would reduce the potential impacts to levels that are less than significant.



## II. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

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## II. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

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This section of the Final EIR provides changes to the Draft EIR that have been made to provide clarification or corrections as a result of public and agency comments or new information. Deletions are shown with ~~striketrough~~ and additions are shown with underline. Such changes to the Draft EIR are indicated below under the appropriate EIR section or appendix heading.

### I. SUMMARY

Section I, Summary of this Final EIR incorporates revisions to Section I, Summary of the Draft EIR based on comments and responses to comments received on the Draft EIR (see Section III, Responses to Written Comments of this document).

### II. PROJECT DESCRIPTION

Volume I, Section II, Project Description, page 52, add the following text after the sixth sentence of the first paragraph:

Based on additional recommendations from a geotechnical engineer and further coordination with the City, other options to this retaining wall may ultimately be constructed.

Volume I, Section II, Project Description, page 53, add the following text to the end of the first paragraph:

An option to this wall may include the construction of a 7-foot-high debris fence.

Volume I, Section II, Project Description, page 53, add the following text to the end of the third full paragraph:

It is anticipated that approximately three to six round trips per day or six to 12 one-way trips per day would occur between the sites.

Volume I, Section II, Project Description, page 56, add the following text to the end of the first full paragraph:

A conceptual lighting plan for the Athletic Field site is provided in Figure 6a on the following page.

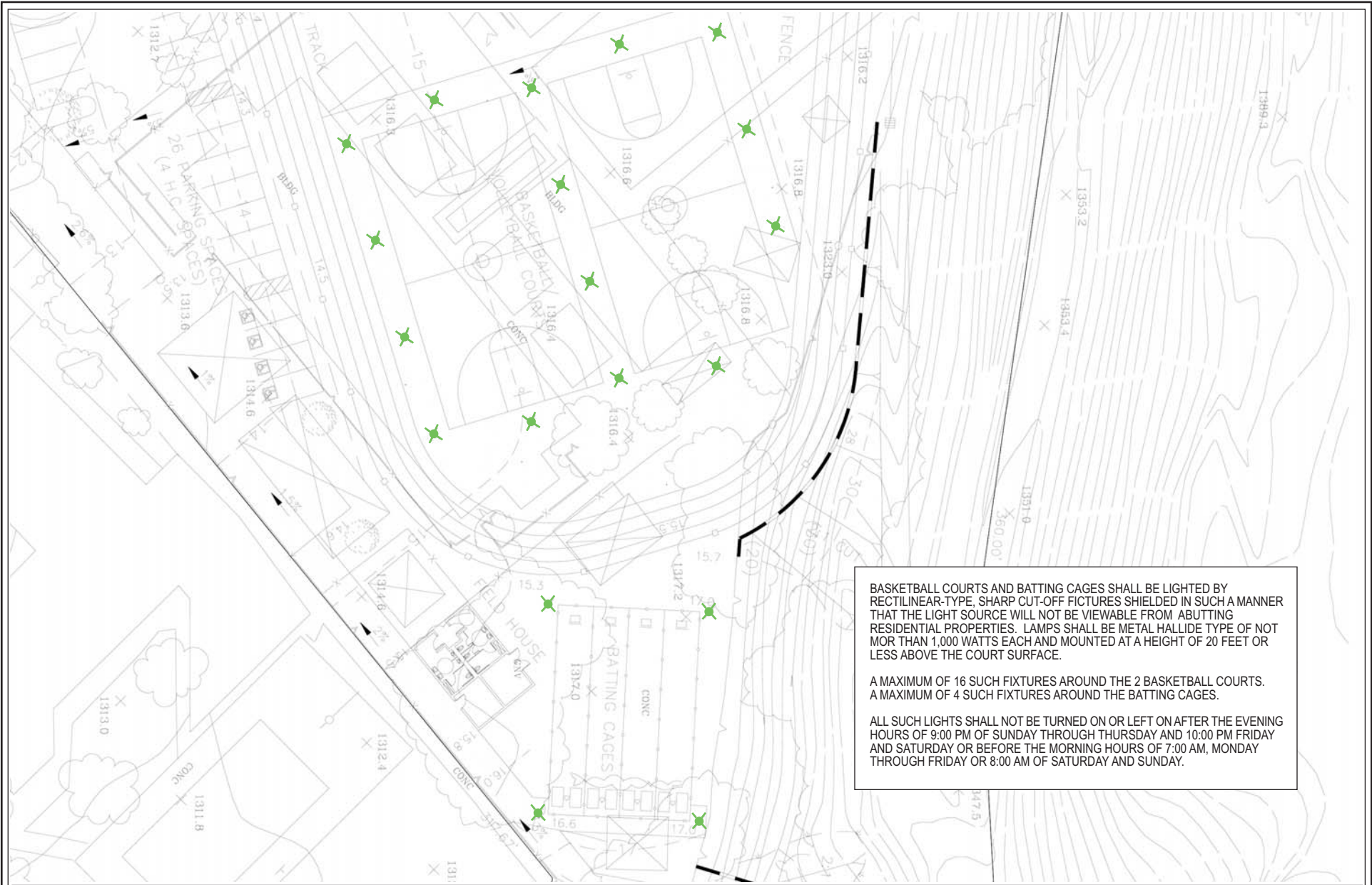


Figure 6a  
Athletic Field Lights

#### IV.E. GEOLOGY/SEISMIC HAZARDS

Volume I, Section IV.E, Geology/Seismic Hazards, page 181, add the following text after:

In addition, a geotechnical engineer has recently been hired by the Applicant to determine whether other options for the placement of the retaining wall exist. In any case, final design of the retaining walls and grading plan must be approved by the City in order to ensure Code and other regulatory compliance as well as adequate safety, including any safety issues associated with the Sepulveda Tunnel.

#### IV.H. NOISE

Volume 1, Section IV.H, Noise, page 234, add the following mitigation measure after Mitigation Measure H-5 and renumber the remaining mitigation measure:

**Mitigation Measure H-6:** In accordance with the Los Angeles Municipal Code, construction shall be prohibited between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, 6:00 P.M. and 8:00 A.M. on Saturday, and at any time on Sunday.



### III. RESPONSES TO WRITTEN COMMENTS



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### III. RESPONSES TO WRITTEN COMMENTS

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CEQA Guidelines Section 15088(a) states, “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” The purpose of each response to a comment on the Draft EIR is to address the significant environmental issue(s) raised by each comment. Specifically, Section 15088(b) of the CEQA Guidelines requires that the written response to comments describe the nature of significant environmental issues raised. When the lead agency’s position conflicts with recommendations and objections raised in the comments, the environmental issues must be addressed in detail giving reason why specific comments and suggestions were not accepted. There must be a good faith, reasoned analysis in response. In accordance with these requirements, this Section of the Final EIR provides responses to each of the written comments received regarding the Draft EIR.

The City of Los Angeles Department of City Planning, as lead agency for the Stephen S. Wise Middle School project received a total of 19 comment letters regarding the Draft EIR during the public review period, which began on July 14 and extended to September 10, 2005. A matrix listing each of the Commentors and the issues that they raised is presented in Table 1 on pages 43 through 47. Each comment letter has been assigned a corresponding number, and comments within each comment letter have been separated to respond to the specific issues raised and also numbered. Each of the comment letters has been scanned and broken into individual comments in order to provide written responses that follow each of the specific issues raised. Following Table 1 are the 19 comment letters with responses to each of the specific comments. The original comment letters are provided in Appendix A of this Final EIR.

Written comments may include opinions or preferences relevant to project approval or disapproval. Such statements of opinion or preference are outside the purview of an EIR. In addition, written comments may provide general information regarding a subject that does not introduce new environmental information or directly challenge information presented in the Draft EIR. Thus, within the response to comments provided below, the response “This comment is acknowledged” has been used. These comments, together with all of the other written comments presented in this Final EIR, will be forwarded to the City’s decision-makers for review and consideration.

**Table 1**  
**Written Comments Summary**

Letter No.	PROJECT DESCRIPTION	A. AESTHETICS	B. AIR QUALITY	C. BIOLOGICAL RESOURCES	D. CULTURAL RESOURCES	E. GEOLOGY/SEISMIC HAZARDS	F. HYDROLOGY	G. LAND USE	H. NOISE	I. TRANSPORTATION & CIRCULATION	ALTERNATIVES	GROWTH INDUCING IMPACTS	CUMULATIVE IMPACTS	GENERAL	J. PUBLIC SERVICES*	K. POPULATION*	M. UTILITIES*	OTHER
<b>SUMMARY OF WRITTEN COMMENTS</b>																		
<b>STATE AGENCIES</b>																		
1	<p>Terry Roberts Senior Planner, State Clearinghouse 1400 Tenth Street P.O. Box 3044 Sacramento, California 95812-3044</p> <p>Cheryl J. Powell IGR/CEQA Program Manager Caltrans, District 7 100 South Spring Street Los Angeles, CA 90012</p>																	●
2	<p>Cheryl J. Powell IGR/CEQA Program Manager Caltrans, District 7 100 South Spring Street IGR/CEQA Branch, MS 16 Los Angeles, California 90012</p>									●								

**Table 1 (Continued)**

**Written Comments Summary**

Letter No.	PROJECT DESCRIPTION	A. AESTHETICS	B. AIR QUALITY	C. BIOLOGICAL RESOURCES	D. CULTURAL RESOURCES	E. GEOLOGY/SEISMIC HAZARDS	F. HYDROLOGY	G. LAND USE	H. NOISE	I. TRANSPORTATION & CIRCULATION	ALTERNATIVES	GROWTH INDUCING IMPACTS	CUMULATIVE IMPACTS	GENERAL	J. PUBLIC SERVICES*	K. POPULATION*	M. UTILITIES*	OTHER
<b>SUMMARY OF WRITTEN COMMENTS</b>																		
<b>REGIONAL AGENCIES</b>																		
3	Brian Wallace Associate Regional Planner Intergovernmental Review Southern California Association of Governments 818 West Seventh Street, 12th Floor Los Angeles, California 90017-34351							●										
4	Santa Monica Mountains Conservancy Ramirez Canyon Park 5750 Ramirez Canyon Road Malibu, California 90265	●		●				●		●				●				
<b>HOMEOWNERS ASSOCIATIONS/RESIDENTS</b>																		
5	Polly Ward, President The Federation of Hillside and Canyon Association, Inc. Post Office Box 1041 Studio City, California 91614									●				●				
6	Margery Grossman, Public Safety Rep., Encino Neighborhood Council President, Ballina Canyon Neighborhood Watch							●		●					●			

**Table 1 (Continued)**

**Written Comments Summary**

Letter No.	PROJECT DESCRIPTION	A. AESTHETICS	B. AIR QUALITY	C. BIOLOGICAL RESOURCES	D. CULTURAL RESOURCES	E. GEOLOGY/SEISMIC HAZARDS	F. HYDROLOGY	G. LAND USE	H. NOISE	I. TRANSPORTATION & CIRCULATION	ALTERNATIVES	GROWTH INDUCING IMPACTS	CUMULATIVE IMPACTS	GENERAL	J. PUBLIC SERVICES*	K. POPULATION*	M. UTILITIES*	OTHER
<b>SUMMARY OF WRITTEN COMMENTS</b>																		
7	Linda Goldstein, President The Encino Neighborhood Council 4933 Balboa Bl. P.O. Box 260439 Encino, California 91426-0439		●					●	●	●					●			
8	Laurie Kelson 16632 Calneva Dr. Encino CA 91436							●		●					●			
9	Kouros Sariri 16630 Calneva Drive Encino, California 91436							●		●				●				
10	Myron And Nancy Levin 16930 Escalon Drive Encino, California 91436							●		●								
11	Bel Air Knolls Property Owner's Association 16606 Park Lane Place Los Angeles, Ca 90049	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
12	Homeowners of Encino Gerald A. Silver, President P.O. Box 260205 Encino, CA 91426-0205	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●

**Table 1 (Continued)**

**Written Comments Summary**

Letter No.	PROJECT DESCRIPTION	A. AESTHETICS	B. AIR QUALITY	C. BIOLOGICAL RESOURCES	D. CULTURAL RESOURCES	E. GEOLOGY/SEISMIC HAZARDS	F. HYDROLOGY	G. LAND USE	H. NOISE	I. TRANSPORTATION & CIRCULATION	ALTERNATIVES	GROWTH INDUCING IMPACTS	CUMULATIVE IMPACTS	GENERAL	J. PUBLIC SERVICES*	K. POPULATION*	M. UTILITIES*	OTHER
<b>SUMMARY OF WRITTEN COMMENTS</b>																		
<b>INDIVIDUALS</b>																		
13	Marcia Selz, Ph.D. 302 N. Parkwood Drive Los Angeles, CA 90077									●								
14	Ellen Winthrop Michel 3056 Greentree Court Los Angeles, California 90077													●				
15	Ashley M. Silberfeld 555 S. Barrington Ave., #402 Los Angeles, California 90049													●				
16	Susan Dean <no address provided>													●				
17	Vivienne Friedman <no address provided>													●				
18	Glenn A Sonnenberg Legg Mason Real Estate Investors, Inc. 10880 Wilshire Boulevard, Suite 1750 Los Angeles, California 90024													●				
<b>LATE LETTERS</b>																		

**Table 1 (Continued)**

**Written Comments Summary**

Letter No.	PROJECT DESCRIPTION	A. AESTHETICS	B. AIR QUALITY	C. BIOLOGICAL RESOURCES	D. CULTURAL RESOURCES	E. GEOLOGY/SEISMIC HAZARDS	F. HYDROLOGY	G. LAND USE	H. NOISE	I. TRANSPORTATION & CIRCULATION	ALTERNATIVES	GROWTH INDUCING IMPACTS	CUMULATIVE IMPACTS	GENERAL	J. PUBLIC SERVICES*	K. POPULATION*	M. UTILITIES*	OTHER
19	<b>SUMMARY OF WRITTEN COMMENTS</b> Bel Air Skycrest Property Owners Association 16448 Sloan Drive Los Angeles, CA 90049	●						●	●	●		●	●		●			●

**LETTER NO. 1**

Terry Roberts  
Senior Planner, State Clearinghouse  
1400 Tenth Street  
P.O. Box 3044  
Sacramento, California 95812-3044

Cheryl J. Powell  
IGR/CEQA Program Manager  
Caltrans, District 7  
100 South Spring Street  
Los Angeles, CA 90012

**COMMENT 1-1**

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 August 29, 2005. 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 (2003101055) when contacting this office.

**RESPONSE 1-1**

This comment is noted for the record. As requested, the comment letter submitted by the California Department of Transportation has been included within this Final EIR as Comment Letter No. 2. Please refer to Response to Comment Nos. 2-1 through 2-3 for responses to the comments raised therein.

**LETTER NO. 2**

Cheryl J. Powell  
IGR/CEQA Program Manager  
Caltrans, District 7  
100 South Spring Street  
IGR/CEQA Branch, MS 16  
Los Angeles, California 90012

**COMMENT 2-1**

We acknowledge receipt of the Draft Environmental Impact Report (EIR) prepared for School Relocation project mentioned above. Stephen W. Wise Middle School is to be relocated to the existing Milken Community high school site. The two schools would occupy and share a consolidated Middle School/High School site located on Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway (State Route 405).

**RESPONSE 2-1**

This comment acknowledges receipt and review of the Draft EIR and reiterates a brief description of the project. The comment does not raise new environmental information specific to the project.

**COMMENT 2-2**

Based on a review of the information received, we offer the following comments:

- During the Notice of Preparation of an EIR for this project, we requested an analysis of traffic operations at the Mulholland Drive and State Route 405 interchange. We note that the traffic impact analysis did not include an analysis of this interchange; *therefore, we reiterate that request at this time.* Please refer to section IIA of Caltrans' statewide guide for the preparation of traffic impact studies for input as to when a traffic impact analysis is required on State highway facilities. During the CEQA review process, the lead agency is to follow thresholds established by the agencies with jurisdiction over the impacted facilities. The Congestion Management Act is a planning tool intended to assist federal, state, and local agencies in developing and implementing planning strategies to handle traffic congestion. It does not relieve Caltrans of its duties under the Streets and Highways Code sections 90 and 92.

**RESPONSE 2-2**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report referenced in preparation of the traffic



analysis is contained in Appendix H of the Draft EIR. The traffic analysis contained in the Draft EIR fully analyzes the potential impacts of the proposed project on the adjacent roadway system. The traffic analysis was prepared in accordance with LADOT's *Traffic Study Policies and Procedures* manual and is consistent with traffic impact assessment guidelines set forth in the 2002 Congestion Management Program (CMP) for Los Angeles County, County of Los Angeles Metropolitan Transportation Authority, June 2002.

The study intersections evaluated in the traffic analysis are listed on page 238 of the Draft EIR and were selected by LADOT (the designated representative of the Lead Agency for preparation of the traffic impact study), with consideration of comments received by the Lead Agency in response to the Notice of Preparation. Contrary to the statements in the comment, the study intersections included the I-405 interchange at Mulholland Drive: Skirball Center Drive/I-405 Southbound Ramps and Skirball Center Drive/I-405 Northbound Ramps.

The Lead Agency (i.e., LADOT) establishes the thresholds of significance used in the traffic analysis. Page 247 within Section IV.I, Transportation and Circulation, in the Draft EIR provides the thresholds of significance utilized. Page 245 of the Draft EIR provides a discussion of the traffic impact analysis and methodology. Summaries of the volume-to-capacity (v/c) ratios and LOS values determined for the study intersections are shown in Table 18 on page 257 in the Draft EIR. As shown in Table 18, the effects of the proposed project at the I-405 study intersections (Intersection Nos. 3 and 4 in the table) would be less than significant, based on the LADOT thresholds of significance for intersections. In fact, the change in the calculated v/c ratios at the Skirball Center Drive/I-405 study intersections is calculated to be no more than 0.001.

### **COMMENT 2-3**

- We acknowledge that the project would be conditioned to implement a comprehensive Transportation Demand Management program to address traffic impacts to Mulholland Drive intersections with Zeldins Way and Walt Disney Drive.

### **RESPONSE 2-3**

Table 18 on page 257 in Section IV.I, Transportation and Circulation, identifies that based on the LADOT thresholds of significance for intersections the project would cause an impact at two intersections, Walt Disney Drive/Mulholland Drive and Zeldins Way/Mulholland Drive. Page 273 of the Draft EIR provides the recommended traffic mitigation measure for the project to alleviate the significant impact at the two study intersections. Specifically, Mitigation Measure I-1 recommends the implementation of a Transportation Demand Management (TDM) program for the project. As shown on Table 20, page 276 of the Draft EIR, the mitigation measure is calculated to reduce the project impacts at the two affected study intersections to a level of insignificance.

**COMMENT 2-4**

Hauling hours shall be limited to off-peak commuting periods between 9:00 AM and 2:30 PM Mondays through Fridays.

IF you have any questions regarding our comments, please call me at (213) 897-3747 or Elmer Alvarez of my staff at (213) 897-6696 and please refer to our record number 050723/EA.

**RESPONSE 2-4**

The comment restates an element of Mitigation Measure I-2 provided in Section IV.I, Transportation and Circulation, of the Draft EIR on pages 273 through 274. The mitigation measure has been proposed to mitigate potential traffic impacts associated with construction of the project. Mitigation Measure I-2 also provides that the hours of hauling be limited to the period of 9:00 A.M. to 2:30 P.M., Monday through Friday, excluding holidays.

**LETTER NO. 3**

Brian Wallace  
Associate Regional Planner  
Intergovernmental Review  
Southern California Association of Governments  
818 West Seventh Street, 12<sup>th</sup> Floor  
Los Angeles, California 90017-34351

**COMMENT 3-1**

Thank you for submitting the **Stephen S. Wise Middle School Relocation Project** 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 **Stephen S. Wise Middle School Relocation 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). 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 **July 1-15, 2005** 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. If you have any questions, please contact me at (213) 236-1851. Thank you.

**RESPONSE 3-1**

This comment confirms SCAG's receipt and review of the Draft EIR and summarizes SCAG's role as a regional planning organization. This comment notes that the proposed project is not considered regionally significant per CEQA. The comment does not raise new environmental information specific to the project, but is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LETTER NO. 4**

SANTA MONICA MOUNTAINS CONSERVANCY  
Ramirez Canyon Park  
5750 Ramirez Canyon Road  
Malibu, California 90265

**COMMENT 4-1**

The Santa Monica Mountains Conservancy's concerns with the subject school relocation and expansion project revolve around maximizing the aesthetics of the Mulholland Scenic Parkway, the connectivity between habitat patches, and the net amount of open space acres in the area.

**RESPONSE 4-1**

This comment addresses issues of concern by the Santa Monica Mountains Conservancy about the proposed project. Specific comments on the Draft EIR and their respective responses are provided below.

**COMMENT 4-2**

The proposed project involves major construction next to Mulholland Drive in two locations. Both of these proposed construction sites either abut or encompass the substantial sized habitat area between the existing High School and existing nursery school. This natural area provides both habitat and an irreplaceable wildlife movement corridor between the Mission Canyon area and a smaller network of habitat patches located north of Mulholland Drive. In addition this habitat patch provides the only direct connection for wildlife to access the Mulholland Drive bridge over the San Diego (405) Freeway. The Draft Environmental Impact Report (DEIR) is deficient for providing zero acknowledgment or analysis about the site's contribution to wildlife movement to habitat located north of Mulholland Drive.

**RESPONSE 4-2**

Contrary to the statement in this comment that the Draft EIR provides "zero acknowledgement or analysis about the site's contribution to wildlife movement to habitat located north of Mulholland Drive", on page 138 of the Draft EIR, the text specifically acknowledges wildlife movement on a local scale in and around the project site due to the presence of native habitat areas. The Draft EIR also states that the open space and native habitat areas in the vicinity of the sites are likely utilized by a variety of insects, amphibians, reptiles, birds, and mammals. As the Draft EIR's assessment intended, the habitat patches north of Mulholland Drive were included in the analysis because they are "in and around" and "in the vicinity" of the project site. Neither these patches, nor any others, were specifically focused upon because the Draft EIR's assessment disagrees with the comment's premise that such patches are substantial and irreplaceably contribute to a significant wildlife movement corridor.

Rather, the Draft EIR's assessment is based on current conservation planning principles that suggest the highly fragmented and isolated nature of these patches have already compromised their value to wildlife (Crooks and Soule 1999; Noss and Csuti 1997; Soule et. Al. 1988).<sup>4</sup> As compared to the large unfragmented open space and habitat blocks to the south and west, the patches in question could only be expected to harbor wildlife populations of substantially reduced diversity and abundance. Further, given the superior wildlife movement corridor opportunities to the south, these patches can not logically be viewed as having the level of regional importance asserted by the comment. In addition, as discussed in Section IV.C, Biological Resources, development would occur in areas that are generally developed, graded and/or landscaped and would not substantially affect existing wildlife patches. Please also see Response to Comment No. 4-3 directly below regarding the Mulholland Drive-405 Freeway bridge as a movement corridor.

### **COMMENT 4-3**

The DEIR is also deficient in its analysis of the relationship of the subject project to wildlife movement across the 405 Freeway. Every conclusion made in this analysis is based on the Roth (2001) wildlife corridor study. Roth may discount the value of the Mulholland Drive -405 Freeway bridge as a freeway crossing structure relative to the Sepulveda Boulevard, Skirball Drive, and Bel Air Crest crossing structures. This total lack of independent thought misses several key points.

### **RESPONSE 4-3**

There were three primary reasons the Draft EIR relied heavily on the Roth 2001 wildlife corridor study. First, the Santa Monica Mountains Conservancy suggested the Roth 2001 study as an important source for the Draft EIR's assessment. In its October 27, 2003 letter of comment to the Notice of Preparation, the Santa Monica Mountains Conservancy stated "A recent Masters Thesis (Roth 2001) entitled, *Wildlife Corridors Across the 405 Freeway in the Sepulveda Pass*, Los Angeles, California, from Cal State Northridge addresses the ecological importance of the subject site." The letter of comment went on to state that "The Draft Environmental Impact Report (DEIR) must integrate the findings of this study and report."

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<sup>4</sup> Crooks, K.E. and M.E. Soule. 1999. *Mesopredator release and avifaunal collapse in urban habitat fragments*. *Nature* 400:563-566.

Noss, R.F. and B. Csuti. 1997. *Habitat Fragmentation*. Pages 269-304 in *Principles of Conservation Biology* (Meffe, G.K., C.R. Carroll, and contributors). Sinauer Associates, Inc. Sunderland, MA

Soule, M.E., D.T. Bolger, A.C. Alberts, R. Sauvajot, J. Wright, M. Sorice, and S. Hill. 1988. *Reconstructed dynamics of rapid extinctions of chaparral-requiring birds in urban habitat islands*. *Conservation Biology* 2:75-92.

Second, based on the literature search conducted for the Draft EIR assessment, no other studies of such a site-specific nature are available. Nor did either the Santa Monica Mountains Conservancy's letter of comment to the Notice of Preparation or the Conservancy's July 25, 2005 letter of comment to the Draft EIR mention any other potential sources. Therefore, the Draft EIR assessment relied on the Roth 2001 study as the best available information.

Third and finally, the Draft EIR assessment peer review of the Roth 2001 study by a qualified biologist (refer to resume, Figure 1 on page 56) found it to be logical and intuitively reasonable in its conclusions. Based on the much broader body of knowledge available concerning wildlife movement, both Roth and the Draft EIR peer reviewer concluded that a fully-paved overpass that accommodates relatively heavy traffic would not be a realistic option for wildlife movement.

#### **COMMENT 4-4**

The first point is that the Mulholland Drive overpass is the only crossing structure that spans both the freeway and Sepulveda Boulevard. Traffic pressures will continue to add pressure for mass transit and lane expansion projects through the length of the Sepulveda Pass transportation corridor. The odds of the three currently superior freeway-crossing structures functioning at their current levels in twenty-five years unfortunately cannot be counted on. For example, already the night lighting and traffic congestion at the Skirball Drive bridge is a considerable impediment to wildlife movement. The recent Sepulveda Boulevard Task Force commissioned by CD 11 was fixated on further reducing the meager shoulder width of the road under the freeway. Things change and whether adequate mitigation funds and political will be in place to compensate for such change is a great unknown.

#### **RESPONSE 4-4**

Pursuant to CEQA Guidelines Section 15125, assessment within the Draft EIR is based on the conditions in the area existing at the time of the Notice of Preparation. Pursuant to CEQA Guidelines Section 15144, the Draft EIR should not, and does not attempt to forecast traffic conditions 25 years from now, as the comment suggests. Nor should the Draft EIR's assessment assume that in 25 years the now three superior freeway crossings (Sepulveda Boulevard, Skirball Drive, and Bel Air Crest) will be unusable by wildlife and that the Mulholland Drive overpass will be made to be any more suitable for wildlife movement than it is today. Such speculation is specifically discouraged by CEQA Guidelines Section 15145.

#### **COMMENT 4-5**

The second point is that the Mulholland Drive bridge possesses superior potential for enhancement. Given its substantially smaller 2 A.M. to 5 A.M. traffic volume than the other three freeway crossing structures along Sepulveda Boulevard, the bridge also offers superior traffic conditions. The wildlife aversion to use of the bridge because of road kill potential referred to in

## Steven G. Nelson, PRINCIPAL, DIRECTOR OF BIOLOGICAL SERVICES

### Professional History

- M.B.A., California State Polytechnic University, Pomona, California, 1993
- M.A., Biology, University of California, Riverside, California, 1975
- B.S., Biology, University of California, Riverside, California, 1973
- Director of Resources Management, Michael Brandman Associates, Irvine, California, 1994 - 1996
- Vice President, CB Commercial Real Estate Group, City of Industry, California, 1983 - 1994
- Principal, EDAW, Inc., Irvine, California, 1979 - 1983
- Project Manager, PBR, Newport Beach, California, 1976 - 1979
- Principal, England & Nelson, Environmental Consultants, Riverside, California, 1974 - 1976

### Expertise

Steve Nelson is a biologist with expertise in the areas of wildlife biology, botany, and freshwater ecology. Mr. Nelson has been a professional consultant for more than 30 years. During that time, he has been responsible for a wide variety of biological studies, ranging from technical wildlife and vegetation assessments to regionwide conservation planning. His broad education and professional experience in biology and business administration have given him a unique perspective and insight into resource identification, evaluation,

planning, and management. As a result of his problem-solving orientation and balanced approach to assignments, Mr. Nelson is commonly sought out by public agencies, landowners/developers, attorneys, engineers, and planners alike.

### Experience

#### *Regional Conservation Planning:*

Mr. Nelson was one of the authors and principal investigators of the 1976 and 2000 Los Angeles County Significant Ecological Area Studies for the County's General Plan Update and has since been involved in regional resource planning efforts throughout southern California.

*Biological Assessments:* Mr. Nelson was the Senior Biological Manager for technical studies within the 10,000-acre study area for the Foothill Transportation Corridor-South Natural Environment Study in southern Orange County, which included the oversight of 29 biologists investigating 84 sensitive species and jurisdictional wetlands. He has been responsible for the completion of over 800 biological assessments throughout the state of California. He has also participated in the assessment of wildlife movement corridors in the Tucson, Arizona area.

#### *Threatened And Endangered Species:*

Mr. Nelson has served as the principal investigator for numerous informal and formal consultations with the U.S. Fish and Wildlife Service on 27 listed species as part of Endangered Species Act Sections 7 and 10(a) compliance. In the course of these consultations he has become very familiar with the Habitat Conservation Plan and Natural

Community Conservation Program processes, including the application of Special Rule 4(d).

#### *Regulatory Compliance/Habitat*

*Restoration:* Mr. Nelson has been the project director for U.S. Clean Water Act Section 404 and California Fish and Game Code Sections 1600-3 wetlands regulatory compliance for multiple projects throughout Southern California, and the project director for oak woodland, riparian, vernal pool and coastal sage scrub restoration plans.

#### *Construction/Mitigation Monitoring:*

Mr. Nelson has overseen and participated in numerous construction and mitigation monitoring programs for projects ranging from community parks to large-scale residential development and road construction to utility installation.

the DEIR maybe true. However, such a conclusion lacks any vision and foresight. Before discounting the importance of project design and mitigation measures to maintain and improve the wildlife corridor capability of the Mulholland Drive bridge, an adequate analysis of the issue must consider the future capability of the bridge for wildlife movement (by itself and relative to the other three crossing structures). For example the superstructure of the now plentifully wide bridge may be adequate to support a low weight bearing deck on one side to facilitate wildlife movement (permanently free of all lights, cars, pedestrians and with a dirt surface and intermittent native vegetation.) Europe is twenty years ahead of this country in employing such ingenuity.

#### **RESPONSE 4-5**

As discussed in Response to Comment No. 4-4 above, speculation is not, and should not, be the basis for the Draft EIR's assessment. The comment suggests the Draft EIR embody "vision and foresight"; and, that an adequate analysis of the issue must consider the future capability of the bridge for wildlife movement. However, for the purpose of the Draft EIR assessment, no specific plans/designs, much less sponsors or funding, exist to address the types of improvements to the Mulholland Drive overpass suggested in the comment. Therefore, it would be inappropriate and potentially misleading to the reader and decision-makers for the Draft EIR to assume such improvements will be a reality at some point in the future. It is for this reason that CEQA guidelines specifically provide for the exclusion of such speculation from EIRs and the public review process. In addition, as discussed in Section IV.C, Biological Resources, of the Draft EIR, given the existing developed nature of the project sites and the associated lack of conditions to support regional wildlife movement in the vicinity of the project site, significant impacts would not occur. Thus, the proposed mitigation is not warranted.

#### **COMMENT 4-6**

The loss of substantive wildlife movement capability across the 405 Freeway directly reduces the population viability of numerous mammal species in the Santa Monica Mountains east of the 405 Freeway including the whole of Griffith Park. Ten years ago the value of all the types of freeway crossing structures over or under the 405 Freeway and that are addressed in this letter were questioned by many biologists. Now most all biologists advocate protecting all available and all potential sites for wildlife movement, particularly over freeways and busy arterial streets. The proof is in the pudding in terms of numerous recent mountain lion sightings east of the 405 (including in Griffith Park) and a steady rise in frequent bobcat sightings in the same area.

#### **RESPONSE 4-6**

The Draft EIR assessment does not dispute or contradict the regional importance of wildlife movement capability across I-405 Freeway. The Draft EIR assessment does, however, place the Mulholland Drive bridge in proper perspective for an accurate analysis based on the best available information. According to the Roth 2001 study, the evidence was inconclusive as



to whether or not wildlife make use of this overpass; and, the study went on to state “Its great length may be a severe deterrent.” Added to the lack of evidence and his intuition is the Draft EIR’s analysis of aerial photos of the approach to the Mulholland Drive overpass from the east and west. In both directions are areas of disturbance, including cleared, barren ground and residential developments. These add even greater length and constriction to a potential corridor at the Mulholland Drive-405 Freeway crossing, and suggest an even greater deterrent than the length of the bridge alone. In light of these conditions, and the exclusion of as yet entirely unknown and highly speculative improvements to the bridge for wildlife movement, the Draft EIR is correct in not determining the interruption of wildlife movement as being a significant adverse impact of the project. As discussed in Section IV.C, Biological Resources, the project would not significantly impact wildlife movement due to the already developed nature of the site. In addition the project would not affect any movement of wildlife over the I-405 freeway crossing.

#### **COMMENT 4-7**

Another note on the Roth (2001) study is that the data collection method was not comprehensive and was for a short interval. Much too short of an interval to write off the Mulholland bridge as a regionally valuable wildlife crossing structure.

#### **RESPONSE 4-7**

As discussed above, the Roth 2001 study represents the best available information for the project vicinity and it is considered reliable as a source. In contrast to the characterization of the study provided in the Roth study, Elliot McIntire, Ph.D., who was the Chair of Roth’s Graduate Committee at Cal State Northridge, described Roth’s work as not having enough data for quantitative analysis, but having a fair amount of anecdotal material – based on a “huge” amount of field work (e-mail communication with Dr. Elliot McIntire, November 6, 2003). Consequently, despite its relatively short time frame for data collection, the Roth 2001 study did reveal that some I-405 Freeway crossings received greater usage by wildlife than others. Roth also conducted site specific examinations of crossing conditions to assist in the explanation of why some crossings appeared to receive higher usage than others. Combined, the data collected and the site specific investigations allowed Roth to conclude that two underpasses under study support substantial wildlife movement (Sepulveda Boulevard and Bel Air Boulevard), one underpass is of no value as part of a corridor (Getty Center), one overpass might be used by wildlife (Skirball), and the Mulholland Drive overpass is not likely used. In and of themselves, these qualitative conclusions are meaningful to the Draft EIR assessment; and, it remains the Draft EIRs conclusion that the project will not have a significant adverse impact on regional wildlife movement by interrupting what little wildlife movement is indicated and believed to occur across the Mulholland Drive-405 crossing.

**COMMENT 4-8**

The subject DEIR is clearly deficient until it adequately discloses and analyzes the existing and potential value of the Mulholland Drive bridge for wildlife movement. The subject DEIR is further deficient for not addressing how wildlife approach the Mulholland bridge from the west where the proposed school expansion is located.

**RESPONSE 4-8**

Please refer to Response to Comment Nos. 4-2, 4-3 and 4-6 above regarding the use of the Mulholland Drive bridge for wildlife movement.

**COMMENT 4-9**

The effects of proposed and potential future fencing, lighting, paving, and conversion of non-native open space to building area on this potential resource must be addressed in the FEIR.

**RESPONSE 4-9**

The Draft EIR, on page 145, does address potential impacts of the proposed project on wildlife movement. As stated in the Draft EIR, “long-term, significant impacts associated with wildlife corridors are not expected to occur”. In addition, with regard to lighting, as discussed on page 100 of Section IV.A, Aesthetics, of the Draft EIR, all outdoor lighting would be low-level and would be shielded and directed away from off-site areas. Landscape lighting would be downward facing and emit low illumination. In addition, page 101 of Section IV.A, Aesthetics, of the Draft EIR includes a mitigation measure to ensure that pole lighting within the Athletic Field site will not be used after 9 P.M. Please also refer to Response to Comment Nos. 4-2 through 4-8 above.

**COMMENT 4-10**

A step above this would have the FEIR include substantive mitigation measures that maximize the wildlife movement capability of the subject section of the Mulholland Drive right-of-way and a contributory section of the school’s property.

**RESPONSE 4-10**

Based on the best available information and its supplemental analysis, the Draft EIR assessment concludes that the project will not result in significant adverse impacts to wildlife movement. In addition, as shown in Figure 1 on page 42, the area within the northern portion of the middle school site will continue to be open for possible use by wildlife. Much of the area proposed for development to the south is already landscaped and has been fenced for the security of the school. Thus, the proposed project would not substantially change the area amount of area to the site accessible by wildlife. In addition, a chain link fence also currently surrounds the Athletic Field Site. While the proposed improvements would extend 37 feet into the existing

right-of-way along Mulholland Drive, the improvements would be approximately 40 feet south of the edge of the road. In the absence of significant adverse impacts to wildlife movement, no mitigation measures are warranted and none are recommended.

**COMMENT 4-11**

We encourage all members of the Institutional Corridor of the Mulholland Scenic Parkway to participate in the protection and maximization of wildlife resources in the Santa Monica Mountains. The current net contribution of all Institutional Corridor members is zero. The zero arises from no permanent land protection and no permanent mitigation measures directly designed, and equally effective, to facilitate wildlife movement.

**RESPONSE 4-11**

The Draft EIR addresses only the impacts that could result specifically from the proposed project and offers measures that would mitigate those impacts, as required by CEQA. As described above and within the Draft EIR, the project would not result in a significant impact on wildlife corridors and development of the project would not substantially decrease the amount of open land area accessible to wildlife. Measures or actions to implement permanent land protection that would facilitate wildlife movement are beyond the scope of this EIR. However, the comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 4-12**

We urge the City and the applicant to take these comments to heart and produce project changes and mitigation measures to further this critical resource management effort. Without a strong effort from this project, we urge you to deny the application. The types of mitigation measures recommended are of a relatively low cost and eliminate almost no useable area from the project.

**RESPONSE 4-12**

As mentioned in Response to Comment No. 4-6 above, the Draft EIR does not dispute or contradict the importance of regional connectivity. The Draft EIR's assessment does not agree that a corridor of the magnitude expressed in the comment exists at the Mulholland Drive-405 Freeway crossing. This is based on the best available information (Roth 2001), as well as the Draft EIR's independent analysis using aerial photography and the broader base of literature on the subject. Note that no data inconsistent with the Draft EIR's conclusion about wildlife movement corridors was discovered during the literature or has been presented in any of the comments received. Also, it was the Santa Monica Mountains Conservancy that indicated that the Draft EIR should rely upon the Roth 2001 study and that study concludes that a movement corridor is not likely to exist across the Mulholland Drive-405 Freeway overpass. Therefore, mitigation measures are not warranted or recommended.

**COMMENT 4-13**

The lack of such an effort to date is probably that of a lack of understanding. Under any scenario the FEIR will remain deficient without this effort and an excellent graphics depicting existing and proposed conditions for wildlife movement.

**RESPONSE 4-13**

Figure 2 of the Draft EIR shows the great length of the Mulholland Drive overpass structure and the highly disturbed or developed conditions that exist at either end of the overpass. In order to negotiate the bridge crossing, wildlife would have to move along a path that is a minimum of 2000 linear feet of unvegetated asphalt parking lots and roadways between even small patches of native vegetation. The Draft EIR assessment does take into account the site and surrounding conditions and, for this reason, came to the same conclusion as did Roth (2001). In addition, as shown in Figure 2 on page 62, the area within the northern portion of the middle school site will continue to be open for possible use by wildlife. Much of the area proposed for development to the south is already landscaped and has been fenced for the security of the school. Thus, the proposed project would not substantially change the area amount of area to the site accessible by wildlife.

**COMMENT 4-14**

In particular the Mulholland Drive right-of-way should be devoted to public purposes (wildlife movement and trails) to the maximum extent possible above and beyond the private use of a school. The school has ample property to solve landscaping and traffic issues.

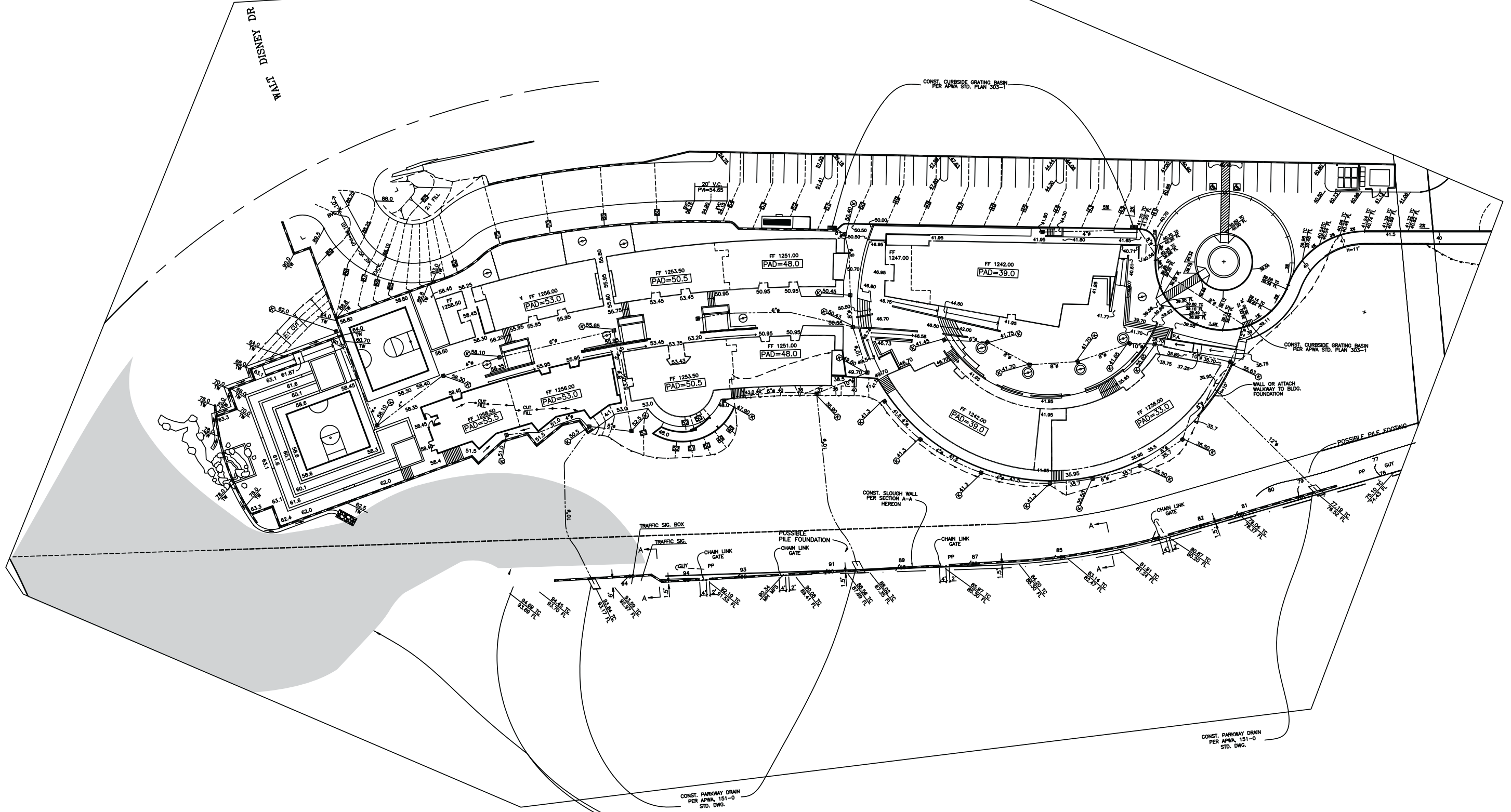
**RESPONSE 4-14**

Please refer to Response to Comment Nos. 4-10, 4-12 and 4-13 above. As previously stated, the project is not expected to result in significant adverse impacts to wildlife movement and specific mitigation measures, including the dedication of land to facilitate wildlife movement, are not warranted.

**COMMENT 4-15**

The following information is critical to a wildlife corridor analysis. Our NOP letter requested,

“To help the public and decision makers with understanding the area, the DEIR should include as many figures and maps as necessary to show the exact parcel boundaries of every property located in the aerial photograph labeled Figure A-3 in the distributed Environmental Assessment Form and Initial Study. These new figures must use the most up to date City of Los Angeles parcel data to be accurate. The figures should clearly label any property that is permanently protected by deed restriction, condition of approval, or public ownership. The



Open space area that can be used by wildlife



Source: S.E.C. Civil Engineering, Inc., 2005

Figure 2  
Open Space Area Within  
Middle School Site

figures should indicate the exact ownership of every nonresidential parcel in the subject area.”

None of that information was included in the DEIR. The FEIR will remain deficient if it does not include this information. The school should provide permanent protection for all remaining open space, graded and ungraded. The school must disclose what real property is available or not available for such protection.

#### **RESPONSE 4-15**

Please refer to Response to Comment Nos. 4-2 through 4-13 above. The information requested in the comment would be meaningful if a wildlife movement corridor did exist across the Mulholland Drive-405 Freeway crossing. However, based on the best information available and the Draft EIR’s supplemental analysis of aerial photography, and in the absence of any data suggesting such a corridor does exist, it is the Draft EIR’s conclusion that no such corridor exists, the project will not result in significant adverse impacts to wildlife movement, and no mitigation measures, including open space planning on site and in the immediate vicinity for the purpose of providing a movement corridor, are warranted. Moreover, the Draft EIR does include a number of figures and maps depicting the project site and surrounding area, including Figures 2 and 3 at pages 42 and 43, respectively. Figure 2 on page 62 of this Final EIR also shows where the northern portion of the project site will continue to be available for use by wildlife.

#### **COMMENT 4-16**

As stated in our NOP comments, and again fully ignored, the DEIR should clearly lay out any and all mitigation measures and conditions of approval in the certified EIR for the Stephen Wise High School project and the City’s project approval, respectively, that addresses the protection, minimized disturbance, landscaping and fencing of areas without buildings. The current fencing of the northern portions of the existing High School is an unfortunate impediment to wildlife movement.

#### **RESPONSE 4-16**

Please refer to Response to Comment Nos. 4-13 and 4-15. In view of the Draft EIR’s assessment of existing conditions at the time of the Notice of Preparation (pursuant to CEQA Guidelines Section 15125) and the use of the best available information, no wildlife corridor is believed to exist in the vicinity of the project site, no significant adverse impacts to wildlife movement will result from the project, and no associated mitigation measures of the type suggested by the comment are warranted or recommended. In addition, the Draft EIR for the Stephen Wise High School and Nursery School project concluded that the High School project

would not have a significant impact on wildlife movement and therefore did not include any mitigation measures specifically addressing wildlife corridors.<sup>5</sup> That Draft EIR stated that:

“Connection between the proposed development site and other existing spaces in the Santa Monica Mountains is currently isolated by I-405, Mulholland Drive, and Sepulveda Drive which border the site. .... There are no corridors which connect either site to other stands of natural vegetation. There would be no significant impacts to wildlife movement corridors by implementation of the nursery school or secondary school project.”

**COMMENT 4-17**

The DEIR is deficient for not including an alternative that maximizes wildlife movement potential above the Sepulveda Tunnel both to the Mulholland Drive freeway overcrossing and to the open space network north of Mulholland Drive. To be permanently effective this alternative must require the dedication of conservation easements to at least two public agencies. Those conservation easements must include every portion of wildlife movement areas that the project applicant controls. That requirement should also apply to all the applicant’s property that is not part of subject application.

**RESPONSE 4-17**

Please refer to Response to Comment Nos. 4-2 through 4-16 above. In particular refer to Response to Comment Nos. 4-12, 4-14 and 4-15 regarding the dedication of open space for the purpose of providing a wildlife movement corridor through the site’s vicinity. CEQA Guidelines Section 15126.6 provides that an EIR should consider a reasonable range of alternatives which would feasibly attain most of the project objectives but would avoid or substantially lessen any of the significant effects of the project. A wildlife corridor is not believed to exist today, and no significant adverse impacts to wildlife movement are expected to result from the project. Therefore, an alternatives analysis of the type suggested by the comment would not be meaningful under CEQA.

**COMMENT 4-18**

One of the reasons that the Conservancy did not request conditions on the prior High School approval is that the project left the now proposed Middle School site open for habitat and wildlife movement purposes. The project appears to have an unmitigable adverse effect on the wildlife approach and reception area on the west side of the freeway overpass. An unfenced gap between the existing High School and proposed Middle School may be the only solution. This

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<sup>5</sup> *Draft Environmental Impact Report, Stephen Wise High School & Nursery School (State Clearinghouse No. 91101054), September 1992.*

gap would have to be totally free of any light shine between mid-night and 5 AM and be a minimum of 75-feet-wide.

**RESPONSE 4-18**

Please refer to Response to Comment Nos. 4-10, 4-12, 4-14, 4-15 and 4-16. As discussed therein, a corridor is not believed to exist today, and no significant adverse impacts to wildlife movement are expected to result from the project.

**COMMENT 4-19**

The schools within the Institutional Corridor should be leaders in bringing forth and constructing improvements that are fully consistent with the Mulholland Scenic Parkway Specific Plan. To our knowledge, the proposed project has not been vetted through the Mulholland Scenic Parkway Design Review Board (DRB). The DRB is fundamental to exercising the spirit of the ordinance. The FEIR will remain deficient if it does not include an exact accounting of the project's, and each of its alternatives, consistency with the ordinance.

**RESPONSE 4-19**

The first statement is acknowledged and will be forwarded to the decision-makers for review and consideration. Project consistency with the Mulholland Scenic Parkway Specific Plan is analyzed in Section IV.G, Land Use, as well as Section IV.A, Aesthetics, of the Draft EIR. Consistency of the project alternatives with applicable provisions within the Specific Plan are also addressed in Section V, Alternatives. The project will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to Section 16.50 of the Los Angeles Municipal Code. The Design Review Board applies the standards and criteria in the Specific Plan to ensure that all proposed projects within the Scenic Parkway preserve the natural environment and terrain of the Santa Monica Mountains, protect the hillside character of the Parkway, and are compatible with the Parkway environment.

**COMMENT 4-20**

In general, the fee rights-of-way of Mulholland Drive have been consumed for private uses (some permitted, some un-permitted) along the length of the scenic parkway. The DEIR should clearly show what uses, disturbances and permanently required enhancements are proposed in the rights-of-way. The best public purpose for the rights-of-way is to leave them entirely open and planted with just native plants. In addition the Mulholland Drive Core Trail as required in the Specific Plan must be accommodated on both sides of Mulholland Drive on all portions of the street controlled by the applicant. The project makes no provision for the Mulholland Core Trail. The FEIR will remain deficient if it does not address fully this issue and provide adequate project design elements or mitigation measures.



**RESPONSE 4-20**

As described in Section IV.A, Aesthetics, of the Draft EIR, the proposed athletic field areas would extend into the designated right-of-way of Mulholland Drive by approximately 37 feet, but would still lie approximately 40 feet south of the edge of the road. Refer to Figure 6 in the Draft EIR for a graphic illustration of the proposed Athletic Field site. Proposed landscaping adjacent to the Mulholland Drive right-of-way would include an informal arrangement of native plants and trees, and the entire site would be enclosed with a black vinyl, chain link fence, in accordance with the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines. Within the Middle School site, landscaping on the portion of the site that is adjacent to the Mulholland Drive right-of-way would consist of an informal arrangement of native plants. As indicated above, the project will undergo design review by the Mulholland Scenic Parkway Design Review Board.

Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements discussed with LADOT to facilitate traffic movements on Mulholland Drive at the Walt Disney Drive and Zeldins Way intersections. These circulation enhancements are not required to mitigate the traffic impacts of the proposed project. Such improvements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. The small portions of right-of-way that would be used would not result in significant impacts on wildlife movement.

**COMMENT 4-21**

The proposed installation of a playing field with lighting in the public right-of-way is sub-optimal. The DEIR should include an alternative (sic) for this portion of the project that includes only irrigated native vegetation in the Mulholland right-of-way with no fencing or lighting or pavement. Is a private playing field in the public right-of-way a gift of public funds? The FEIR will remain deficient if it does not include this information.

**RESPONSE 4-21**

As described in Section IV.A, Aesthetics, of the Draft EIR, the proposed athletic field areas would extend into the designated right-of-way of Mulholland Drive by approximately 37 feet, but would still lie approximately 40 feet south of the edge of the road. As shown in Figure 6, only the proposed running track (made of natural toned playing surfaces) and grassy field areas would fall within the right-of-way, along with proposed landscaping of native plants and trees and black vinyl, chain link fencing, which is considered acceptable within the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines. Pole-mounted lighting

would be installed along the east and west sides of the playing areas. Such lighting would not be located within the right-of-way.

Section VI, Alternatives, of the Draft EIR includes a discussion of alternatives that were considered for analysis but rejected as infeasible. As discussed therein, alternate designs were identified during the course of determining a superior site plan for the campus in achieving the educational program. Each of the design alternatives was intended to test the potential to locate major school elements such as the athletic fields. These various design alternatives were viewed in relation to the operational and physical limits of the site, including those related to the site's topographic constraints. Designs that would locate the proposed tract entirely outside of the right-of-way were infeasible as they would require substantial excavations into the hillside to provide for an adequately-sized tract. In addition, such design would not eliminate or substantially lessen a significant project impact.

#### **COMMENT 4-22**

In general, the FEIR must address how the proposed lighting of the project, and all relevant FEIR alternatives, could adversely effect wildlife usage of, and passage through, all abutting open space areas. Adequate mitigation of lighting impacts must include a diagram showing the extent of light shine, or illuminance, on all abutting patches of open space. The actual limits of such light shine/illuminance must be a documented mitigation condition in the FEIR to be enforceable and enduring. The FEIR will remain deficient if it does not include this information.

Please direct any questions or future correspondence to Paul Edelman of our staff at (310) 589-3200 ext. 128 and at the above address.

#### **RESPONSE 4-22**

Figure 3 on page 68 provides a conceptual lighting plan for the athletic field site in particular. As discussed on page 100 of Section IV.A, Aesthetics, of the Draft EIR, all outdoor lighting would be low-level and would be shielded and directed away from off-site areas. Landscape lighting would be downward facing and emit low illumination. In addition, page 101 of Section IV.A, Aesthetics, of the Draft EIR includes a mitigation measure to ensure that pole lighting within the Athletic Field site will not be used after 9 P.M. Due to the low-level illumination nature of the lighting, the already developed nature of the project sites that include lighting of parking areas, proposed lighting would not result in significant impacts to wildlife.

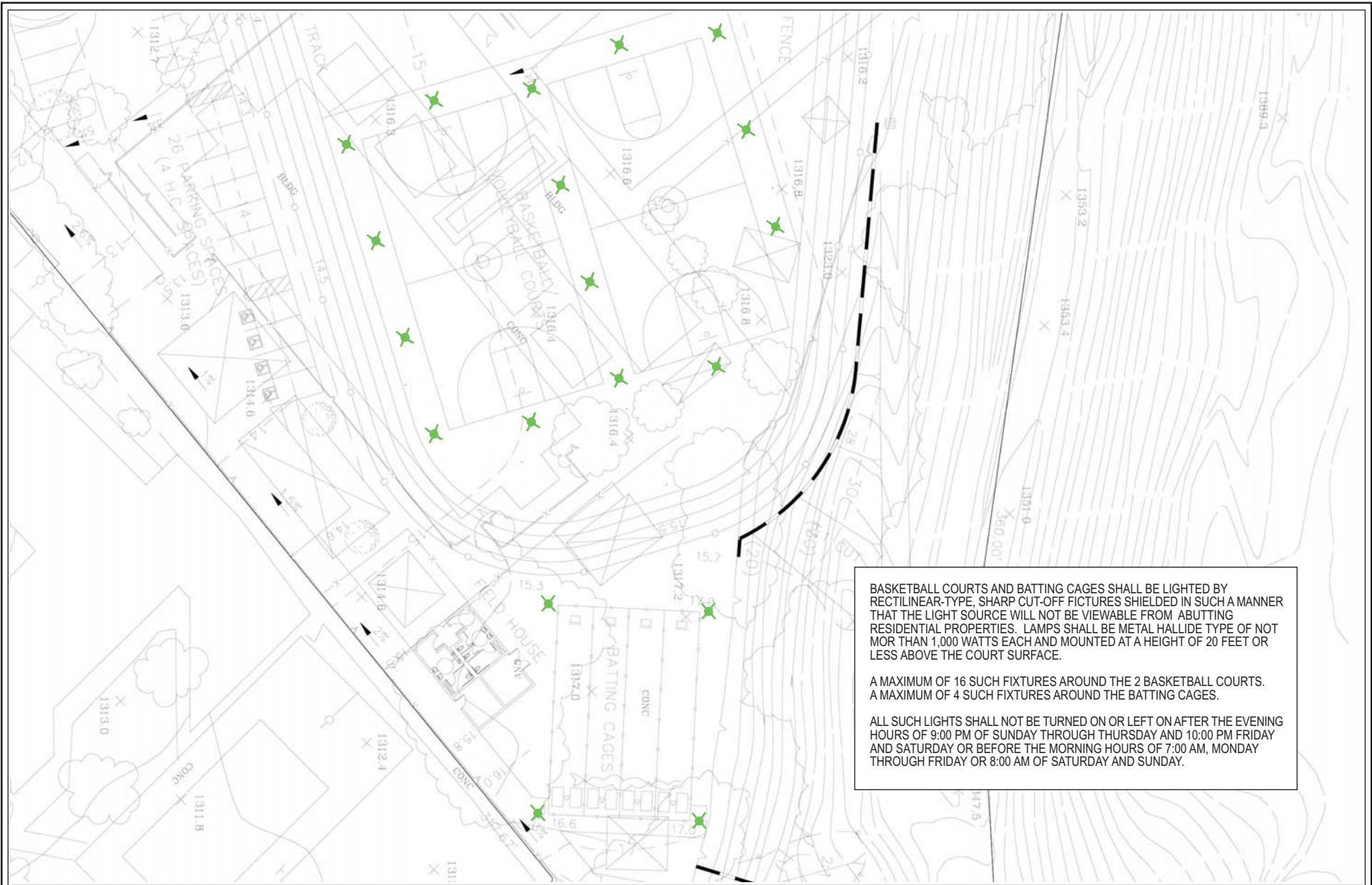


Figure 3  
Athletic Field Lights

**LETTER NO. 5**

Polly Ward, President  
The Federation of Hillside and Canyon Association, Inc.  
Post Office Box 1041  
Studio City, California 91614

**COMMENT 5-1**

The Federation of Hillside and Canyon Property Owners Assns supports the community opposition to this relocation project as it affects transportation, (sic) earth, air, water, population, and land use.

**RESPONSE 5-1**

This comment lists issues of concern to the Federation of Hillside and Canyon Property Owners Associations regarding the proposed project. The Draft EIR for the project has provided a detailed analysis of potential impacts associated with transportation, earth, air, water, population and land use. Please refer to Sections IV.I, Transportation; IV.E, Geology/Seismic Hazards; IV.B, Air Quality; IV.G, Land Use; and VI.F, Effects Not Found to Be Significant, of this Draft EIR. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 5-2**

At last count, 4,065 students per day are dropped off, picked up and travel a 2-lane, scenic parkway. The CUP for the Stephen Wise facilities is for 650 students. The proposed “relocation” will add a 40% expansion to the CUP, and since the Bel-Air Pres Church, which currently leases modular facilities to Stephen Wise plans to build its own school on its own property, this relocation adds to the total of students in the area.

This area has been, and will continue to be desperately in need. of a traffic management plan. without the addition of schools and. more students. (sic) For this and the issues listed in the 1st paragraph, we wish to express our opposition and would be happy to pursue this issue further in any way you might deem helpful.

**RESPONSE 5-2**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report referenced in preparation of the traffic analysis is contained in Appendix H of the Draft EIR. Pages 238-239 of the Draft EIR contain a discussion of the traffic counts conducted as part of the Draft EIR traffic analysis. Manual counts of vehicular turning movements were conducted at each of the nine study intersections (including study intersections along Mulholland Drive) during the weekday morning (A.M.) and

afternoon (P.M.) peak hours, corresponding to the student drop-off and pick-up time periods expected at the proposed Middle School project. Therefore, the traffic counts used in the Draft EIR's traffic analysis of the project account for the existing traffic generated by schools and other land uses in the project area.

As discussed on Page 254 of the Draft EIR, the effects of the project's traffic is measured against a future 2007 baseline, the estimated year of project completion. The future baseline is derived based on the anticipated traffic due to ambient traffic growth (assumed to be 1% per year through the year 2007), as well as traffic due to known related projects. Table 1 on page 68 of the Draft EIR provides the list of related projects considered in the Draft EIR's traffic analysis, including the school project at Bel Air Presbyterian Church identified in the comment.

While the project would require a new Conditional Use Permit (CUP) to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location, the project would not involve an increase in total student enrollment by the Applicant. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

Pages 252-253 of the Draft EIR provide the trip generation assumptions, rates and forecasts utilized in the traffic analysis. As stated on page 252 in the Draft EIR, no trip credit was assumed in the trip generation forecast for the project related to the existing Middle School currently operated on property owned by the Bel Air Presbyterian Church as it is not owned by the project applicant (the Stephen W. Wise Temple). As shown in Table 17 on page 253 of the Draft EIR, the project will result in a decrease in daily trips to the site as the nursery school approved for the athletic field site has been moved to the Stephen Wise Temple east of I-405. In addition, with incorporation of the proposed mitigation measures, no significant traffic impacts would result from the proposed project.

Based on the above, the preparation of a "traffic management plan" for the area as suggested in the comment is not needed for purposes of evaluating the potential traffic impacts of the project together with other related projects. Furthermore, such a plan for the entire area could not be prepared without specific proposals and information from other educational facilities in the area, which could take a substantial amount of effort and time to develop. The proposed project itself has required years to define with the input of the community and the decision-making process for the project is well underway. However, if such a plan were to occur in the future, the school would participate.

**LETTER NO. 6**

Margery Grossman,  
Public Safety Rep., Encino Neighborhood Council  
President, Ballina Canyon Neighborhood Watch

**COMMENT 6-1**

The draft EIR for the above educational facility states that police response time to the campus should be within 7-8 minutes. My personal investigation of this directive developed information that response time would be a minimum of 20-25 minutes. This investigation was done in the '90's; current time frame could be greater.

**RESPONSE 6-1**

Potential impacts to police protection were evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As demonstrated in Section XIII, Public Services (response a.2), of the Initial Study project impacts on police protection would be less than significant. As discussed in the Initial Study, when accounting for the Nursery School use permitted at the athletic field site, the proposed project would not result in an overall increase in faculty and students within the immediate project area. In addition, with proposed mitigation measures, the project site would not result in any significant traffic impacts and thus would not significantly impact response times. Private security personnel would also be employed to patrol the sites, monitoring access to the consolidated Middle School/High School site, the area between the High School and Middle School, and the Athletic Fields site.

**COMMENT 6-2**

In addition, the draft EIR stated that fire dept. response locale be within approximately 1 1/2 miles. My investigation showed that Fire dept. HEAVY DUTY equipment availability (sic) is 5 miles distant, with access solely via Sepulveda Blvd., the #405, the Sepulveda Tunnel, then to Mulholland Drive, the location of Milken school(s)

**RESPONSE 6-2**

Potential impacts to fire protection were evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As indicated in Section XIII, Public Services (response a.1), of the Initial Study, the nearest fire station to the project sites is the Encino Hills Station (No. 109), which is a single-engine company, located approximately 0.5 to 0.75 mile west of the sites, at 16500 Mulholland Drive. The Sherman Oaks Station (No. 88), located approximately 3.0 to 3.25 miles north of the sites at 5101 North Sepulveda Boulevard, is the nearest heavy-duty task force. Given that the project sites are located in a Very High Fire

Hazard Severity Zone, as defined in the City of Los Angeles Municipal Code, the project vicinity contains a higher concentration of fire stations as compared to other areas of the City.<sup>6</sup> In the event of an emergency, responding fire personnel would utilize surrounding public streets, including Sepulveda Boulevard and Mulholland Drive, as appropriate, to respond to incidents on-site. The proposed interior roads on both the consolidated Middle School/High School site and Athletic Field site would provide emergency access within the sites and to the proposed facilities, allowing the Los Angeles Fire Department (LAFD) to adequately respond to potential on-site emergencies. In addition, the project would comply with the requirements specified by LAFD. Thus, potential impacts on fire protection services would be less than significant.

### **COMMENT 6-3**

Even with the information as above, the S. Wise Temple moved forth and constructed the Milken High school(s). The CUP states that a maximum of 650 students, grades 7-12 would be accommodated (sic). Now, a request is made for an addition of 240 students. The safety of the original maximum number of students is imperiled; to add an additional component of 240 students would be foolhardy. It is known that Los Angeles is a probable terrorist target . . . including this educational corridor. (Source: Homeland Security)

### **RESPONSE 6-3**

As indicated in Section XIII, Public Services, of the Initial Study, the LAFD evaluates the demand for fire prevention and protection services on a project-by-project basis to determine if additional equipment, personnel, or facilities are warranted, as does the LAPD regarding police protection needs. As previously stated, fire and police protection were thoroughly addressed in the Initial Study, which concluded that the project's impacts on fire and police protection services would be less than significant. In addition, the project would be developed in accordance with applicable fire and safety standards, as required by the Los Angeles City Fire Code and the Los Angeles Municipal Code.

While the project would require a new Conditional Use Permit (CUP) to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location, the project would not involve an increase in total student enrollment by the Applicant. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

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<sup>6</sup> *Los Angeles Municipal Code, Chapter 5, Article 7, Section 57.25.*

**COMMENT 6-4**

It was clearly defined and accepted by the Stephen S, Wise Temple/Milkin (sic) Community High School that transportation of students to the school would be by bus from two locations, one on the “city” side of the facility; one on the “Valley” side. Implementation of a school bus program was never done . . . has never been done.

**RESPONSE 6-4**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report supporting the traffic analysis is contained in Appendix H of the Draft EIR. In order to address project impacts, the traffic analysis recommends implementation of a new Transportation Demand Management (TDM) program for the Middle School, to be operated in conjunction with the existing TDM program for the High School. A TDM program is in use at Milken Community High School per its current Conditional Use Permit (CUP) requirements imposed by the City of Los Angeles (City Case No. ZA 99-0514 CUZ). The existing TDM program includes the provision of bus service from the San Fernando Valley and West Los Angeles. As discussed in Section IV.I, Transportation and Circulation, and Appendix H, monitoring reports for the existing TDM program submitted to LADOT indicate that the High School has substantially reduced vehicle trips through the operation of a busing program and carpools. As the Middle School is not currently subject to TDM requirements at its existing location on the Bel Air Presbyterian Church property, the traffic analysis recommended a TDM program for the consolidated Middle School/High School project. The proposed TDM program for the Middle School is based on the elements of the existing TDM program for the High School, including provisions for bus service to students.

**COMMENT 6-5**

Mulholland Drive is semi-rural in character. It should not and need not be reconfigured or widened. The S. Wise Temple should be compelled to comply with the terms of the draft EIR, thereby reducing the heavy traffic flow that is current.

**RESPONSE 6-5**

As discussed in the Draft EIR, Mulholland Drive is a City-designated Scenic Parkway, with a general appearance of prevailing vegetation and open spaces with interspersed buildings. Along much of its length one travel lane is provided in each direction with separate left-turn lanes at most intersections and driveways, although two through travel lanes are provided in each direction near the intersection with Skirball Center Drive. Within the project vicinity, Mulholland Drive has a posted speed limit of 40 miles per hour (MPH), and traffic signals are provided at the intersections with Walt Disney Drive, Zeldins Way, Skirball Center Drive and Casiano Road. The project sites are located within a designated Institutional Use Corridor, where a variety of school and religious uses are concentrated.



The project does not include or require the widening of Mulholland Drive, nor is it a required mitigation measure to avoid a significant project impact, pursuant to CEQA. As described in Section II, Project Description, of the Draft EIR, access for the Middle School would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Modification to the existing traffic signal at the Walt Disney Drive and Mulholland Drive intersection is proposed to incorporate the driveway (southern leg) into the traffic signal. Pages 264-266 of Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements at Mulholland Drive to facilitate traffic movements on Mulholland Drive at the Walt Disney and Zeldins Way intersections. Impacts of these enhancements have been addressed in Section VI.E, Other Environmental Considerations, of the Draft EIR.

#### **COMMENT 6-6**

There should be a “Master Plan” on Mulholland Drive, even with the designation “Institutional Corridor”. The growth within this corridor impacts the adjoining residential neighborhoods in a negative manner, i.e. noise from the planned athletic field next to the Mirman School.

#### **RESPONSE 6-6**

The Mulholland Scenic Parkway Specific Plan has been adopted to preserve and enhance the natural appearance, topography, unique scenic resources and views within the Mulholland corridor; assure land use compatibility within the corridor; and provide a review process for all projects visible from Mulholland Drive. As described within Section IV.G, Land Use, of the Draft EIR, the Specific Plan designates a 500-foot buffer from the right-of-way along both sides of Mulholland Drive as the Inner Corridor of the Specific Plan area (within which the project sites are located). In addition, the area that lies between the Inner Corridor’s outermost boundary and one-half mile outward from the right-of-way along Mulholland Drive is designated as the Outer Corridor of the Specific Plan area. The Specific Plan also designates the project area as lying within an Institutional Use Corridor (within the Inner Corridor), which provides for uses such as schools, churches and accessory buildings.<sup>7</sup> The Specific Plan, along with the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines, contain specific restrictions and guidelines for each of these designated corridors. In addition, potential impacts associated with the proposed project, including noise from the athletic field, have been thoroughly evaluated in the Draft EIR.

Preparation of a “Master Plan” would require other educational facilities in the area to provide specific proposals, which could require a substantial amount of effort and time to develop. The proposed project itself has required years to define with the input of the

<sup>7</sup> *The Institutional Use Corridor begins on the west at the centerline of Corda Drive and terminates on the east at the centerline of Roscomare Road, excluding the San Diego Freeway.*

community and the decision-making process for the project is well underway. However, if such a plan were to occur in the future, the school would participate. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LETTER NO. 7**

Linda Goldstein, President  
The Encino Neighborhood Council  
4933 Balboa Bl.  
P.O. Box 260439  
Encino, California 91426-0439

**COMMENT 7-1**

The Encino Neighborhood Council (“ENC”) is writing to express our concerns regarding the draft environmental impact report, referenced above, for the Milken Community High School of Stephen S. Wise Temple Middle School project.

The ENC has numerous concerns about the draft EIR in particular and development in the Mulholland Institutional Use Corridor in general. Specifically, the ENC wrote to Councilman Jack Weiss concerning previous plans for enlarging school facilities in the Mulholland Institutional Use Corridor. In that correspondence we expressed our strong objection to any further development in the Institutional Use Corridor without a master plan.

Now, we have been presented with the current EIR for another school enlargement and there is still no master plan in place.

**RESPONSE 7-1**

Completion of a “Master Plan” for the entire institutional use corridor would require other educational facilities in the area to provide specific proposals, which could require a substantial amount of effort and time to develop. The proposed project itself has required years to define with the input of the community and the decision-making process for the project is well underway. In addition, a Master Plan would also be created and directed by the City of Los Angeles, particularly since the corridor includes properties owned by a number of different property owners other than the Applicant. However, if such a plan were to occur in the future, the school would participate. In addition, as discussed in Response to Comment No. 7-6, the Mulholland Scenic Parkway Specific Plan adopted for the project area was designed to preserve and enhance the natural appearance, topography, unique scenic resources and views within the Mulholland corridor; assure land use compatibility within the corridor; and provide a review process for all projects visible from Mulholland Drive. As discussed in Section IV.G. Land Use, the project would generally be consistent with the Specific Plan. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 7-2**

1. The EIR has not addressed public safety concerns dealing with LAPD and LAFD response time in the Institutional Use Corridor.

**RESPONSE 7-2**

Potential impacts to police protection were evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As demonstrated in Section XIII, Public Services (response a.2), of the Initial Study, project impacts on police protection would be less than significant. As discussed in the Initial Study, when accounting for the Nursery School use permitted at the athletic field site, the proposed project would not result in an overall increase in faculty and students within the immediate project area. In addition, with proposed mitigation measures, the project site would not result in any significant traffic impacts and thus would not significantly impact response times. Private security personnel would also be employed to patrol the sites, monitoring access to the consolidated Middle School/High School site, the area between the High School and Middle School, and the Athletic Fields site.

Potential impacts to fire protection were also evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As indicated in Section XIII, Public Services (response a.1), of the Initial Study, the nearest fire station to the project sites is the Encino Hills Station (No. 109), which is a single-engine company, located approximately 0.5 to 0.75 mile west of the sites, at 16500 Mulholland Drive. The Sherman Oaks Station (No. 88), located approximately 3.0 to 3.25 miles north of the sites at 5101 North Sepulveda Boulevard, is the nearest heavy-duty task force. Given that the project sites are located in a Very High Fire Hazard Severity Zone, as defined in the City of Los Angeles Municipal Code, the project vicinity contains a higher concentration of fire stations as compared to other areas of the City.<sup>8</sup> In the event of an emergency, responding fire personnel would utilize surrounding public streets, including Sepulveda Boulevard and Mulholland Drive as appropriate, to respond to incidents on-site. The proposed interior roads on both the consolidated Middle School/High School site and Athletic Field site would provide emergency access within the sites and to the proposed facilities, allowing the Los Angeles Fire Department (LAFD) to adequately respond to potential on-site emergencies. In addition, the project would comply with the requirements specified by LAFD. Thus, potential impacts on fire protection services would be less than significant.

**COMMENT 7-3**

2. The Mulholland Design Review Board has not looked at the plan for widening Mulholland Drive on the south side in front of the proposed middle school.

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<sup>8</sup> *Los Angeles Municipal Code, Chapter 5, Article 7, Section 57.25.*

**RESPONSE 7-3**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report supporting the traffic analysis is contained in Appendix H of the Draft EIR. Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements discussed with LADOT to facilitate traffic movements on Mulholland Drive at the Walt Disney Drive and Zeldins Way intersections. These circulation enhancements are not required to mitigate the traffic impacts of the proposed project. Such enhancements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. The project, including all access improvements, will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to Section 16.50 of the Los Angeles Municipal Code.

**COMMENT 7-4**

3. It is unclear what other traffic mitigation has been planned.

**RESPONSE 7-4**

Mitigation measures proposed to reduce or eliminate potentially significant traffic impacts associated with the project are provided in Section IV.I, Transportation and Circulation, of the Draft EIR on pages 273 through 274. These measures include a Transportation Demand Management (TDM) program, a Work Area Traffic Control Plan to be implemented during construction, and maintenance of sightline visibility adjacent to the project sites.

**COMMENT 7-5**

4. The impact of traffic within two miles of the proposed project has not been addressed.

**RESPONSE 7-5**

The study intersections evaluated in the traffic analysis are listed on page 238 within Section IV.I, Transportation and Circulation, of the Draft EIR and were selected by LADOT. As noted discussed within that analysis, significant impacts were identified at two study intersections in the immediate vicinity of the site. With the proposed mitigation measures, impacts at these two intersections would be less than significant. The potential traffic impacts of the project at intersections located further away from the site were determined to be less than significant. As traffic disperses farther away from the project site, there would be less project-related traffic traveling through more distant intersections. Therefore, analysis of potential

project-related traffic impacts at additional intersections, including intersections located two miles away from the project site as suggested in the comment, is not required.

**COMMENT 7-6**

5. More information is needed on air quality and noise that this proposed project would generate.

**RESPONSE 7-6**

Air quality impacts are analyzed in Section IV.B, Air Quality, of the Draft EIR. In accordance with CEQA, the CEQA Guidelines, the City of Los Angeles Thresholds Guide and requirements established by the South Coast Air Quality Management District (SCAQMD), this section includes discussions of existing air quality conditions throughout the South Coast Air Basin, local air quality conditions at nearby monitoring stations, existing health risks in the area, sensitive receptors located in the project vicinity, the relevant regulatory setting, analysis methodology, and thresholds of significance. The section also contains thorough analyses of potential air quality impacts, including regional construction emissions, localized construction emissions, regional operation impacts, localized carbon monoxide concentration impacts, toxic air contaminants, odors, consistency with adopted plans and policies, and cumulative impacts. Appropriate mitigation measures are proposed, and the level of significance after mitigation is evaluated. As indicated in the Draft EIR, with the exception of short-term impacts during construction, all air quality impacts associated with the project would be less than significant.

Similarly, noise impacts are analyzed in Section IV.H, Noise, of the Draft EIR. This section addresses noise and vibration terminology, the relevant regulatory setting, noise-sensitive and vibration-sensitive receivers, existing ambient noise levels, ambient ground-borne vibration levels, the analysis methodology, and thresholds of significance. The section also contains thorough analyses of potential noise and vibration construction and operational impacts, including those associated with traffic, parking operations, outdoor activities, and mechanical equipment, as well as cumulative impacts. Appropriate mitigation measures are proposed, and the level of significance after mitigation is evaluated. As indicated in the Draft EIR, with the exception of short-term impacts during construction, all noise impacts associated with the project would be less than significant.

**COMMENT 7-7**

6. The hours of operation of the athletic field and the proposed number of bus trips that would be generated each week moving the students between the campus and the field has not been provided.

**RESPONSE 7-7**

As discussed in Section II, Project Description, of the Draft EIR, activities at the proposed Athletic Field site would occur primarily during school hours, but could occur as late as 9:00 P.M. Use of the athletic field would be ancillary to the Middle School/High School and competitions with other schools would not occur. It is estimated that three to five round trips (6 to 10 trips total) would occur between the Middle School/High School site and the Athletic Field site.

**COMMENT 7-8**

Finally, we note that the original CUP ZA 86-1070 has had continual renewals for “time necessary to complete the permanent high school/middle school facility,” and the original CUP ZA 93-047 (CUZ) and ZA-99-0514 (CUZ) limited total enrollment in grades 7-12 to 650 students. Adding 240 students for the “temporary” middle school amounts to a 38% increase in enrollment over what was originally provided for.

Therefore, the ENC believes that these concerns need to be addressed prior to the approval of the final EIR. Please keep the ENC informed of any further developments in the EIR process and dates of upcoming meetings or hearings regarding the project. Please contact the ENC at 818-255-1040 or [enc@socal.it.com](mailto:enc@socal.it.com) with any further information.

**RESPONSE 7-8**

The project would require a new Conditional Use Permit (CUP) to permit the addition of the Middle School within the existing High School site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). The Draft EIR considered possible environmental impacts from the increase in students at the Consolidated Middle School/High School Site. In addition, the Draft EIR assumed that the existing Middle School site may continue to be utilized for a 240-student middle school, so no trip credit was taken. However, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

**LETTER NO. 8**

Laurie Kelson  
16632 Calneva Dr.  
Encino CA 91436

**COMMENT 8-1**

This project is a redundancy. Please refer to ZA 86-1070. The language is clear that the Middle School of the Stephen S Wise Temple (SSWT) had continual renewals for “time necessary to complete the permanent High School/Middle School facility”.

Please refer to the original ZA 93-0147 (CUZ) and ZA 99-0514 (CUZ). Condition #12 states that 650 students grades 7-12 for this property. Adding 240 students from the “temporary” middle school is asking for a 38% increase enrollment. (sic)

**RESPONSE 8-1**

The project would require a new CUP Permit to permit the addition of the Middle School within the existing High School site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). The Draft EIR considered possible environmental impacts from the increase in students at the Consolidated Middle School/High School Site. In addition, the Draft EIR assumed that the existing Middle School site may continue to be utilized for a 240-student middle school, so no trip credit was taken. However, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

**COMMENT 8-2**

The Encino Neighborhood Council passed a motion that was sent on to our Councilman Jack Weiss asking for a “Master Plan” for the Institutional Use Corridor before any further development is approved.

**RESPONSE 8-2**

The Mulholland Scenic Parkway Specific Plan is a comprehensive plan adopted to preserve and enhance the natural appearance, topography, unique scenic resources and views within the Mulholland corridor; assure land use compatibility within the corridor; and provide a review process for all projects visible from Mulholland Drive. As described within Section IV.G, Land Use, of the Draft EIR, the Specific Plan designates a 500-foot buffer from the right-of-way along both sides of Mulholland Drive as the Inner Corridor of the Specific Plan area (within which the project sites are located). In addition, the area that lies between the Inner



Corridor's outermost boundary and one-half mile outward from the right-of-way along Mulholland Drive is designated as the Outer Corridor of the Specific Plan area. The Specific Plan also designates the project area as lying within an Institutional Use Corridor (within the Inner Corridor), which provides for uses such as schools, churches and accessory buildings.<sup>9</sup> The Specific Plan, along with the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines, contain specific restrictions and guidelines for each of these designated corridors.

The Draft EIR provides a comprehensive analysis of potential impacts associated with the project as well as other known related projects in the area. A new Master Plan for the area would require other educational facilities in the area to provide specific proposals, which require a substantial amount of effort and time to develop. The proposed project itself has required years to define with the input of the community and the decision-making process for the project is well underway. However, if such a plan were to occur in the future, the school would participate. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

### **COMMENT 8-3**

Mulholland Dr. should not be reconfigured or widened. The Mulholland Design Review Board has not approved this plan. It is a poor design with the circulation/traffic pattern too close to the classroom building for the safety of the students.

### **RESPONSE 8-3**

As described in Section II, Project Description of the Draft EIR, access for the Middle School would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Modification to the existing traffic signal at the Walt Disney Drive and Mulholland Drive intersection is proposed to incorporate the driveway (southern leg) into the traffic signal. Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements discussed with LADOT to facilitate traffic movements on Mulholland Drive at the Walt Disney Drive and Zeldins Way intersections. These circulation enhancements are not required to mitigate the traffic impacts of the proposed project. Such improvements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used.

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<sup>9</sup> *The Institutional Use Corridor begins on the west at the centerline of Corda Drive and terminates on the east at the centerline of Roscomare Road, excluding the San Diego Freeway.*

A description of the internal circulation scheme is provided on page 264 of the Draft EIR. Primary student drop-off and pick-up is proposed to occur at the westerly end of the Middle School site and adequate space adjacent between the drop-off and pick-up area and the building would be provided. School staff would assist in safely directing students between the school and passenger vehicles. In addition, a mitigation measure has been proposed to ensure that adequate sightlines for vehicles will be provided. Thus, no traffic safety issues are anticipated with the proposed student drop-off and pick-up operations at the Middle School. The project, including all access improvements, will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to Section 16.50 of the Los Angeles Municipal Code.

#### **COMMENT 8-4**

If this project is approved, the transportation (entrance and exit) for the High School/Middle School should be on Sepulveda Blvd. The SSWT should work out a contract with the Skirball Cultural Center to double deck the flat parking lot on the E side of Sepulveda Blvd. that SSWTHS is already using. SSWTHS/MS could use the top deck for all the drop offs and pickups. There is already an existing traffic light.

#### **RESPONSE 8-4**

Please refer to Response to Comment No. 8-3 for a discussion of access to and internal circulation within the project site. In addition, Mitigation Measure I-1 on page 273 of the Draft EIR recommends the implementation of a Transportation Demand Management (TDM) program for the project. As shown on Table 20 on page 276 of the Draft EIR, this mitigation measure would reduce the project impacts at the two affected study intersections to a less than significant level.

As traffic and access impacts associated with the project would be less than significant with incorporation of the proposed mitigation measures, the mitigation measure suggested in the comment regarding the construction of a parking structure in the Skirball Center East Lot is not necessary. Further, the construction of a parking structure on the Skirball Center East Lot may not be feasible as the property is not owned or under control of the project applicant. It is noted, however, that under the current Condition Use Permit (CUP) for the Milken Community High School (MCHS), up to 60 MCHS student vehicles may be issued permits to park in the Skirball Center East Lot located south of the MCHS site, which has vehicular access via Sepulveda Boulevard (City Case No. ZA 99-0514 CUZ). The traffic study contained in Appendix H of the Draft EIR provides a recommended TDM program for consolidated Middle School/High School project. The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). The Applicant is also discussing with the Skirball Center options for additional use of the Center for parking and carpooling.

**COMMENT 8-5**

How many car trips (bus or van) a day will be required to transport the students between the campus and the athletic field next to the Mirman School?

**RESPONSE 8-5**

It is estimated that three to five round trips (6 to 10 trips total) would occur between the Middle School/High School site and the Athletic Field site.

**COMMENT 8-6**

The planned field should only operate school hours M-F. No weekend hours should be permitted.

**RESPONSE 8-6**

As discussed in Section II, Project Description, of the Draft EIR, activities at the proposed Athletic Field site would occur primarily during school hours, but could occur as late as 9:00 P.M. after school hours. Use of the athletic field would be ancillary to the Middle School/High School and competitions with other schools would not occur. Some weekend use ancillary to the Middle School/High School athletics may occur. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 8-7**

The response time for the LAPD and the LAFD has not been considered. West LAPD @ 1633 Butler in West LA and LAFD with large equipment @ 5101 Sepulveda Blvd. in Sherman Oaks can easily be 15-20 minutes away with the 405 congestion.

**RESPONSE 8-7**

Potential impacts to police protection were evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As demonstrated in Section XIII, Public Services (response a.2), of the Initial Study, project impacts on police protection would be less than significant. As discussed in the Initial Study, when accounting for the Nursery School use permitted at the athletic field site, the proposed project would not result in an overall increase in faculty and students within the immediate project area. In addition, with proposed mitigation measures, the project site would not result in any significant traffic impacts and thus would not significantly impact response times. Private security personnel would also be employed to patrol the sites, monitoring access to the consolidated Middle School/High School site, the area between the High School and Middle School, and the Athletic Fields site.

Potential impacts to fire protection were also evaluated in the Initial Study prepared for the project and included in Appendix A of the Draft EIR. As indicated in Section XIII, Public

Services (response a.1), of the Initial Study, the nearest fire station to the project sites is the Encino Hills Station (No. 109), which is a single-engine company, located approximately 0.5 to 0.75 mile west of the sites, at 16500 Mulholland Drive. The Sherman Oaks Station (No. 88), located approximately 3.0 to 3.25 miles north of the sites at 5101 North Sepulveda Boulevard, is the nearest heavy-duty task force. Given that the project sites are located in a Very High Fire Hazard Severity Zone, as defined in the City of Los Angeles Municipal Code, the project vicinity contains a higher concentration of fire stations as compared to other areas of the City.<sup>10</sup> In the event of an emergency, responding fire personnel would utilize surrounding public streets, including Sepulveda Boulevard and Mulholland Drive as appropriate, to respond to incidents on-site. The proposed interior roads on both the consolidated Middle School/High School site and Athletic Field site would provide emergency access within the sites and to the proposed facilities, allowing the Los Angeles Fire Department (LAFD) to adequately respond to potential on-site emergencies. In addition, the project would comply with the requirements specified by LAFD. Thus, potential impacts on fire protection services would be less than significant.

#### **COMMENT 8-8**

Look back at the Transportation Demand Management Program that the SSWT agreed to for the SSWTHS including:

1. Remote Parking Lots in West Los Angeles and the Valley. This condition was never met.
2. No Student Drivers. The SSWTHS has 90 student drivers.

I hope that the Planning Dept. will not approve this project.

#### **RESPONSE 8-8**

The TDM program conditions set forth in the CUP for the High School were modified under City Case No. ZA 99-0514 CUZ. These conditions do not require remote parking lots in the San Fernando Valley and West Los Angeles. Further, the TDM conditions allow for permits to be issued for 90 student-driven vehicles (30 parking spaces in the main MCHS parking lot and 60 parking spaces in the Skirball Center East Lot). The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot).

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<sup>10</sup> *Los Angeles Municipal Code, Chapter 5, Article 7, Section 57.25.*

**LETTER NO. 9**

Kouros Sariri  
16630 Calneva Drive  
Encino, California 91436

**COMMENT 9-1**

As a resident of the immediate Mulholland Drive community for the past fifteen years, I have witnessed many changes and alterations to our beautiful hillside community. However I am very upset to hear that Milken Community High School of the Stephen S. Wise Temple is attempting to increase their campus size by building in the hills. The school has no right to expand their campus per actions and legislation that has been taken in the past. Yet, both Milken High School and Stephen S. Wise middle school have continuously pestered and tested the patience of the surrounding neighborhood by constantly trying to undermine and bypass legislation that bars them from expanding their campuses.

**RESPONSE 9-1**

As discussed in Section II, Project Description, of the Draft EIR, in accordance with CUP No. ZA 86-1070 (CUZ/ZV) for the current Middle School property (owned by the Bel Air Presbyterian Church), maximum permitted enrollment at the Middle School is 240 students. In accordance with CUP No. ZA 93-0147 (CUZ) (PAD), CUP No. ZA 99-0514 (CUZ), and Council File 11-1648, maximum permitted enrollment at the High School is 650 students. Implementation of the project would require a new or modified CUP for the Consolidated Middle School/High School Site in order to permit the additional building area and number of students necessary to support the combined Middle School and High School programs on the consolidated school site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). There is no existing legislation, however, which prohibits the expansion of the Stephen S. Wise Middle School or the Milken Community High School with the approval of a new CUP.

**COMMENT 9-2**

There are several actions which have been taken to prevent this sort of selfish behavior but have been conveniently overlooked by the schools:

1. The ENC (Encino Neighborhood Council) has voted that no further development should take place on Mulholland Drive.

2. Per the original CUP ZA 93-0147 and ZA 99-0154 the Stephen S. Wise schools have been granted a maximum capacity of 650 students in grades 7-12. The proposed expansion is calling for a 38% increase above and beyond said maximum limit.

### **RESPONSE 9-2**

As discussed above, the project would require a new CUP Permit to permit the addition of the Middle School within the existing High School site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

### **COMMENT 9-3**

In addition to the aforementioned city imposed restrictions, there is no just reason to begin construction or reconfigure Mulholland Drive as this would only to serve to worsen the already intolerable traffic problems during rush hour caused mainly by the six schools located on Mulholland Drive. If the Stephen S. Wise schools wish to increase the transportation methods for their campus they should use Sepulveda Boulevard instead of Mulholland Drive and reach a deal with the neighboring Skirball Center to double deck the flat parking lot on the east side of Mulholland Drive that is already being used by Milken rather than selfishly takeover Mulholland Drive. Being that there are existing traffic lights at this Sepulveda location the schools could use this area for their pick ups and drop offs rather than creating more congestion on Mulholland Drive.

### **RESPONSE 9-3**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report supporting the traffic analysis is contained in Appendix H of the Draft EIR. As demonstrated in these documents, with implementation of a mitigation measure requiring a TDM program, development of the proposed project together with related projects in the area would not result in significant traffic impacts. In addition, impacts associated with access and queuing would be less than significant.

As described in Section II, Project Description, of the Draft EIR, access for the Middle School would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Modification to the existing traffic signal at the Walt Disney Drive and Mulholland Drive intersection is proposed to incorporate the driveway (southern leg) into the traffic signal. Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements discussed with LADOT to facilitate traffic movements on Mulholland Drive at the

Walt Disney Drive and Zeldins Way intersections. These circulation enhancements are not required to mitigate the traffic impacts of the proposed project. Such improvements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used.

Given the above, the mitigation measure suggested in the comment regarding the construction of a parking structure in the Skirball Center East Lot is not necessary. Further, the construction of a parking structure on the Skirball Center East Lot may not be feasible as the property is not owned or under control of the project applicant. It is noted, however, that under the current Conditional Use Permit (CUP) for the Milken Community High School (MCHS), up to 60 MCHS student vehicles may be issued permits to park in the Skirball Center East Lot located south of the MCHS site, which has vehicular access via Sepulveda Boulevard (City Case No. ZA 99-0514 CUZ). The traffic study contained in Appendix H of the Draft EIR provides a recommended TDM program for consolidated Middle School/High School project. The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). The Applicant is also discussing with the Skirball Center options for additional use of the Center for parking and carpooling.

#### **COMMENT 9-4**

Lastly, any planned athletic field or facility should not be used at nights or weekends and should be limited for use during school hours only.

I appreciate your time in handling this matter and I hope that an accord can be reached where both sides are pleased without jeopardizing the future of Mulholland Drive by increasing the traffic and ruining the quaint hillside community that we have.

#### **RESPONSE 9-4**

As discussed in Section II, Project Description, of the Draft EIR, activities at the proposed Athletic Field site would occur primarily during school hours, but could occur as late as 9:00 P.M. Use of the athletic field would be ancillary to the Middle School/High School and competitions with other schools would not occur.

**LETTER NO. 10**

Myron and Nancy Levin  
16930 Escalon Drive  
Encino, California 91436

**COMMENT 10-1**

My husband Myron and I strongly oppose the proposed expansion of the Stephen S. Wise Temple-Milken Community School located on Mulholland Drive. Encino Neighborhood Council has voted to have no further development on Mulholland Drive in the Institutional Use Corridor without a Master Plan. We are long-time residents of our quiet residential neighborhood and strongly support this Master Plan which considers the needs of the adjacent neighborhoods as well as the institutions located along the corridor.

**RESPONSE 10-1**

Completion of a “Master Plan” would require other educational facilities in the area to provide specific proposals, which could require a substantial amount of effort and time to develop. The proposed project itself has required years to define with the input of the community and the decision-making process for the project is well underway. However, if such a plan were to occur in the future, the school would participate. In addition, as discussed in Response to Comment No. 7-6, the Mulholland Scenic Parkway Specific Plan adopted for the project area was designed to preserve and enhance the natural appearance, topography, unique scenic resources and views within the Mulholland corridor; assure land use compatibility within the corridor; and provide a review process for all projects visible from Mulholland Drive. As discussed in Section IV,G. Land use, the project would generally be consistent with the Specific Plan. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 10-2**

The SSWT HS/MS has had continual renewals for time necessary to complete the permanent high school and middle school facilities. In the Milken School’s original CUP ZA 93-0147 (CUZ) and ZA 99-0154(CUZ), condition #12 allows 650 students in grades 7-12. Adding 240 students from the “temporary” middle school is asking for a 38% increase in enrollment.

**RESPONSE 10-2**

The project would require a new CUP Permit to permit the addition of the Middle School within the existing High School site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle



school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. The Draft EIR considered possible environmental impacts from the increase in students at the Consolidated Middle School/High School Site.

**COMMENT 10-3**

All the transportation for the SSWT HS/MS should be routed from Sepulveda Boulevard as originally planned. They are already using the Skirball lot on the east side of Sepulveda and there is already a traffic light there. Perhaps this could be expanded or decked

**RESPONSE 10-3**

Mitigation Measure I-1 on page 273 of the Draft EIR recommends the implementation of a Transportation Demand Management (TDM) program for the project. As shown on Table 20 on page 276 of the Draft EIR, this mitigation measure would reduce the project impacts at the two significantly impacted study intersections to a less than significant level .

As traffic and access impacts associated with the project would be less than significant with incorporation of the proposed mitigation measures, the mitigation measure suggested in the comment regarding the construction of a parking structure in the Skirball Center East Lot is not necessary. Further, the construction of a parking structure on the Skirball Center East Lot may not be feasible as the property is not owned or under control of the project applicant. It is noted, however, that under the current Condition Use Permit (CUP) for the Milken Community High School (MCHS), up to 60 MCHS student vehicles may be issued permits to park in the Skirball Center East Lot located south of the MCHS site, which has vehicular access via Sepulveda Boulevard (City Case No. ZA 99-0514 CUZ). The traffic study contained in Appendix H of the Draft EIR provides a recommended TDM program for consolidated Middle School/High School project. The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). The Applicant is also discussing with the Skirball Center options for additional use of the Center for parking and carpooling.

**COMMENT 10-4**

We feel that Mulholland Drive should not be reconfigured or widened to accommodate more traffic. We worry about any increase in traffic on this section of Mulholland. The traffic congestion is already horrendous during the morning rush hours, making it extremely difficult for us to get “over the hill” using the most direct routes.

**RESPONSE 10-4**

As discussed above, with the proposed mitigation measure requiring TDM, the project would not result in significant traffic impacts at any intersections. In addition, the project does not include or require the widening of Mulholland Drive, nor is it a required mitigation measure to avoid a significant project impact, pursuant to CEQA. As described in Section II, Project Description of the Draft EIR, access for the Middle School would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Modification to the existing traffic signal at the Walt Disney Drive and Mulholland Drive intersection is proposed to incorporate the driveway (southern leg) into the traffic signal. In addition, pages 264-266 of Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements at Mulholland Drive to facilitate traffic movements on Mulholland Drive at the Walt Disney and Zeldins Way intersections. Such enhancements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. Impacts of these enhancements have been addressed in Section VI.E, Other Environmental Considerations, of the Draft EIR and no significant environmental impacts would occur as a result of their implementation.

**COMMENT 10-5**

The Milken Community School's original Conditional Use Permit permitted no student drivers except those with special needs and mandated remote parking lots with bus service to the school. The school chose to simply ignore these restrictions and do as they pleased. It is unconscionable to reward this appalling disregard of the original CUP by allowing further expansion.

**RESPONSE 10-5**

The TDM program CUP conditions for the High School were modified under City Case No. ZA 99-0514 CUZ. The CUP conditions do not require remote parking lots in the San Fernando Valley and West Los Angeles. Further, the TDM program CUP conditions allow for permits to be issued for 90 student-driven vehicles (30 parking spaces in the main High School parking lot and 60 parking spaces in the Skirball Center East Lot). The TDM program provided in the traffic study recommends that the number of High School student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the High School main parking lot). Additionally, the TDM program provided in the traffic study also recommends the continuation of the existing bus service provided by the High School to the San Fernando Valley and West Los Angeles.

**COMMENT 10-6**

We would also request that the planned athletic field adjacent to Mirman School operate only on weekdays during school hours. Thank you for your consideration.

**RESPONSE 10-6**

As discussed in Section II, Project Description, of the Draft EIR, activities at the proposed Athletic Field site would occur primarily during school hours, but could occur as late as 9:00 P.M. Use of the athletic field would be ancillary to the Middle School/High School and competitions with other schools would not occur.

**LETTER NO. 11**

Bel Air Knolls Property Owner's Association  
16606 Park Lane Place  
Los Angeles, Ca 90049

**COMMENT 11-1**

The proposed project affects transportation, earth, air, water, plant life, population, energy, utilities, land use, and other environmental, elements in Brentwood, Encino and Bel Air, and surrounding area. This document contains our response to the scope and content of the draft environmental information which is germane to the environmental evaluation of this project.

**I. HOMEOWNERS OF BEL AIR KNOLLS PROPERTY OWNER'S ASSOCIATION.**

This Response is filed by the Bel Air Knolls Property Owner's Association, a Californian non-profit corporation duly organized and existing under the laws of the State of California. This Association, formed in 1967, seeks to protect the residential character of its neighborhoods and to enhance the quality of life for its members and the community.

Members reside within the neighborhood of the proposed project, and will be negatively impacted by the Milken Middle/ High School (MHS).

**RESPONSE 11-1**

This comment introduces the Bel Air Knolls Property Owner's Association and describes the organization's function. Each of the environmental issues mentioned in this comment have been addressed in the Draft EIR and supporting appendices. The comment does not raise new environmental information specific to the project, but is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-2**

**II. DESCRIPTION OF PROJECT**

Conditional Use Permit and Director's Determination for Design Review Board recommendations and Plan Exception from the Mulholland Scenic Parkway Specific Plan, and other applicable discretionary and administrative permits to authorize the "relocation," of the existing Stephen S. Wise Middle School from its current temporary location on property owned by the Bel Air Presbyterian Church on Mulholland Drive to a permanent location on the Milken

Community High School Site, located at 15900 Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway.

According to the DRAFT EIR, the two schools would occupy and share a Consolidated Middle School/High School site. Upon completion of the project, the Stephen S. Wise Middle School would continue to provide a co-educational, day school facility that serves grades seven and eight. The project would provide permanent and upgraded facilities to accommodate the educational needs of up to 240 middle school students on an underutilized portion of the existing High School site. The new Middle School would be up to 18.5 feet in height and would include approximately 30,000 square feet of floor area.

Additionally, minor improvements would be made on the High School site, including the enclosure of three existing balconies and the addition of a canopy over existing walkways. The proposed project would also include the conversion of an abandoned nursery/pre-school site at 16100 Mulholland Drive to athletic fields to serve both the Middle School and High School students. The Athletic Field site was previously used by the Stephen S. Wise Nursery School program which recently leased the temporary trailers (sic) to the Bel Air Presbyterian Church.

### **RESPONSE 11-2**

This comment includes a summary of the project description. It does not introduce new environmental information, nor does it directly challenge information presented in the Draft EIR. Therefore, no response is required.

### **COMMENT 11-3**

HISTORY OF THIS AREA and HISTORY OF THIS INSTITUTION:

In 1987, a CUP was granted to Bel Air Presbyterian Church (BAPC) to build a Middle School. See Case No. ZA 86-1069(CUZ). A permanent structure was never built. Shortly thereafter, SSWT applied for a temporary Middle School at that site. The temporary site for grades 7-9, on land owned by BAPC, was intended only for a temporary Middle School site until the Milken Middle / High School building was completed. See Case No. ZA 86-1070(CUZ)(PA), page 8, as it appears: (see next page)

<Insert A>

CASE NO. ZA 86-1070(CUZ)(PA) PAGE 8

In making his December 7, 1995 determination, Zoning Administrator Lillenberg found:

1. Stephen S. Wise Temple is requesting an extension of the continued use and maintenance of the nodules currently utilized for the Middle School for an additional three years.

At present, the conditional use authorized under Case No. ZA 93-0147(CUZ)(ZV) for the Stephen S. Wise Community High School located at 15800-15900 Mulholland Drive is undergoing architectural design. The anticipated date of completion of the high school facility is in September, 1997. At that time the Middle School students (7th, 8th and 9th grades) currently located at the 16190 Mulholland Drive facilities will be moved to the new high School facility. The high school was approved for grades 7 through 12.

Until the new facility is completed, the Stephen S. Wise Temple requests that the Zoning Administrator grant an additional three year period of time to continue to occupy the Middle School modules.

2. Staff spoke to the representative of the applicant and was told that there have been delays. However, design drawings are now being finalized for the new high school and the middle school will move into the buildings that will be vacated by the high school students. The modules will then be removed. The parking lot remains the property of the Bel Air Presbyterian Church.

<End insert A>

According to thus same approval, on page 11, the following also states:

<Insert B>

in a location which is consistent with the prior middle school approval: in fact, the applicants state that the location of the module units on the site is designed to precede the actual construction of the middle school facilities as authorized.

On October 19, 1990, an approval of plans for the placement five temporary module units to be used as classrooms for 7th, 8th and 9th graders was approved for a period of two years. The temporary housing for middle school children was to remain until the permanent building and facilities are constructed on the high school campus to the east.

The middle school has not yet been constructed hence the new application for a further (sic)

<End Insert B>

**The Middle School/ High School CUP allows 650 students, IN TOTAL from grades 7-12. Therefore, let us be perfectly clear. This is not a "relocation" but a 40% expansion on a CUP granting a maximum of 650 students, grades 7 through 12.**

We believe the project is not an accurate assessment as titled, "Relocation." It is an expansion. Since an EIR runs with the land, any institution that is able to use the land currently housing the Middle School, owned by the Bel Air Presbyterian Church (BAPC), will net this area an increase in the total number of students in the Institutional Use Corridor. This project is not a relocation, it is an expansion of an existing CUP that was always intended to be a Middle/High School with a MAXIMUM enrollment of 650.

The use of the BAPC facility was to house the Middle School students until the permanent High School was completed grades 7-12. What happened, in actuality, was that MHS filled up with students grades 10-12 on the MHS site and never made room for the Middle School students and failed to consolidate the schools into the single school, as required by their CUP. The Middle School should have been removed in 1993 when the permanent facilities were completed.

### **RESPONSE 11-3**

The project would relocate the existing Stephen Wise Middle School with 240 students to the High School Site and would continue to provide for 240 students. The project would require a new CUP Permit to permit the addition of the Middle School within the existing High School site. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. The Draft EIR considered possible environmental impacts from the increase in students at the Consolidated Middle School/High School Site. Contrary to the comment, the EIR does not run with the land but the CUP, if approved, will.

### **COMMENT 11-4**

Bear in mind the cumulative impact of this expansion: In the area, named the "Institutional Use Corridor," (IUC) 10 schools operate. the IUC is one mile in length. **At last count, 4,865 students per day are dropped off, picked up and circumnavigate a two-lane, scenic parkway.** No schools have ever widened Mulholland Drive to accommodate their personal needs.

If the MHS expands by 40%, and the BAPC follows through with their plans to build a school on the land vacated by the Middle School, we will see a gain of over 230 students to an area already over-burdened and congested.

**RESPONSE 11-4**

The Commentor is correct in that the Mulholland Scenic Parkway Specific Plan designates the project area as lying within an Institutional Use Corridor, which provides for uses such as schools, churches and accessory buildings. Cumulative impacts of the project together with known related projects in the area, including within the Institutional Use Corridor have been evaluated within the Draft EIR, including within the analysis of traffic impacts contained within Section IV.I, Transportation and Circulation. The Draft EIR specifically assumed the continued use of the current Middle School site, owned by Bel Air Presbyterian, for school purposes, and no trip credit was taken. As demonstrated by that analysis, with the proposed mitigation measure requiring TDM, the project would not result in significant traffic impacts. In addition, the project does not include or require the widening of Mulholland Drive, nor is it a required mitigation measure to avoid a significant project impact, pursuant to CEQA. As described in Section II, Project Description of the Draft EIR, access for the Middle School would be provided via ingress at the existing Zeldins Way intersection and egress at a proposed driveway on Mulholland Drive opposite Walt Disney Drive. Modification to the existing traffic signal at the Walt Disney Drive and Mulholland Drive intersection is proposed to incorporate the driveway (southern leg) into the traffic signal. In addition, pages 264-266 of Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements at Mulholland Drive to facilitate traffic movements on Mulholland Drive at the Walt Disney and Zeldins Way intersections. Such enhancements are not proposed as part of the project design and are not required as mitigation, but have been recommended by LADOT. These enhancements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. These improvements may be incorporated into the design of the access locations if required by the decision maker. Impacts of these enhancements have been addressed in Section VI.E, Other Environmental Considerations, of the Draft EIR and no significant environmental impacts would occur as a result of their implementation.

As discussed in Response to Comment 11-3, above, the Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. Thus, overall enrollment west of the I-405 would not increase as a result of development of the proposed project.



**COMMENT 11-5****III. IMPACTS THAT HAVE NOT BEEN FULLY ASSESSED**

We believe that the proposed project will have significant impacts on the environment that have not been fully addressed in the draft EIR. It will have a significant impact on air quality, water, natural resources, population, noise, geology, energy, and population growth and possible landfill emissions, or carcinogens from a nearby landfill that closed many years ago.

**RESPONSE 11-5**

This comment is acknowledged and will be forwarded to the City's decision-makers for review and consideration. Each of the environmental topics raised in this comment have been addressed within the Draft EIR and supporting appendices. The Commenter is referred specifically to the Air Quality, Hydrology, Biological Resources, Noise, Geology, and Other Environmental Considerations sections of the Draft EIR for a thorough discussion of each of these issues. As described in Section IV.B., Air Quality, the project would not have significant impacts on air quality during operations. In addition, following implementation of mitigation measures, the project would not exceed localized air emission standards during construction. However, regional air quality emissions of NO<sub>x</sub> during construction would remain significant. The Hydrology analysis, in Section IV.F. of the Draft EIR discusses the impacts associated with surface water and hydrology and concludes that impacts would be less than significant.

Furthermore, Section IV.C., Biological Resources, of the Draft EIR shows that with incorporation of the mitigation measures, no significant impacts to biological resources would occur as a result of the project. Section IV.H., Noise, indicates that whereas during construction there would be significant and unavoidable short-term impacts, the proposed mitigation measure would ensure that noise levels long-term project operations would be less than significant. Similarly, as discussed in Section IV.E., Geology, with implementation of the proposed mitigation measure, significant impacts associated with geology and seismic hazards would not occur. Moreover, as stated in Section VI, Other Environmental Considerations, the project would not result in growth-inducing impacts.

The Initial Study within Appendix A of the Draft EIR included an analysis of population and utilities. As shown in Initial Study Sections XII and XVI, respectively, impacts of the project to population and utilities, including water, would be less than significant and no further analyses of these issue areas was required in the Draft EIR.

The Initial Study also addressed the former Mission Canyon Landfill site in Section VII.d. As discussed therein, the proposed project is approximately 0.5 mile from Canyon 1 of the Mission Canyon Landfill, which is the closest of the eight canyons that comprise the

landfill.<sup>11</sup> Operations at Canyons 1, 2, and 3, which comprise the County-owned main Mission Canyon Landfill site, commenced in 1960 and concluded in 1965, at which time landfill operations were moved to privately owned property to the south (Canyons 4 through 8). Only non-hazardous municipal waste was disposed of in the landfill.<sup>12</sup> Subsequent environmental control measures have been implemented to minimize potential impacts on surrounding areas from post-closure activities. The measures that have been implemented at the main Mission Canyon Landfill site, which is the portion of the landfill that is closest to the project site, include gas collection and monitoring systems, groundwater monitoring systems, and landscape and irrigation systems. Thus, potential impacts of this former use would be less than significant.

#### **COMMENT 11-6**

The Lead Agency must take into consideration the effects of this and other projects which, will have individually limited, but cumulatively considerable impact on the environment. With the effects of past, current and probably future projects mandatory findings of significance should be found. (Guidelines Sec. 15063) Throughout your draft EIR you have relied upon "mitigations" that are required by law or official regulations and these are unacceptable. Such measures cannot serve mitigations to satisfy the requirements of the California Environmental Quality Act (CEQA). Nor can mitigations be acceptable that are considered to be standard operating practices by developers who could be found negligent, if such operating procedures were not met.

#### **RESPONSE 11-6**

The comment is acknowledged and will be forwarded to the decision-makers for review and consideration. CEQA requires that EIRs analyze cumulative impacts. CEQA Guidelines Section 15355 defines cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." As such, the Draft EIR presents in Section III.B, Related Projects, a list of six related projects in the vicinity of the proposed project that are planned, proposed or have recently been approved for development. Thorough discussions of cumulative impacts associated with the proposed project in conjunction with these related projects are contained throughout Section IV, Environmental Impact Analysis, subsections A through I, for each environmental topic addressed in the Draft EIR. In addition, cumulative impacts in the remaining issue areas were addressed in Section XVII.b, Mandatory Findings of Significance of the Initial Study for the project that was included as Appendix A of the Draft EIR.

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<sup>11</sup> *Canyons 1, 2, and 3 of the Mission Canyon Landfill are located west of the project sites, south of Mulholland Drive. Canyons 4 through 8 are located farther from the project sites to the south, west of Sepulveda Boulevard.*

<sup>12</sup> *Mission Canyon Landfill (Currently Inactive) Fact Sheet, County of Sanitation Districts of Los Angeles County, Revised August 1992.*

Where appropriate, mitigation measures have been proposed throughout the Draft EIR in Section IV, Environmental Impact Analysis, subsections A through I. In most instances, such mitigations represent actions that will be taken by the project. The mitigation measures within the Draft EIR include specific, feasible actions that will improve potentially adverse environmental conditions. Although not required to be included since they are required by law, several of the mitigation measures within the Draft EIR do address compliance with applicable regulations in order to ensure that these regulations are followed by the Applicant. Contrary to the comment, these measures are appropriate and valid under CEQA. It should be noted, however, that most of the mitigation measures identified in the Draft EIR are measures that are not required by law. All of the proposed mitigation measures have been incorporated into a Mitigation Monitoring or Reporting Program, which will verify that the mitigation measures are implemented. A copy of the Mitigation Monitoring or Reporting Program is provided in Section IV. of this document.

#### **COMMENT 11-7**

In preparing your final EIR, you must recognize that any mitigations that you propose must go beyond those mandated by law or existing policy and practice. Compliance with the law and standard operating procedures establishes the baseline. CEQA mitigations are discretionary actions taken beyond the baseline. You must include verifiable mitigations in the final EIR, not merely a recital of legal requirements or standard operating practices. We ask that you revise your findings and address the following environmental concerns which we believe have been overlooked or inadequately dealt with in your draft EIR:

#### **RESPONSE 11-7**

As discussed in Response to Comment No. 11-6 above, the EIR includes mitigation measures to reduce significant impacts of the project and are not merely a recital of legal requirements or standard operating practices. Contrary to the comment, the mitigation measures are not discretionary actions but are mandatory requirements on the project that will be verified through the Mitigation Monitoring and Reporting Program.

#### **COMMENT 11-8**

### **IV. IMPACTS ON EARTH**

This project will result in disruptions, displacements, compaction and overcovering of soil. The final EIR should specify what grading will be done, and provide a time line indicating the starting and ending dates of all grading and construction activities.

**RESPONSE 11-8**

Section IV.E, Geology/Seismic Hazards as well as the geotechnical reports provided within Appendix E of the Draft EIR address potential impacts associated with disruption, displacements, compaction and overcovering of soil as well as grading. As demonstrated in Section IV.E Geology/Seismic Hazards of the Draft EIR, potential geological impacts associated with the project, including grading activities, would be less than significant within implementation of the mitigation measure requiring that the recommendations detailed in the site-specific geotechnical investigations prepared for the proposed project be implemented.

As described in Section II., Project Description and Section IV.B, Air Quality, of the Draft EIR, construction of the project would be completed in two general phases occurring sequentially. The first phase would consist of development of the proposed Middle School, including site preparation activity and building erection. Construction activity at the Middle School site would occur over a total of approximately 18 months: site excavation would take approximately 3 months and building construction would take approximately 15 months. Enclosure of the balconies and construction of the canopy on the High School site would occur concurrently with Middle School construction. The second phase of construction would consist of development of the proposed Athletic Field site and would include site preparation activity and construction of retaining walls. Development of the Athletic Field site would take approximately 6 months, with 2 months for demolition/removal of the existing buildings, and 4 months for site construction. Build-out of the project is anticipated to be completed in 2007.

**COMMENT 11-9**

Haul routes should be described, and mitigation proposed for dealing with the traffic congestion created by the hauling of large amounts of soil on city streets to dumpsites.

**RESPONSE 11-9**

It is possible that much of the fill material would be transported to and utilized at nearby Bel Air Presbyterian Church property located on the south side of the Mulholland Drive, just west of the Athletic Field Site as discussed in Section II., Project Description of the Draft EIR. If such material is not transported to this site, it would be transported via I-405 to the nearest landfill(s) accepting such material.

The analysis of potential traffic impacts associated with the construction of the project is provided in the Draft EIR on pages 267-272. The Draft EIR includes a mitigation measure (Mitigation Measure I-2) on pages 273-274 to address potential significant impacts that may otherwise occur due to construction of the project. A key component of the mitigation measure is the limitation of hauling to the period of 9:00 a.m. to 2:30 p.m., Monday through Friday, such that trucks hauling material will not conflict with peak traffic conditions on the local street

system. With implementation of the recommended mitigation measure, traffic impacts associated with construction of the project would be less than significant.

#### **COMMENT 11-10**

The information presented in the final EIR should be sufficient to allow for a clear understanding of the geologic hazards and their impacts, **especially as they effect (sic) the Sepulveda Tunnel**, just west of the proposed development. **The tunnel is very old, leaks an abundant amount of water, and may be unstable due to construction impacts and vibrations from construction equipment**, haul routes and other peri-construction activity. The final EIR should present a comprehensive summary of known geologic and seismic hazards near the site and for the area. These should be clearly identified to ensure that the proposed buildings plans will fully evaluate and mitigate the problems.

#### **RESPONSE 11-10**

As discussed above, geological hazards and related impacts are assessed in Section IV.E, Geology/Seismic Hazards. The analysis of geology and seismic hazards for the Middle School project is based on a series of geotechnical investigations that were undertaken to ensure that all of the structural elements of the project would be constructed in a manner that provides safety for project occupants and that avoids adverse impacts associated with geology. These investigations are included in Appendix E of the Draft EIR.

Section IV.E, Geology/Seismic Hazards addresses potential geological and seismic hazards in the project area, specifically with regard to faulting and ground shaking, liquefaction, seismically induced landslides, seiche and tsunami. To ensure that potential geotechnical impacts associated with the project would be less than significant, a mitigation measure recommending that the Applicant or its contractor incorporate the recommendations detailed in the geotechnical investigations prepared for the proposed project, as approved by the City of Los Angeles, is provided on page 181 of the Draft EIR. Section IV.E, Geology/Seismic Hazards also addresses the Sepulveda Boulevard tunnel. Based on the recommendations of the geotechnical investigations, to avoid surcharging the existing Sepulveda Boulevard tunnel, foundations for retaining walls would be constructed below a 1:1 plane extending upward from the base of the tunnel. In addition, a geotechnical engineer has recently been hired by the Applicant to determine whether other options for the retaining wall exist; please refer to Section II, Corrections and Additions, of this Final EIR. In any case, final design must be approved by the City in order to ensure Code compliance and adequate safety. Thus, significant impacts to the tunnel would not occur.

#### **COMMENT 11-11**

The final EIR should include maps that show areas of unsuitable fill soils, potentially unstable slopes, areas of differential settlement, areas of expansive soils, and the potential zone of

inundation from flooding, due to a 100 year flood. The final EIR should present a summary of seismic information on ground acceleration and the duration of strong shaking that could be expected from large earthquakes on nearby faults. Impacts of seismic shaking on existing buildings in the area, and on stability of slopes and fills, should be addressed.

### **RESPONSE 11-11**

The analysis of geology and seismic hazards for the Middle School site is based on the Report of Geotechnical Investigations for the Proposed Middle School Project, prepared by Van Beveren & Butelo, Inc., dated October 13, 2003, and the subsequent report entitled the Applicability of Prior Report, Revisions to Middle School Project, August 27, 2004. Supporting information regarding the project setting is based on the Technical Memorandum Geotechnical Input to Environmental Documentation Proposed Middle School Project, prepared by Van Beveren & Butelo, Geotechnical Investigations for the Proposed Athletic Fields Site, prepared by Van Beveren Inc., dated May 8, 2003. The analysis for the Athletic Field site is based on the Report of & Butelo, Inc., dated September 1, 2004. These reports were included as part of the Draft EIR as Appendices E-1 through E-4, respectively. Where appropriate, these technical reports include figures that illustrate the existing and proposed finished grades; the location of fill soils, retaining walls and other proposed features; and boring logs, compaction test data, and slope stability calculations. Included in the evaluations are discussions and analyses of fill soils, soil stability, slope stability, differential settlement, expansive soils, ground acceleration, and ground shaking. As discussed above, based on these technical reports, Section IV.E, Geology/Seismic Hazards, of the Draft EIR provides an overview of these geological hazards and the project's related impacts and summarizes the findings and recommendations of the supporting technical studies.

Section VIII, Hydrology and Water Quality (response g), of the Initial Study, included as Appendix A to the Draft EIR, addressed 100-year flood zones. As discussed therein, the project sites are not located within a 100-year flood plain. Therefore, no impacts associated with placement of a structure within a 100-year flood plain would occur.

### **COMMENT 11-12**

## **V. AIR IMPACTS**

The draft EIR did not fully consider the air impacts. A project of this size will have a deteriorating effect on air quality in the region, which is located in a locality which does not meet Federal and State air quality standards. The construction of the project will generate Carbon Monoxide, Nitrous Oxide, Ozone and particulate matter, making it more difficult to attain the required air standards in the basin. Please identify in the final EIR the specific increases of air pollutants generated by this project, and the cumulative impacts on the air quality in the region.

**As well, if construction is to take place during school hours, extremely careful review of airborne dust, dirt, and particulate matter that can cause asthma and related health risks to the students at the High School and all other schools in the area is vital and should reduce said impacts to insignificance.**

### **RESPONSE 11-12**

Air quality impacts are analyzed in Section IV.B, Air Quality, of the Draft EIR. As discussed in Response to Comment No. 7-6, the section contains a detailed analysis of potential air quality impacts, including regional construction emissions, localized construction emissions, regional operation impacts, localized carbon monoxide concentration impacts, toxic air contaminants, odors and cumulative impacts. Criteria pollutants, including ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and particulate matter less than 10 microns and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>), are quantified in terms of existing pollutant levels (see Table 2 in Section IV.B, Air Quality), ambient air quality standards (Table 3), attainment status within the South Coast Air Basin (Table 4), regional and localized project construction emissions (Table 5), regional operational emissions (Table 6), and post-mitigation regional and localized project construction emissions (Table 7). Please refer to the data therein.

As shown in Table 5 of the Draft EIR, maximum regional construction emissions would exceed the SCAQMD daily significance thresholds for NO<sub>2</sub> but not for ROC, CO, PM<sub>10</sub>, or SO<sub>x</sub>. Thus, as disclosed in the Draft EIR, the project would result in a short-term significant regional construction impact even with incorporation of mitigation measures. While the SCAQMD CEQA Air Quality Handbook (1993), does not provide any localized thresholds, the SCAQMD currently recommends localized significance thresholds (LST) for PM<sub>10</sub>, NO<sub>2</sub>, and CO in its draft document titled “SCAQMD Localized Significance Threshold Methodology for CEQA Evaluations (SCAQMD LST Guidelines),” June 19, 2003. Although recommended by the SCAQMD, currently, the use of LSTs for purposes of impact evaluation is voluntary. An analysis of localized impacts was provided based on the SCAQMD LST Guidelines and was included as Table 5 of the Draft EIR. As shown in Table 5, NO<sub>2</sub> and CO impacts would be less than significant. Although project construction would result in a significant regional air quality impact for NO<sub>x</sub>, the emissions would not substantially contribute to a localized impact (NO<sub>2</sub> concentration). Localized PM<sub>10</sub> emissions generated from construction activity at the Middle School site would exceed the SCAQMD daily significance threshold level at the Curtis School during site preparation activity. In addition, localized PM<sub>10</sub> emissions generated from construction activity at the Athletic Field site would exceed the SCAQMD daily significance threshold level at the Mirman School during site preparation activity. However, as shown in Table 7, with incorporation of mitigation measures the PM<sub>10</sub> impacts at these schools would be reduced to less than significant levels. In addition, the conclusion that the project would result in localized PM<sub>10</sub> impacts prior to mitigation was based on the conservative assumption that students would be outside throughout the entire day with concurrent construction site preparation

activities. As students are typically outside for a maximum of a couple of hours during the day, actual localized PM<sub>10</sub> impacts would be considerably lower.

### **COMMENT 11-13**

Your assessment should show how this project, when taken together with all other proposed projects in the Mulholland corridor will impact air quality. It should show threshold levels of significance for each type of air emission. The City of Los Angeles and the EPA have entered into an (sic) Consent Decree regarding growth within the Hyperion Service Area. They have agreed that growth within the area will not result in air emission increases, nor impede the region's progress toward National Ambient Air Quality Standards (NAAQS) attainment. Your final EIR should show that all impacts have been reduced to insignificance, in order to comply with the City of Los Angeles and EPA agreement. Anything short of this is a breach of the terms of the Federal consent decree, and actionable, with the possibility of substantial fines being imposed against the City.

### **RESPONSE 11-13**

Air quality impacts are analyzed in Section IV.B, Air Quality, of the Draft EIR. In accordance with CEQA, the CEQA Guidelines, the City of Los Angeles Thresholds Guide and requirements established by the South Coast Air Quality Management District (SCAQMD), this section includes discussions of existing air quality conditions throughout the South Coast Air Basin, local air quality conditions at nearby monitoring stations, existing health risks in the area, sensitive receptors located in the project vicinity, the relevant regulatory setting, analysis methodology, and thresholds of significance. The section also contains thorough analyses of potential air quality impacts, including regional construction emissions, localized construction emissions, regional operation impacts, localized carbon monoxide concentration impacts, toxic air contaminants, odors, consistency with adopted plans and policies, and cumulative impacts. Appropriate mitigation measures are proposed, and the level of significance after mitigation is evaluated. As indicated in the Draft EIR, with the exception of short-term impacts during construction, all air quality impacts associated with the project would be less than significant.

The Commentor appears to be referring to the Consent Decree entered into with the City of Los Angeles and U.S. EPA (1980 with amendments) related to enforcement of federal Clean Water Act provisions, where the City agreed to cease discharging of sewage sludge into the Santa Monica Bay by 1998. As part of that agreement, the City accepted federal grants monies to upgrade the Hyperion Treatment Plant's treatment capabilities. The mechanism to move the Greater Los Angeles Region towards attainment of federal National Ambient Air Quality Standards (NAAQS) is the Air Quality Management Plan (AQMP) that is administered by the SCAQMD. As discussed in the Draft EIR, the proposed project is consistent with the AQMP. As such, project development would not impede the region's progress toward attainment of NAAQS.



**COMMENT 11-14**

Also address the air impacts at both the local level, and within the region. Explain how these impacts will be fully mitigated. Specifically, quantify all related vehicular air emissions, and include the factors, formulas and computations used to arrive at these impacts, and their mitigations.

**RESPONSE 11-14**

Air quality impacts are analyzed in Section IV.B, Air Quality, of the Draft EIR. As discussed in Response to Comment No. 11-13, this section contains thorough analyses of potential air quality impacts. Regional and localized project construction emissions are quantified in Table 5 of Section IV.B, Air Quality, and regional operational emissions are quantified in Table 6. Mitigation measures have been included in Section IV.B, Air Quality, to reduce potentially significant impacts, and, with the exception of short-term regional NO<sub>x</sub> emissions during construction, all air quality impacts would be less than significant after mitigation. Post-mitigation regional and localized project construction emissions are quantified in Table 7. Emission calculation worksheets and modeling printout sheets are provided in Appendix B of the Draft EIR.

**COMMENT 11-15**

Please explain in the final EIR what effects diesel fumes, gasoline powered equipment fumes and construction odors will have upon those with respiratory problems, or the aged living nearby. Also discuss the impact on local flora and fauna, giving specific effects upon plant and animal life, as a result of the additional air degradation that may be caused by the project. The EPA has stressed the importance of secondary air impact analysis. The final EIR should assess the secondary air impacts that will result from this project and please provide adequate mitigations for these air impacts. Please contact the EPA in San Francisco, Div. IX, for consultation on this key aspect of your final EIR.

**RESPONSE 11-15**

As discussed in Response to Comment Nos. 11-13 and 11-14, Section IV.B, Air Quality of the Draft EIR contains thorough analyses of potential air quality impacts, including regional and local construction emissions, toxic air contaminants, and odors. As discussed in Section IV.B, during construction, the greatest potential for toxic air contaminant (TAC) emissions would be related to diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively short-term construction schedule, the project (i.e., construction of both the Middle School and Athletic Field sites) would not result in a long-term (i.e., 70 years) substantial source

of TAC emissions and corresponding individual cancer risk and, therefore, project-related toxic emission impacts during construction would be less than significant.

As described in Section IV.C, Biological Resources, of the Draft EIR, based on the review of relevant literature and data on sensitive habitats and species in the region including the California Natural Diversity Data Base, and due to the lack of native vegetation, the presence of development, and abundance of non-native ornamental landscaping, the project would not result in the loss of individuals, or the reduction of existing habitat, of a local, state or federal listed endangered, threatened, rare, protected, candidate, or sensitive species or a Species of Special Concern, or a reduction in a locally designated natural habitat community. In addition, given the lack of sensitive species found within the sites, the existing developed nature of the sites and the presence of other institutional uses in the vicinity, the project would not interfere with habitat such that normal species behaviors are disturbed to the degree that may diminish the chances for long-term survival of a sensitive species. Thus, impacts on flora and fauna would be less than significant.

#### **COMMENT 11-16**

### **VI. WATER IMPACTS**

The Los Angeles basin is located in a permanent drought area. The direct water impacts from this project have not been fully addressed. Identify source of water, how it will be used in the project, and how the removal of water from the aquifer will be replaced. Fully explain the quantitative impacts on the local and regional water supply, as a result of this project. Estimate water consumption both during and after construction. Provide a detailed list of mitigations to reduce the consumption of water to insignificance.

#### **RESPONSE 11-16**

The impacts of the proposed project upon water were addressed in Section XVI, Utilities, of the Initial Study. As discussed therein, the Los Angeles Department of Water and Power (DWP) provides water to the project sites. The City's water supply is obtained from the Los Angeles Aqueduct, local groundwater, and through purchases from the Southern California Metropolitan Water District (MWD). The maximum permitted number of students associated with the proposed Middle School was estimated to generate a water demand of approximately 2,400 gpd during operation of the project. In addition, based on worst-case calculations, irrigation of the proposed soccer field on the Athletic Field site would generate a water demand of approximately 12,170 gpd.<sup>13</sup> Thus, the total demand for water resulting from the proposed

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<sup>13</sup> *LRM Limited Landscape Architecture, Estimated Water Use Calculation for Typical Soccer Field (Worst-Case Scenario), June 13, 2003.*

improvements would be approximately 14,570 gpd. The DWP has indicated that there is an adequate supply to provide water service to the proposed project.<sup>14</sup> Moreover, the project would provide on-site water infrastructure, as necessary, and connections to existing infrastructure would be implemented as part of the project.

The amount of water necessary for construction, specifically with regard to dust control, cannot be precisely determined at this time since the use of such water is dependent on a number of factors, including weather conditions and the precise type of soil that is moved. Nonetheless, water usage for dust control would be temporary in nature and would occur primarily during intermittent periods associated with site preparation and grading. This temporary and intermittent water usage would not have a significant impact on water supply in the local area or region.

In addition, implementation of the proposed improvements would comply with City's Water Management Ordinance (Ordinance No. 170,978), which includes water conservation measures to be used for landscaping and maintenance. Compliance with water conservation measures such as those required by Titles 20 and 24 of the California Administrative Code would further help to reduce this projected water demand. Given the above, impacts associated with the availability of local or regional water supplies would be less than significant, and mitigation measures are therefore unnecessary.

#### **COMMENT 11-17**

The City of Los Angeles has enacted ordinances which mandate many water saving and conservation measures. These items must be considered baseline, and do not qualify as mitigation measures, since they are already the law. Your final EIR should impose more extensive measures to deal with the water consumption issue. Please also provide mitigations for dealing with secondary water impacts. The growth sustained by a project of this size will consume large amounts of fresh water, which are in short supply in the region.

#### **RESPONSE 11-17**

The comment is acknowledged and will be forwarded to the decision-makers for review and consideration. As stated in Response to Comment No. 11-16, implementation of the proposed improvements would comply with City's Water Management Ordinance (Ordinance No. 170,978), which includes water conservation measures to be used for landscaping and maintenance. Compliance with water conservation measures such as those required by Titles 20 and 24 of the California Administrative Code would help to further reduce this projected water demand. Project compliance with all applicable ordinances and code requirements is assumed as

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<sup>14</sup> Letter from Los Angeles Department of Water and Power regarding Stephen Wise Middle School and Performing Arts Center Project Request for Water Service Information, September 10, 2003.

part of the project and is not considered mitigation. The DWP has indicated that there is an adequate supply to provide water service to the proposed project. Therefore, impacts associated with the availability of local or regional water supplies would be less than significant, and mitigation measures are therefore unnecessary.

**COMMENT 11-18**

Also please detail the amount of water necessary for control of dust as well as the cumulative amount of water needed by this project during the construction phase.

**RESPONSE 11-18**

Please refer to Response to Comment No. 11-16 regarding the amount of water use that may be necessary during construction.

**COMMENT 11-19****VII. IMPACT UPON ANIMAL AND PLANT LIFE**

A project of this size will have a detrimental effect upon the wildlife trails, migration trails and native flora and fauna in the project area. The area is a natural habitat for birds and other animals. It will not be possible to construct the project, without a serious impact on the local biota. Provide a detailed assessment of impacts on both plant and animal life as a result of the project. Also provide detailed mitigations to reduce these potential impacts to insignificance.

**RESPONSE 11-19**

As stated above and discussed in detail in Section IV.C, Biological Resources, of the Draft EIR, based on the review of relevant literature and data on sensitive habitats and species in the region including the California Natural Diversity Data Base, and due to the lack of native vegetation, the presence of development, and abundance of non-native ornamental landscaping, the project would not result in the loss of individuals, or the reduction of existing habitat, of a local, state or federal listed endangered, threatened, rare, protected, candidate, or sensitive species or a Species of Special Concern, or a reduction in a locally designated natural habitat community. In addition, given the lack of sensitive species found within the sites, the existing developed nature of the sites and the presence of other institutional uses in the vicinity, the project would not interfere with habitat such that normal species behaviors are disturbed to the degree that may diminish the chances for long-term survival of a sensitive species. Thus, impacts would be less than significant.

With regard to wildlife trails, as discussed in Section IV.C, Biological Resources, of the Draft EIR, the project site does not appear to support regional movement between the eastern and

western portions of the Santa Monica Mountains due to the densely developed areas to the north of the project site and the presence of large, arterial highways to the east (i.e., Sepulveda Boulevard, Mulholland Drive, and the I 405 Freeway). As indicated above, a recent study indicates that regional wildlife movement is not occurring in the area of the Mulholland overpass. Furthermore, since the proposed project is generally occurring within already developed areas of the current campus, long-term, significant impacts associated with wildlife corridors are not expected to occur.

#### **COMMENT 11-20**

**MHS proposes to widen Mulholland Drive by 12 feet.** In order to accomplish this, it appears the asphalt may impede, cover or require removal of many native and oak trees along Mulholland Drive. Oak trees are finally mature along the entire driveway on Mulholland. It is unacceptable to kill oak trees and fill their root area with asphalt and car fumes when other alternatives exist. We request a sincere and effective alternate to widening Mulholland Drive and such plans would provide detailed mitigations to reduce these potential impacts to insignificance.

#### **RESPONSE 11-20**

As discussed above in Response to Comment 11-4, the project does not include or require the widening of Mulholland Drive, nor is it a required mitigation measure to avoid a significant project impact, pursuant to CEQA. Rather, pavement widening of approximately 6 feet to 12 feet may be implemented as part of enhancements that have been discussed with LADOT. Impacts of these enhancements have been addressed in Section VI.E, Other Environmental Considerations, of the Draft EIR and no significant environmental impacts would occur as a result of their implementation. There are possibly one or two oak trees that could be affected by these enhancements. As with the project, this potential impact to these oak trees would be reduced to a level that is less than significant through compliance with the Oak Tree Ordinance (Los Angeles Municipal Code Section [LAMC] 46.00; Ordinance No. 153,478), which requires that all removed native oak trees of at least 8 inches in diameter, excluding scrub oak, be replaced on a 2:1 basis.

#### **COMMENT 11-21**

### **VIII. NOISE IMPACTS**

A substantial amount of noise will be generated by the proposed project during construction. The movement of heavy vehicles, trucks, compressors and construction equipment will create severe noise problems. Show how it will be possible to construct this project, including removal of many cubic yards of soil without creating severe noise impacts. Noise must be reduced to insignificance.

The final EIR should explain the effects of noise levels on local residents and construction workers, during construction, and the impact on the emotional and physiological well being of people living nearby. Please explain in detail the effects of specific pieces of construction equipment, the noise levels, dBA, frequency and duration of sound that people will be exposed to. Also explain the impact of sustained noise upon the aged or those who are ill and may reside near the construction site. The final EIR should provide mitigation measures that will reduce the noise created by this project to insignificance.

### **RESPONSE 11-21**

Noise impacts are analyzed in Section IV.H, Noise, of the Draft EIR. As discussed in Response to Comment No. 7-6, this section includes discussions of noise-sensitive receivers and potential noise impacts during project construction and operation. Table 11 on page 225 in Section IV.H, Noise, indicates the projected maximum noise levels associated with each stage of construction, based on the different kinds of construction equipment to be used, which are detailed in the accompanying text. Mitigation measures have also been included in Section IV.H, Noise, to reduce potentially significant impacts. With these mitigation measures, short-term construction noise impacts would remain significant and unavoidable, while operational impacts would be less than significant after mitigation.

Many government agencies have established noise standards and guidelines to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise. Standards and guidelines applicable to the project are discussed within the regulatory setting section of Section IV.H, Noise. The evaluation of project noise takes such standards and guidelines into account where appropriate throughout the impact analysis (e.g., the evaluation of project contributions to the community noise equivalent level, or CNEL, at neighboring properties, beginning on page 231).

### **COMMENT 11-22**

## **IX. LIGHT, VISUAL IMPACTS AND GLARE IMPACTS**

Light and glare was not adequately assessed in the draft EIR. Residents living and driving near the construction site will be subjected to light and glare. The applicant must be required to illuminate the premises without casting light and glare on nearby buildings or onto Mulholland Drive and must comply with all requirements as explained in the Mulholland Scenic Corridor Specific Plan. Any buildings located adjacent to the project will be directly impacted. The light and glare that will spill onto nearby buildings must be mitigated in the final EIR.

**RESPONSE 11-22**

There are no residential uses in the immediate proximity of the project site. Impacts associated with light and glare are addressed in Section IV.A, Aesthetics, of the Draft EIR. As discussed therein, all outdoor lighting proposed on-site would be low-level, low-wattage and/or low-illumination, and shielded and directed away from off-site areas. Additionally, all lighting would comply with the requirements set forth in the Mulholland Scenic Corridor Specific Plan. While the athletic fields would operate primarily during daylight hours, in the event of evening activities lighting would be used primarily during the late afternoon of the winter months, with activities ending by 9:00 P.M. Building materials would consist of non-reflective, natural materials and colors such as integrally colored stucco, stone and wood, as well as non-reflective glass. As also discussed in Section IV.A, Aesthetics, in accordance with Section 5.D(7) of the Mulholland Scenic Parkway Specific Plan, roofs visible from Mulholland Drive would be surfaced with non-glare materials.

Relative to construction, activities would generally occur during typical construction hours (i.e., daytime hours), and would comply with restrictions set forth Section 41.40 of the LAMC. Lighting used during construction would also comply with applicable LAMC requirements. The Mulholland Scenic Parkway Specific Plan does not contain standards specific to the use of construction lighting. In summary, light and glare impacts would be less than significant. Other than the mitigation measure requiring that pole lighting within the Athletic Field site be prohibited after 9 P.M., no mitigation measures would be required.

**COMMENT 11-23**

The construction project will result in altered shade and shadow conditions which should also be mitigated to insignificance in the final EIR.

**RESPONSE 11-23**

Shade/shadow conditions resulting from the project were not determined to present potentially significant impacts. As described in Section IV.A, Aesthetics, of the Draft EIR, the proposed Middle School buildings would have a maximum height of approximately 18.5 feet above finished grade, and all portions of the buildings would be below the grade of Mulholland Drive. Given the sloping nature of the site from Mulholland Drive down to Sepulveda Boulevard, the buildings would essentially be built on a plateau integrated within the site's topography. Shadows in the northern hemisphere are generally cast to the northwest and extending to the northeast throughout the course of the day. Based on the alignment of Mulholland Drive to the north and east of the proposed Middle School as well as the proposed building layout and heights, shadows would not be cast on or across Mulholland Drive or any sensitive uses further north or east. Any shadows cast to the northwest would fall on the lower slope of the project site and potentially on the terminus of Sepulveda Boulevard and vacant land to the west. (For graphic illustrations supporting these conclusions, refer to Figure 2 within the

Draft EIR for a topographic map of the site and surrounding area, Figure 3 for an aerial view of the area, Figure 4 for a conceptual site plan of the Middle School and Figure 13 for a rendering of the Middle School.) Thus, no sensitive uses would be affected by project shadows and impacts would not be significant. No mitigation would be required.

**COMMENT 11-24**

**ATHLETIC FIELD AREA ON MULHOLLAND:**

It appears the SSWT' wants to turn a small land space once occupied by their Nursery School as an Athletic Field, no buildings, gated.

Our concerns are the following:

**A. Lights.** The SSWT proposes to build lights to illuminate the field for the winter months when it gets dark early. Over the years, this area has been faced with many schools and institutions requesting lighting, night lighting in fact. Berkeley (sic) Hall requested a lit field, which is actually not visible from Mulholland. The request was denied because it was incompatible with the rustic nature of the area. Mirman School has no evening functions because their small athletic field, not visible from Mulholland, was not allowed to light the area. The same should hold for SSWT: If their hours are 8-5, as promised by Richard Shapiro, representative for the SSWT, then no lights are actually needed. Since the daylight savings dates have been dramatically shortened, 4 weeks to be exact, the darkest time of the year will no longer be. **We firmly request NO lights on the field or play areas. The neighbors need not be burdened by a lit field or by noise, cars or loitering.**

**RESPONSE 11-24**

As described in Sections II, Project Description, and IV.A, Aesthetics, of the Draft EIR, athletic field activities would occur primarily during school hours, but could occur as late as 9:00 P.M. Low-wattage, pole-mounted lighting would be installed along the east and west sides of the playing areas and would be shielded and oriented to maximize light spread to the field area. Lighting would be directed toward the playing fields to prevent spill over onto adjacent properties and reduce off-site glare. In addition, the project, including lighting proposed as part of the project, will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to Section 16.50 of the Los Angeles Municipal Code. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-25**

B. The site should include, with other limits, the following:



- Gates with security.
- A limited number of parking spaces and when it is locked closed, the gates must be sufficient to keep unwanted visitors out. As security is a growing matter in this day and age, we urge the SSWT to consider fences that do not allow outsiders to see through - in or out.

**RESPONSE 11-25**

This comment is acknowledged and will be forwarded to the decision-makers for review and consideration. As part of the project, gates with security would be provided as part of the project. As indicated in Section XIII, Public Services, of the Initial Study, in addition to protection provided by the LAPD, private security personnel would be employed to patrol the project sites. Specifically, security personnel would monitor access to the consolidated Middle School/High School site, the area between the High School and Middle School, and the Athletic Field site. The consolidated Middle School/High School site also would have 24-hour manned security on-site.

**COMMENT 11-26**

- Prohibit the area from becoming a satellite pick up or drop off spot for students, teachers or employees.

**RESPONSE 11-26**

As discussed in Sections II., Project Description and IV.I, Transportation, adequate drop-off and pick-up areas would be provided on-site. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-27**

- No lighting for the fields. When it's dark out, the field closes.

**RESPONSE 11-27**

Please refer to Response to Comment No. 11-24 regarding proposed athletic field lighting.

**COMMENT 11-28**

- Limited hours strictly enforced. 8am - 5pm Monday through Friday and Sunday.

**RESPONSE 11-28**

As discussed in Section II, Project Description, of the Draft EIR, activities at the proposed Athletic Field site would occur primarily during school hours, but could occur as late as 9:00 P.M.

**COMMENT 11-29**

- No tournaments, intramural games or competitions with any entity outside of the MHS.

**RESPONSE 11-29**

The comment is acknowledged and will be forwarded to the decision-makers for review and consideration. The applicant has indicated that tournaments, games, and competitions with students or others affiliated with schools other than the Milken High School will be prohibited at the Athletic Field Site.

**COMMENT 11-30**

- Completely block the filed (sic) from the view from Mulholland Drive by use of extensive landscaping in accordance with the MSCSP.

**RESPONSE 11-30**

Views of the Athletic Field site along Mulholland Drive are extremely limited due to viewing angles and vegetation. As shown in Photographs 6 and 7 on page 74 of the Draft EIR, travelers passing by primarily see the vegetation bordering the roadway. As described in Section IV.A, Aesthetics, of the Draft EIR, the proposed athletic field areas would extend into the designated right-of-way of Mulholland Drive by approximately 37 feet, but would still lie approximately 40 feet south of the edge of the road. Proposed landscaping adjacent to the Mulholland Drive right-of-way would include an informal arrangement of native plants and trees, and the entire site would be enclosed with a black vinyl, chain link fence, in accordance with the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines. The small berm that borders portions of the roadway, the proposed fencing, as well as existing vegetation and proposed landscaping would continue to shield views of the athletic field. Furthermore, with removal of the existing nursery school facilities, the proposed project would create active open space, positively contributing to the area's visual character.

**COMMENT 11-31**

**X. CHANGES IN POPULATION**

Changes in population will occur if this project is approved. It will alter the distribution, density and growth rate in the region. It may cause greater population density in a regional ready without adequate infrastructure.

**RESPONSE 11-31**

As indicated in Section XII, Population and Housing (response a), of the Initial Study, the proposed project would have no impact on population growth in the area. As discussed, implementation of the project would not generate a direct increase in the permanent population of the area or cumulatively exceed official regional or local population projections. A total of approximately 30 faculty and staff members are currently employed at the Middle School, and no increase in faculty or staff is proposed. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. With no employment or student population growth in the project area, the proposed project would not induce population growth either directly or indirectly. In general, sufficient services and infrastructure (i.e., public services, public utilities) exist within the area to support the proposed project, and new facilities or improvements would not be necessary. On-site infrastructure would be expanded only to the extent that it is needed to connect to existing systems and serve the Middle School and Athletic Field site.

**COMMENT 11-32**

Provide a detailed assessment of the growth and job impacts. What kinds and types of jobs will be created, as a result of this project. Provide a detailed list of mitigation measures to deal with any job/ housing imbalance created by the project.

**RESPONSE 11-32**

As discussed in Response to Comment No. 11-31 above, a total of approximately 30 faculty and staff members are currently employed at the Middle School, and no increase in faculty or staff is proposed. As such, no growth associated with employment is expected to occur.

**COMMENT 11-33****XI. TRAFFIC AND CIRCULATION**

Transportation and traffic circulation will be negatively impacted by the proposed project. There are a number of E and F level intersections in the vicinity of the project that have not been, addressed in your DEIR.

**RESPONSE 11-33**

The study intersections evaluated in the traffic analysis are listed on page 238 within Section IV.I, Transportation and Circulation, of the Draft EIR and were selected through consultation with LADOT. As noted discussed within that analysis, significant impacts were identified at two study intersections in the immediate vicinity of the site. With the proposed mitigation measures, impacts at these two intersections would be less than significant. The potential traffic impacts of the project at intersections located further away from the site were determined to be less than significant. As traffic disperses farther away from the project site, there would be less project-related traffic traveling through more distant intersections. Therefore, analysis of potential project-related traffic impacts at additional intersections is not required.

**COMMENT 11-34**

The construction of this project and removal of large amount of soil over city streets will impede traffic and circulation and make gridlock worse. The final EIR should explain how the E and F level, gridlocked intersections in the area will be mitigated to insignificance.

**RESPONSE 11-34**

An analysis of potential traffic impacts associated with the construction of the project is provided in the Draft EIR on pages 267 through 272. The analysis of potential traffic impacts associated with the construction of the project is provided in the Draft EIR on pages 267-272. The Draft EIR includes a mitigation measure (Mitigation Measure I-2) on pages 273-274 to address potential significant impacts that may otherwise occur due to construction of the project. A key component of the mitigation measure is the limitation of hauling to the period of 9:00 a.m. to 2:30 p.m., Monday through Friday such that trucks hauling material will not conflict with peak traffic conditions on the local street system. With implementation of the recommended mitigation measure, traffic impacts associated with construction of the project would be less than significant.

**COMMENT 11-35**

OUR ALTERNATE TRAFFIC SUGGESTION: Currently, most of the MHS students park at Skirball's run over lot, located across from the Skirball Center on Sepulveda (the east side of Sepulveda - directly under the High School). **We strongly urge the City of Los Angeles to maintain the parking system that has worked: Let the MHS students park in the Skirball lot and walk up the stairs to the school.**

If the walk is too far for Middle School students, we suggest MHS shuttle them from the lower lot to the entrance. That would reduce the number of cars on Mulholland and keep an already highly congested area less cumbersome for the families to get their children to school. There are

no other schools with an entrance on Sepulveda and this option would soften the impact of 240 new students to a small space.

At the one meeting we had with SSWT, to share their plans with us, we suggested they work with the Skirball Center to arrange better, more ample parking for the students. If a double decked parking facility needed to be built on the Skirball lot, we had no objection.

#### **RESPONSE 11-35**

As traffic and access impacts associated with the project would be less than significant with incorporation of the proposed mitigation measures, the mitigation measure suggested in the comment regarding the construction of a parking structure in the Skirball Center East Lot is not necessary. Further, the construction of a parking structure on the Skirball Center East Lot may not be feasible as the property is not owned or under control of the project applicant. It is noted, however, that under the current Conditional Use Permit (CUP) for the Milken Community High School (MCHS), up to 60 MCHS student vehicles may be issued permits to park in the Skirball Center East Lot located south of the MCHS site, which has vehicular access via Sepulveda Boulevard (City Case No. ZA 99-0514 CUZ). The traffic study contained in Appendix H of the Draft EIR provides a recommended TDM program for consolidated Middle School/High School project. The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). The Applicant is currently discussing with the Skirball Cultural Center additional use of the surface parking area at the Skirball Center. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

#### **COMMENT 11-36**

##### **SAFETY AND ALTERNATE TRAFFIC SUGGESTION:**

Because of the MHS' need for security, we could not be more supportive of the Skirball entrance because it is inaccessible except through one ingress/egress and security could operate properly. Whatever security measures MHS needs could be met at this location.

#### **RESPONSE 11-36**

This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-37****WIDENING OF MULHOLLAND DRIVE:**

The Mulholland Scenic Parkway Specific Plan (MSPSC) was adopted in 1992 as an ordinance (sic) "to promote and maintain Mulholland Drive a scenic parkway" (MSPSC,1-1). . . . "WHEREAS the City Council on March 25, 1973, directed the Director of Planning to conduct the necessary studies and to prepare an ordinance to implement and accomplish the preservation of the Mulholland Scenic Parkway. MSPSC, Ordinance No. 176,943, adopted May 13, 1992. "

*Mulholland Drive and Right of Way Regulations:*

*A. Changes and/or improvements. No change or improvement may be made to the alignment or design of the paved portion of Mulholland Drive or the right-of-way, except for resurfacing and street utility maintenance, without the prior approval of the City Council acting after receipt of their recommendation of the Director. After receipt of their commendation of the Board, the Director may recommend approval after making the following findings:*

- 1. The project is required for public health and safety reasons.*
- 2. The project does not obstruct a scenic feature or resource.*
- 3. The project is compatible with the scenic parkway environment.*
- 4. The project is not inconsistent with the purposes and objectives of the Specific Plan.*

The proposed widening of Mulholland Drive for the purposes of the proposed expansion for the MHS does not meet the above REQUIREMENTS. Furthermore, as stated in the MSCSP(Sec. 7, page 4-7) Roadway Alignment and, design shall conform to the following standards (in brief) (Sec 7, Para. A- C.)

- no change in alignment,
- travel lanes are limited to two lanes, one in each direction,
- the shoulder shall remain level and serve as a 5 foot bikeway,
- Turn Lanes shall not be permitted without prior Director determination.

- Intersection access to Mulholland Drive may be allowed if the Director finds that NONE of the following alternatives are feasible (c.) access from an easement over an existing driveway or an adjacent property; or (d.) access from the shared use of existing driveway(s).

**All this to say, Mulholland Drive shall not be widened as other, more feasible, alternatives exist.**

**RESPONSE 11-37**

Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements recommended by LADOT to facilitate traffic movements on Mulholland Drive at the Walt Disney Drive and Zeldins Way intersections. Refer to the May 20, 2005 Traffic Assessment letter issued by LADOT for the proposed project. These circulation enhancements are not currently part of the project design and are not required to mitigate the traffic impacts of the proposed project. Such improvements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. These improvements may be incorporated into the design of the access locations if required by the decision maker. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-38**

Currently, many of the High School seniors, park at the Milken High School/Skirball parking lot, adjacent to the property, connected by stairs, to the MHS. The system functions without complaint from the neighbors and that lot is rarely used by Skirball patrons, except for evening concerts or functions.

**RESPONSE 11-38**

Please refer to Response to Comment No. 11-35 above for a discussion of the suggested use of the Skirball Center East Lot by the project.

**COMMENT 11-39**

**MANY Lighting/ Utility poles** exist on the area proposed to widened (sic) on Mulholland. What a tremendous expense to have to bury those utility poles; as the MSPSP states all new poles have to be underground.

**RESPONSE 11-39**

The project will comply with any applicable City requirements regarding relocation of utilities along Mulholland Drive. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-40**

**Oak trees** are finally mature along the entire driveway on Mulholland. What a shame to kill oak trees and fill their root area with asphalt and car fumes when other alternatives exist.

**RESPONSE 11-40**

As discussed in Section IV.C, Biological Resources 11 oak trees may be removed as a result of construction within the Middle School site and one oak tree may be affected by construction within the athletic field site. In addition, it is estimated that one or two oak trees may be removed if the enhancements along Mulholland Drive are required by the decision-makers. All oak trees that would be removed would be replaced on at least a 2:1 basis in accordance with the City of Los Angeles Ordinance No. 153,478 (Oak Tree Ordinance, as amended). With adherence to the Oak Tree Ordinance, the project's impact to oak trees would be reduced to a less-than-significant level. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 11-41**

The current 2000 Traffic Demand Management Program (TDM) allows 30 cars to park on the school grounds and 60 students at Skirball. That has, by admission of the MHS, increased to at least 90 at Skirball.

It appears an arrangement between MHS and the Skirball Center, already working, needs to be explored. It is not in violation of the MSCSP, does not require moving and/or burying utility poles, it does not widen a scenic parkway, nor does it send families onto Mulholland Drive, an already highly congested area. Skirball and Sepulveda also have the newly added benefit of the tunnel changes; reversible lanes making the flow of traffic easier. Furthermore, a light already exists at the intersection into the Skirball parking lot, maintaining safety measures.

Should this arrangement prove impossible, the fact remains that an expansion of the Middle School does not actually require more High School drivers, as they are too young. The real issue is drop off. We strongly urge MHS to continue to use the lower level as a drop off for all students and shuttle if necessary.



**RESPONSE 11-41**

Please refer to Response to Comment No. 11-35 above for a discussion of the suggested use of the Skirball Center East Lot by the project.

**COMMENT 11-42****PROJECT AS PROPOSED AND TRAFFIC:**

Because of the project's magnitude AS PROPOSED and the substantial construction required, the proposed project will generate significant traffic congestion problems. Traffic congestion resulting from the expansion of freeways and access roads, lane closures, detours, slow moving construction vehicles and equipment, project personnel commutes, etc. significantly increase traffic and mobile-source air emissions. Please provide detailed maps in the final EIR which will show how the project will mitigate traffic in the area, including the number of lanes of traffic that will be lost due to the movement of heavy equipment to and from the site during construction.

**RESPONSE 11-42**

As discussed above, with implementation of the proposed mitigation measure that includes a Transportation Demand Management (TDM) program, traffic impacts associated with operation of the project would be less than significant. In addition, as discussed above, Mitigation Measure I-2 requires that a Work Area Traffic Control Plan be implemented during construction of the project. With implementation of this mitigation measure, construction traffic impacts would be less than significant. As noted in Mitigation Measure I-2, construction personnel and construction-related vehicles shall not park on any off-site street, with the exception of the early stages of the construction grading period. In addition, this mitigation measure limits hauling to the period of 9:00 A.M. to 2:30 P.M., Monday through Friday such that trucks hauling material will not conflict with peak traffic conditions on the local street system. No street closures or detours are required for the construction of the project or any of the associated site access enhancements. In addition, the movement of construction vehicles to and from the project site will not require the closure of travel lanes; therefore, the map requested in the comment is not required.

**COMMENT 11-43**

The final EIR should deal with the phasing issue comprehensively. What will be the incremental impacts on traffic, and if phased, how will the infrastructure be phased in so that all mitigations are in place to prevent increases in traffic or a degradation of circulation? Include the factors, formulas and computations used to arrive at these impacts, and their mitigations. Provide an appendix with all necessary and supporting documentation, including the paper trail that will allow concerned citizens, or decision makers to trace your steps, and your conclusions with regard to traffic impacts.

**RESPONSE 11-43**

The traffic analysis in the Draft EIR evaluates the project impacts at full build-out (i.e., the “worst case” condition). The mitigation measure recommended for the project would be required for implementation in conjunction with the issuance of the first Certificate of Occupancy issued for the project. Therefore, the review of potential traffic impacts associated with incremental phases of the project that may occur is not required as such impacts would be less than the project at build-out, and the recommended traffic mitigation measure (i.e., the TDM program) would be implemented. The traffic study contained in Appendix H of the Draft EIR provides the technical worksheets associated with the preparation of the traffic analysis, as requested in the comment.

**COMMENT 11-44****ATHLETIC FIELD AREA ON MULHOLLAND:**

It appears the SSWT wants to turn a small land space once occupied by their Nursery School as an Athletic Field, no buildings, gated.

Our concerns spelled out on Page 8 (A.) of this reply letter.

• **Lights.** The SSWT proposes to build lights to illuminate the field for the winter months when it gets dark early. Over the years, this area has been faced with many schools and institutions requesting lighting, night lighting in fact. Berkeley (sic) Hall requested a lit field, which is actually not visible from Mulholland and the request was denied because it was incompatible with the rustic nature of the area. Mirman School has no evening functions because their small athletic field, not visible from Mulholland, was not allowed to light the area. The same should hold for SSWT. If their hours are 8-5, as promised by Richard Shapiro, representative for the SSWT, then no lights are actually needed. Since the daylight savings dates have been dramatically shortened, 4 weeks to be exact, the darkest time of the year will no longer be. **We firmly request any lighting, other than minimal exit lighting, be denied to this property.**

**RESPONSE 11-44**

Please refer to Response to Comment No. 11-24 above regarding proposed athletic field lighting.

**COMMENT 11-45****XII. PUBLIC SERVICE IMPACTS**

The final EIR should fully address impact on public services. Police and fire services are inadequate to meet the present community needs. This project will generate additional demands that the City systems cannot handle. The final EIR should show how the applicant intends to mitigate the drain on local public services. It should present a detailed explanation of the degraded response times to police, fire and paramedic services. It should present specific mitigations and funding mechanism that show how the applicant will offset the deteriorated public service response capability.

**RESPONSE 11-45**

Police and fire protection were addressed in Section XIII, Public Services (responses a.1 and a.2), of the Initial Study, included as Appendix A to the Draft EIR. That analysis determined that impacts on both police and fire protection at the Consolidated Middle School/High School Site and the Athletic Field Site would be less than significant. As discussed in the Initial Study, the proposed project would not necessitate the addition of a new fire station or an alteration in fire equipment or personnel, nor would it result in the need for additional or altered LAPD facilities, equipment, or officers. Police and fire protection needs are typically based on land use, population and floor area, among other factors. The project would involve the construction of new building area at the Consolidated Middle School/High School Site and would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. Thus, the project would not result in an overall increase in total school enrollment. Furthermore, the project would be developed in accordance with applicable fire safety standards included in the Los Angeles City Fire Code, as well as requirements specific to development within the Very High Fire Hazard Severity Zone. The project would also include numerous security provisions, such as on-site security personnel, controlled access and alarm systems to minimize impacts on public services. For additional discussion regarding emergency response times, please refer to Response to Comment Nos. 6-1 and 7-2.

**COMMENT 11-46**

Your final EIR should thoroughly cover the adequacy of fire-flow requirements for the necessary level of protection, response distance from existing fire stations, etc. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. Show what improvements will be needed to provide the adequate G.P.M. for fire-flow. The final EIR should contain a thorough analysis of this topic, in consultation with

the Water Services Section of the Department of Water and Power. It should also show how the G.P.M. requirements for the first-due Engine Company will be met, and the distance of the first-due Truck company.

**RESPONSE 11-46**

Fire flow was addressed in Section XIII, Public Services (response a.1) of the Initial Study, which was prepared for the proposed project and is included as Appendix A of the EIR. The proposed Middle School site is served by a 16-inch water main and the proposed Athletic Field site is served by an 8-inch water main. These existing water mains that serve the project sites together with compliance with LAFD requirements would ensure that adequate fire would be provided.

As also indicated in the Initial Study, the nearest fire station to the project sites is the Encino Hills Station (No. 109), which is a single-engine company located approximately 0.5 to 0.75 mile west of the sites, at 16500 Mulholland Drive. The Sherman Oaks Station (No. 88), located approximately 3.0 to 3.25 miles north of the sites at 5101 North Sepulveda Boulevard, is the nearest heavy-duty task force. Refer to the Notice of Preparation Comment Letter submitted by LAFD, also included Appendix A to the Draft EIR, for additional information regarding fire flow requirements and existing fire stations with initial response duties in the project area. In addition, the Applicant has met with LAFD to review the proposed site plan and final project plans will be reviewed by LAFD in the future to ensure that LAFD requirements are implemented.

**COMMENT 11-47**

You will also need to show at least two different ingress/egress roads that will accommodate major fire apparatus, and provide for major evacuation during emergency situations.

**RESPONSE 11-47**

As indicated above, impacts related to fire protection were addressed in XIII, Public Services (response a.1) of the Initial Study. As discussed therein, the proposed project would be developed in accordance with applicable fire safety standards included in the Los Angeles City Fire Code. Access to the Consolidated Middle School/High School site would be provided via three driveways: at Zeldins Way (ingress), opposite Walt Disney Drive (egress) and the existing High School egress driveway at the eastern (southern) end of the site. Access for fire vehicles would be provided, pursuant to City Code, as the proposed interior roads on both the Consolidated Middle School/High School site and Athletic Field site would provide emergency access within the sites and to all proposed buildings, allowing the LAFD to respond adequately to potential on-site emergencies.

**COMMENT 11-48**

Include off site and on-site location of fire hydrants, fire lane widths, and how the project will affect staffing for existing facilities, or there (sic) location of present fire protection facilities.

**RESPONSE 11-48**

The proposed project would be developed in accordance with applicable fire safety standards included in the Los Angeles City Fire Code. As indicated in Section XIII, Public Services (response a.1), of the Initial Study, the proposed project would not necessitate an increase in fire safety personnel. With regard to the location of existing fire protection facilities, please refer to the Notice of Preparation Comment Letter submitted by LAFD, included in Appendix A of the Draft EIR.

**COMMENT 11-49****XIII. IMPACT ON ENERGY AND UTILITIES**

Utilities will be impacted by the proposed project. The lead agency is, or should be, aware of the limits on solid waste disposal. Large amount of soil will have to be trucked to a dumpsite as the project proceeds, making landfill disposal problems worse. The final EIR should quantify the impact that this project will have on the capacity and exhaustion of local landfills, both during and after construction.

**RESPONSE 11-49**

Section XVI, Utilities (responses f and g), of the Initial Study provided within Appendix A of the Draft EIR addresses solid waste impacts associated with the project. As discussed therein, due to the dynamic nature of the system, solid waste generated at a particular site is not always disposed of at the same landfill. As such, solid waste from the project sites would be disposed of at one of several landfills in Los Angeles County. A conservative projection can be calculated using the number of employees and the waste disposal rate generation. Based on a solid waste generation factor for educational facilities of 0.54 tons per employee per year, the existing Middle School generates approximately 26 tons of solid waste per year, which is an extremely small fraction of the regional solid waste generated.<sup>15</sup> As the project would not result in an increase in faculty or staff on-site, there would be no increase in the amount of solid waste generated under the project. In addition, the Middle School and High School will continue to expand their solid waste reduction program and recycling programs. New recycling bins will be added and the recycling training program for teachers, staff, and students will be enhanced. In

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<sup>15</sup> *This waste disposal rate is based on the California Integrated Waste Management Board's Solid Waste Characterization Database, May 2000.*

addition, compliance with the Recycling Space Allocation Ordinance would further assist in reducing the amount of solid waste on-site that would decrease landfill capacity. As such, the overall capacity of existing regional solid waste landfills would not be impacted by the project and no impacts associated with solid waste disposal would occur.

**COMMENT 11-50**

Specifically how many cubic yards of soil will be trucked to landfills, and how much solid waste will be exported, and to which sites? Show haul routes and the time of day when city streets will be used for this purpose.

**RESPONSE 11-50**

As indicated in Section II.E.3., Project Description, of the Draft EIR, earthwork for the Middle School development would involve 29,000 cubic yards of cut material, 5,800 cubic yards of fill material and additional 6,000 cubic yards of removed foundation material resulting in a total of 29,200 cubic yards of exported material. Enclosure of the balconies and construction of the canopy on the High School site would require no earthwork. Earthwork for the development of the Athletic Fields would require 2,600 cubic yards of cut material, and 1,200 cubic yards of fill material resulting in a total of 1,400 cubic yards of material to be removed.

The total export for the two sites would be 30,600 cubic yards of material. It is possible that much of the fill material would be transported to and utilized at nearby Bel Air Presbyterian Church property located on the south side of the Mulholland Drive, just west of the Athletic Field Site. If such material is not transported to this site, it would be transported to landfill(s) accepting such material. Landfills in Los Angeles County have the capacity to accommodate this material.

Haul trucks would principally use the San Diego Freeway (Interstate 405) to transport material from the site to landfill(s) accepting such material. As stated above, because fill material also may be transported to and utilized at nearby Bel Air Presbyterian Church property, haul trucks may utilize Mulholland Drive for this purpose. Refer to Response to Comment No. 11-42 above regarding construction traffic.

**COMMENT 11-51**

How much electrical energy will be needed to operate the project, once it is in operation. Will backup energy sources be used?

**RESPONSE 11-51**

Electricity is a regulated utility and as such the obligation to provide service is statutorily required. Electrical infrastructure is already in place in the project area. In addition, when

accounting for the relocation of the nursery school from the Athletic Field Site, the amount of electricity required to support the project would not be of sufficient magnitude to require additional infrastructure (i.e., transmission lines, new substation, etc.) This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

#### **COMMENT 11-52**

What will be the impact on the sewage system. Show the volume of sewage produced by the project, and how it will impact the Hyperion, Los Angeles-Glendale and Tillman plants. Show which sewage lines will need to be made adequate, which streets will be affected, and for how long a period. The final EIR should analyze the availability of hydraulic capacity for the anticipated flow in the local and interceptor sewers serving the proposed project area. The quantity and quality of wastewater to be discharged to the sewer system should be more thoroughly analyzed.

#### **RESPONSE 11-52**

Section XVI, Utilities (responses a, b, and e), of the Initial Study thoroughly addressed the project's impacts on wastewater generation and treatment, wastewater facilities, and available capacity to accommodate anticipated demand. Wastewater treatment services to the project sites are provided by the City of Los Angeles Bureau of Sanitation via the Hyperion Treatment Plant. As discussed, the project would not result in an increase in students and would therefore not increase wastewater flows to - the Hyperion Treatment Plant. Although wastewater flows attributable to the Middle School project site would increase incrementally, the existing sewer lines that serve the project site are adequate to accommodate the increase. Furthermore, implementation of water conservation measures, such as those required by Titles 20 and 24 of the California Administrative Code, would ultimately reduce wastewater flows as well. Therefore, the project would not exceed the wastewater treatment requirements of the Los Angeles Regional Water Quality Control Board. Accordingly, no impacts associated with wastewater treatment requirements would occur.

In addition, as stated in Section XVI, Utilities, of the Initial Study, the proposed project would not require the construction or expansion of wastewater treatment facilities. The project would provide additional on-site wastewater and water infrastructure, as necessary, and connections to existing infrastructure would be implemented as part of the project. The construction of such on-site infrastructure would be completed in accordance with applicable standards and would not result in significant environmental effects. Thus, impacts associated with the construction of such facilities would be less than significant.

#### **COMMENT 11-53**

We believe strongly that Mulholland Drive does not need to be widened to accommodate any private institution, including the Milken High School. **MANY Lighting/ Utility poles exist on**

**the area proposed to widened (sic) on Mulholland**, which appears to require moving many utility poles and lights. The MSPSP states all new poles have to be underground on new subdivisions. We believe this should also apply to this private institution.

**Milken High School should offer and consider alternatives to widening a street that is protected by an Ordinance, the Mulholland Scenic Parkway Specific Plan, which clearly denies the ability to expand Mulholland Drive.**

#### **RESPONSE 11-53**

As discussed above in Response to Comment No. 11-4, the project does not include or require the widening of Mulholland Drive, nor is it a required mitigation measure to avoid a significant project impact, pursuant to CEQA. Circulation enhancements at Mulholland Drive to facilitate traffic movements on Mulholland Drive at the Walt Disney and Zeldins Way intersections have been recommended by LADOT. Such enhancements are not proposed as part of the project design and are not required as mitigation. These enhancements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. These improvements may be incorporated into the design of the access locations if required by the decision maker. Impacts of these enhancements have been addressed in Section VI.E, Other Environmental Considerations, of the Draft EIR and no significant environmental impacts would occur as a result of their implementation. The project will comply with all applicable City requirements regarding relocation of utilities along Mulholland Drive. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

#### **COMMENT 11-54**

### **XIV. GROWTH INDUCING IMPACTS**

The final EIR should discuss properly the growth inducing impacts of the project and the environmental effects, and must be adequate under CEQA, Pub. Res. Code, Sec. 21000 et seq. Please include a detailed forecast of growth for each phase of the project, if phased.

#### **RESPONSE 11-54**

Section 15126.2(d) of the CEQA Guidelines requires that growth-inducing impacts of a proposed project be considered. Growth-inducing impacts are characteristics of a project that could directly foster economic or population growth or the construction of additional housing or development in the area or region. According to the CEQA Guidelines, growth-inducing



impacts can include impacts associated with the removal of obstacles to growth as well as the development of facilities that encourage and facilitate growth.

Section VI.D, Growth-Inducing Impacts, of the Draft EIR discusses growth-inducing impacts associated with the project. As indicated therein, because the project sites are presently developed with school and/or associated support facilities, the project would not require the extension of infrastructure such as roads or utilities that would be expected to accommodate substantive growth beyond the project itself. Project implementation would not open up undeveloped areas to new development or induce growth previously held in check by inadequate access or infrastructure capacity. Furthermore, since total school enrollment and staffing levels would not increase following project completion, associated induced population growth would not result. Overall, no growth-inducing impacts would occur.

**COMMENT 11-55**

What will be the cumulative impacts of growth in the region?

**RESPONSE 11-55**

In accordance with CEQA Guidelines Section 15130, cumulative impacts of the proposed project are addressed in subsections A through I of Section IV, Environmental Impact Analysis, of the Draft EIR. Please refer to each of these sections for a thorough discussion of cumulative impacts associated with the proposed project in conjunction with known related projects. Also refer to Response to Comment No. 11-6 for additional discussion.

**COMMENT 11-56**

How is this related to the Growth Management Plan forecast, at the expected date of project or phase completion?

**RESPONSE 11-56**

It appears that the Commentor is referring to the Growth Management chapter of the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide (RCPG). The RCPG is intended to serve as a framework for decision-making with respect to regional growth that is anticipated for the year 2015 and beyond, including growth management and regional mobility. SCAG reviews environmental impact reports of regionally significant projects to determine consistency with regional plans. The criteria for determining whether a project is regionally significant are set forth at CEQA Guidelines Section 15206.

As shown in Comment Letter No. 2, the proposed project was reviewed by SCAG, which determined that the proposed project is not regionally significant. While the project would require a new Conditional Use (CUP) Permit to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location, the

project would not involve an increase in total student enrollment. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location (240 students) and the High School (650 students). In addition, while the existing Middle School site may continue to be utilized for a 240-student middle school, the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout. Furthermore, a total of approximately 30 faculty and staff members are currently employed at the Middle School, and no increase in faculty or staff is proposed. As the project would not introduce more students or employees into the area, but would only move existing students and employees to a new location, the project would have no impact on local or regional growth.

#### **COMMENT 11-57**

What will be the cumulative impacts of growth in the Institutional Use Corridor? **Currently, approximately 4,000 students per day attend schools in his one mile stretch. What impact will occur by adding 240 more students to an already densely populated area?**

#### **RESPONSE 11-57**

As stated above in Response 11-31, Section XII, Population and Housing (response a), of the Initial Study shows that the proposed project would have no impact on population growth in the area. As discussed, implementation of the project would not generate a direct increase in the permanent population of the area or cumulatively exceed official regional or local population projections. A total of approximately 30 faculty and staff members are currently employed at the Middle School, and no increase in faculty or staff is proposed. In addition, as stated above in Response to Comment 11-56, while the project would require a new CUP Permit to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location, the project would not involve an increase in total school enrollment. Therefore, the project would not result in an increase in students, and as such would not induce growth either directly or indirectly.

As discussed in Response to Comment Nos. 11-4 and 11-6, thorough discussions of cumulative impacts associated with the proposed project in conjunction with related projects are contained throughout Section IV, Environmental Impact Analysis, subsections A through I. Among the six related projects identified in Section III.B, Related Projects, is a proposed plan for re-use of the existing Middle School site, owned by the Bel Air Presbyterian Church, by another party. Other related projects in the area also consist of educational uses, and in some instances enrollment increases, as detailed in Table 1 in Section III.B, Related Projects. As such, the cumulative analyses provided throughout the Draft EIR account for the cumulative impacts of growth in the project area as a whole, and the Institutional Use Corridor in particular.

**COMMENT 11-58**

**The cumulative impact of concurrent or future expansions by other institutions in the area must be considered.** Specifically, the Supreme Court stated that "a final EIR must include an analysis of the environmental effects of future expansion or other actions if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." Please be sure the final EIR properly addresses and mitigates growth inducing impacts which will have individually limited, but cumulatively considerable impact by this and other institutions. A final EIR must be prepared which gives thoughtful discussion to dealing with short-term versus long term effects.

**RESPONSE 11-58**

Section III.B, Related Projects, of the Draft EIR discusses the six related projects that have been identified within the general vicinity of the project site. These projects include the following: (1) a 17,850-sq.ft. convent expansion at 4316 Lanai Road; (2) Stephen S. Wise Temple Nursery School accommodating a maximum of 290 students; (3) Mission Canyon State Park project within 262 acres; (4) school and pre-school facilities for 300 students at 16200 Mulholland Drive; (5) an existing private school with facilities approved for up to 675 students (an increase in the current enrollment of 535 students); and (6) an existing private school with a proposed increase of 80 students. As discussed in Response to Comment Nos. 11-6 and 11-57, a discussion of the cumulative impacts of the proposed project in conjunction with these other projects in the area are addressed in subsections A through I of Section IV, Environmental Impact Analysis, of the Draft EIR. Please refer to each of these sections for a thorough discussion of cumulative impacts and mitigation measures associated with the proposed project.

Growth inducing impacts, as previously stated in Response to Comment 11-54, are discussed in Section VI.D, Growth-Inducing Impacts, of the Draft EIR. As indicated, since the nature of existing land uses on-site would not change and school enrollment and staffing levels would not increase following project completion, associated induced population growth would not result. Overall, no growth-inducing impacts would occur, and therefore, no mitigation measures would be necessary.

The Draft EIR addresses all issues required by CEQA and specifically CEQA Guidelines Section 15126.2 et seq., including the following within Section VI, Other Environmental Considerations: significant unavoidable impacts; reasons why the project is being proposed, notwithstanding significant unavoidable impacts; significant irreversible environmental changes; growth-inducing impacts; potential secondary effects; and effects not found to be significant. As discussed therein, the project would not achieve short-term goals to the disadvantage of long-

term goals (e.g., the use of non-renewable resources to an extent that hinders future use of such resources).

### **COMMENT 11-59**

#### **XV. CUP REVIEWS:**

**Due to a lengthy history of failed CUP mandatory obligations that were never complied with by the MHS and SSWT, we regretfully have developed a keen sense of distrust for the institution.** The initial Traffic Demand Management Program (TDM), though promised to us by Rabbi Zeldins in 1993, was not complied with at all. (See Attachment A.) Currently, the parking allotted to the MHS in their current CUP allows for 60 student drivers at the Skirball lot. From what the Temple told us, they have more than 80 parking there now. Car pools are not full. Teachers are parking at the Bel Air Presbyterian Church (BAPC) lot and shuttled back and forth. Large busses are used, when small busses are called for in the current TDM. Large busses even drive through neighborhoods and drop students off in Bel Air Knolls. A lack of conformity and lack of respect for the limits have resulted in a skeptical attitude by the residents in the vicinity. We request draconian measures to ensure compliance:

We request to add to the conditions already imposed on the MHS,

- A yearly review with the City Planning Department, and/ or ZA for the first 3 years of the new CUP. After that, every two years if compliance is maintained.
- In the event of apparent non-compliance, the neighborhoods can request an ad hoc review.
- Maintain a Community Contact person, with a phone number available to the residents.
- In the event of proven non-compliance, that the City Attorney is required to impose immediate and severe compliance.
- The agreement must be entered into both parties (sic) as outlined and made legal as a Civil Agreement.

### **RESPONSE 11-59**

The TDM program CUP conditions for MCHS were modified under City Case No. ZA 99-0514 CUZ. The current CUP conditions: 1) allow for permits to be issued for 90 student-driven vehicles (30 parking spaces in the main MCHS parking lot and 60 parking spaces in the

Skirball Center East Lot); 2) require student drivers with permits to park at MCHS or the Skirball Center East Lot to have four students per car (driver and three passengers); 3) start school at 7:30 A.M.; 4) do not require remote parking lots in the San Fernando Valley and West Los Angeles; 5) designate a Transportation Coordinator, as well as require three students per adult-driven carpool; 6) require parking on-site, with the exception of the use of the Skirball Center East Lot as described herein; and 7) restrict the High School exit driveway to right-turns only, 7:00 A.M. to 9:00 A.M., Monday through Friday.

The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). Additionally, the TDM program provided in the traffic study also recommends the continuation of the existing bus service provided by MCHS to the San Fernando Valley and West Los Angeles. Student-driven carpools would be required to have 3.3 students per car (inclusive of the driver) and adult-driven carpools would be required to have 2.3 students per car. All other elements of the existing TDM program as discussed herein would remain the same.

The specific conditions requested in the comment will be forwarded to the City decision-makers for consideration.

#### **COMMENT 11-60**

### **XVI. NO PROJECT ALTERNATIVE**

The importance of alternatives in the EIR process is clearly established in law. CEQA Sec. 21081 requires a finding of infeasibility for each environmentally superior project alternative in the EIR prior to approval of any project which will result insignificant (sic) adverse environmental effects. It will be essential that the final EIR make a full assessment of the impacts of alternatives, including a thorough discussion of a No Project alternative. (Citizens of Goleta Valley, 89 Daily Journal D.A.R. 11920) The No Project alternative is especially important since the project is located in the center of a polluted ecosystem with degraded air, water and earth. This alternative should consider not constructing the project, or shifting it elsewhere and thus reducing the demands on the infrastructure.

#### **RESPONSE 11-60**

CEQA and the CEQA Guidelines do not require a finding of infeasibility for each environmentally superior project alternative evaluated in an EIR prior to the approval of a project that will result significant impacts. Rather, CEQA Guidelines Section 15126.6(a) specifically states that an EIR is not required to consider alternatives which are infeasible. To clarify, CEQA Section 21081 states that in order for a public agency to approve a project, the project must

incorporate means to mitigate or avoid significant effects. In the event that the mitigation measures or alternatives addressed in the EIR are determined to be infeasible due to specific economic, legal, social, technological, or other considerations, the project must have overriding benefits that outweigh the significant environmental effects.

An analysis of project alternatives is provided in Section V, Alternatives, of the Draft EIR. As discussed in Section V.A, Introduction, the EIR addresses a range of reasonable alternatives that attain most of the established project objectives and avoid or substantially lessen some or all of the project's significant environmental impacts, per the requirements of CEQA Guidelines Section 15126.6(a). Among those alternatives evaluated is a no project alternative, discussed in Section V.B, No Project Alternative, in accordance with CEQA Guidelines Section 15126.6(e). The No Project Alternative consists of a scenario in which new development would not occur on-site and the existing environmental setting would be maintained. Also included in that section is a discussion of alternatives that were considered and rejected as infeasible.

#### **COMMENT 11-61**

The lead agency is required to make a finding, supported by substantial evidence that the "no project" alternative is infeasible. You should be aware of this requirement in the preparation of the final EIR. Pub. Res. Code Seqs. 21002 and 21002.1(b) affirmatively mandate that public agencies take concrete actions to protect the environment " whenever it is feasible to do so." This substantive duty is enforced through the findings requirements of Seq. 21081 and Guidelines Sec15091. These sections require a public agency to make detailed findings regarding the feasibility of all environmentally superior alternatives or additional mitigation measures available prior to approving any project which may cause significant impacts on the environment. See Village Laguna of Laguna Beady Inc. v Board of Supervisors (1982) 134 Cal.App.3d 1022,1034-1035,185 Cal.Rptr. 41.

#### **RESPONSE 11-61**

CEQA and the CEQA Guidelines do not require a finding of infeasibility for the No Project Alternative. To clarify, CEQA Section 21002 states that public agencies should not approve a project if there are feasible alternatives or feasible mitigation measures available that would substantially reduce the project's significant impacts. CEQA Section 21002.1(b) maintains that a public agency must ensure that a project's significant impacts are mitigated or avoided whenever feasible. Please refer to Response to Comment No. 11-60 for a summary of CEQA Section 21081; CEQA Guidelines Section 15091 contains similar language.

An analysis of project alternatives is provided in Section V, Alternatives, of the Draft EIR. As illustrated throughout that section, the analysis complies with all relevant requirements set forth in CEQA and the CEQA Guidelines.

The City decision-makers will make all required findings under CEQA if and when the project is approved.

**COMMENT 11-62**

**XVII. NO STATEMENT OF OVERRIDING CONSIDERATION SHOULD BE ISSUED BY THE LEAD AGENCY**

We ask that the lead agency prepare a final EIR that interprets CEQA to afford the fullest possible protection for the environment within the reasonable scope of the statutory language. (Friends of Mammoth v Board of Supervisors (1972) 8 Cal.3d. 247) We request the lead agency require additional changes and alterations in the project to avoid and substantially lessen the significant impacts that have been reported in the DEIR, satisfying the requirements of CEQA Section 21001. After Certifying the EIR we ask the lead agency select the no discretionary action alternative because it has a right to approve or disapprove the project.

XVIII.

We appreciate your allowing us the opportunity to comment on the draft EIR. We look forward to receiving a detailed and comprehensive final EIR, fully in compliance with CEQA, State and local Guidelines.

**RESPONSE 11-62**

As discussed in Section VI.E, Other Environmental Considerations, of the Draft EIR several alternatives to the proposed project were considered in Chapter V., Alternatives to the Proposed Project, of this EIR. no feasible alternatives or new mitigation measures were identified in the Draft EIR or in the public comments that would reduce any of the significant unavoidable effects of the proposed project. The significant unavoidable impacts that are anticipated to result from the proposed project are short-term construction effects, all of which would occur regardless of the configuration of development at the project sites or the location of the project. Finally, since the No Project Alternative would not meet the underlying purpose of the project, it is not considered a feasible development alternative. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration. The Final EIR will be conducted in full compliance with CEQA and City of Los Angeles guidelines.

**COMMENT 11-63**

[handwritten] Appendix A:

This their old program: NEVER IMPLEMENTED (sic) [end handwritten]

## Stephen S. Wise New High School

## Transportation Demand Management Program

Below is a summary of measures contained in the Stephen S. Wise High School - Transportation Demand Management Program. These measures will be voluntarily implemented by the Stephen S. Wise high School to reduce and manage trip generation associated with the facility.

- No Student Drivers - No student will be allowed to drive to the high school during regular school hours, even in a carpool, except for students demonstrating special requirements, such as handicapped students.
- Mandatory Carpool Program - Every student must be a member of a carpool. Student drivers will only be permitted to drive to the remote parking lots with three passenger students per car.
- Early Start Time -School will be started prior to normal morning commute rush hour traffic. School will start each day at 7:30 am. Morning peak traffic hour on the adjacent street system is 7:45 am to 8:00 am.
- Remote Parking - The school will utilize parking locations in West Los Angeles (Leo Baeck Temple. 1300 Sepulveda Boulevard) and the San Fernando Valley (First Presbyterian Church of Encino. Ventura Boulevard/Balboa Boulevard) as remote collection points for students, and then bus the students to the high school facility. Student drivers will be required to carpool to the remote lots.
- Carpool Transportation Coordinator - The school will have an assigned Carpool Transportation Coordinator in charge of managing and promoting ridesharing and pooling programs. The coordinator will be in charge of assignment and monitoring of all pooling activities, as well as information exchange regarding transportation options. Student carpools will average at least 2.6 students per car. There are currently three certified Employee Transportation Coordinators employed by Stephen S Wise Temple. One of the ETCs will be assigned to this task.
- Parking - All school parking will be provided on-site, with the exception of those students involved in the Remote Parking Program. .
- Site Access - The eastern driveway of the high school shall be designated as exit only. Traffic exiting the eastern driveway between 7:00 am and 5:00 pm on school days shall exit with right turns only. ~~Additionally, any event, after 5:00 pm or on weekends at any~~



~~time as defined by Conditions 18 of the Conditional Use Permit, occurring at the high school outside the above times shall also be subject to right turn only restrictions from forty five minutes before to forty five minutes after the scheduled event times. Traffic control personnel provided by the high school will enforce these provisions. Additionally, any event, after 5:00 pm or on weekends at any time as defined by Conditions 18 and 20 of the Conditional Use Permit, involving 25 or more persons, occurring at the high school shall also be subject to right turn only restrictions from forty-five minutes before to forty-five minutes after the scheduled event times. Traffic control personnel provided by the high school will enforce these provisions.~~

### **RESPONSE 11-63**

The TDM program CUP conditions for MCHS were modified under City Case No. ZA 99-0514 CUZ. The current CUP conditions: 1) allow for permits to be issued for 90 student-driven vehicles (30 parking spaces in the main MCHS parking lot and 60 parking spaces in the Skirball Center East Lot); 2) require student drivers with permits to park at MCHS or the Skirball Center East Lot to have four students per car (driver and three passengers); 3) start school at 7:30 a.m.; 4) do not require remote parking lots in the San Fernando Valley and West Los Angeles; 5) designate a Transportation Coordinator, as well as require three students per adult-driven carpool; 6) require parking on-site, with the exception of the use of the Skirball Center East Lot as described herein; and 7) restrict the High School exit driveway to right-turns only, 7:00 a.m. to 9:00 a.m., Monday through Friday.

The TDM program provided in the traffic study recommends that the number of MCHS student parking permits be expanded to 90 vehicles in the Skirball Center East Lot (in addition to the 30 existing student parking permits in the MCHS main parking lot). Additionally, the TDM program provided in the traffic study also recommends the continuation of the existing bus service provided by MCHS to the San Fernando Valley and West Los Angeles. Student-driven carpools would be required to have 3.3 students per car (inclusive of the driver) and adult-driven carpools would be required to have 2.3 students per car. All other elements of the existing TDM program as discussed herein would remain the same.

**LETTER NO. 12**

Homeowners of Encino  
Gerald A. Silver, President  
P.O. Box 260205  
Encino, CA 91426-0205

**COMMENT 12-1**

RESPONSE to the Draft Environmental Impact Report (DEIR), for a project known as:

Stephen S. Wise Middle School Relocation Project

The project will be located at, 15900 & 16100 Mulholland Drive

The project applicant is: Stephen S. Wise Middle School

The proposed project affects transportation, earth, air, water, plant life, population, energy, utilities, land use, and other environmental elements in Encino, (and surrounding area). This document contains our response to the scope and content of the draft environmental information which is germane to your environmental evaluation of this project.

I. HOMEOWNERS OF ENCINO, INC.

This Response is filed by the Homeowners of Encino, a Californian non-profit corporation duly organized and existing under the laws of the State of California. Homeowners of Encino is a public benefit association organized for the purpose of promoting social welfare. This corporation seeks to protect the residential character of its neighborhoods and to enhance the quality of life for its members and the community. Many of its members reside within the neighborhood of the proposed project, and will be heavily impacted by it.

**RESPONSE 12-1**

This comment introduces the Homeowners of Encino, Inc., and describes the organization's function. Each of the environmental issues mentioned in this comment have been addressed in the Draft EIR and supporting appendices. The comment does not raise new environmental information specific to the project, but is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 12-2**

## II. DESCRIPTION OF PROJECT

Conditional Use Permit and Director's Determination for Design review Board recommendations and Plan Exception from the Mulholland Scenic Parkway Specific Plan, and other applicable discretionary and administrative permits to authorize the relocation of the existing Stephen S. Wise Middle School from its current temporary location on property owned by the Bel Air Presbyterian Church on Mulholland Drive to a permanent location on the Milken Community High School Site, located at 15900 Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway (State Route 405).

The two schools would occupy and share a Consolidated Middle School High School site. Upon completion of the project, the Stephen S. Wise Middle School would continue to provide a co-educational, day school facility that serves grades seven and eight. The project would provide permanent and upgraded facilities to accommodate the educational needs of up to 240 middle school students on an underutilized portion of the existing High School site. The new Middle School would be up to 18.5 feet in height and would include approximately 30,000 square feet of floor area.

Additionally, minor improvements would be made on the High School site, including the enclosure of three existing balconies and the addition of a canopy over existing walkways. The proposed project would also include the conversion of an existing nursery/pre-school site at 16100 Mulholland Drive to athletic fields to serve both the Middle School and High School students. The Athletic Field site was previously used by the Stephen S. Wise Nursery School program which recently returned to its original, permanent location at the Stephen S. Wise Temple site east of the 405 Freeway.

**RESPONSE 12-2**

This comment offers a summary of the project description. It does not introduce new environmental information, nor does it directly challenge information presented in the Draft EIR. Therefore, no response is required.

**COMMENT 12-3**

## III. IMPACTS THAT HAVE NOT BEEN FULLY ASSESSED

We believe that the proposed project will have significant impacts on the environment that have not been fully addressed in the draft EIR. It will have a significant impact on air quality, water, natural resources, population, noise, geology, energy, and population growth.

**RESPONSE 12-3**

This comment is identical to Comment No. 11-5. Please refer to Response to Comment No. 11-5 for a detailed discussion of environmental impacts as they relate to the proposed project.

**COMMENT 12-4**

The Lead Agency must take into consideration the effects of this and other projects which, will have individually limited, but cumulatively considerable impact on the environment. With the effects of past, current and probably future projects mandatory findings of significance should be found. (Guidelines Sec. 15065) Throughout your draft EIR you have relied upon “mitigations” that are required by law or official regulations and these are unacceptable. Such measures cannot serve as mitigations to satisfy the requirements of the California Environmental Quality Act (CEQA). Nor can mitigations be acceptable that are considered to be standard operating practices by developers who could be found negligent, if such operating procedures were not met.

**RESPONSE 12-4**

This comment is identical to Comment No. 11-6. Please refer to Response to Comment No. 11-6 for a detailed discussion of cumulative impacts and mitigation measures associated with the proposed project.

**COMMENT 12-5**

In preparing your final EIR, you must recognize that any mitigations that you propose must go beyond those mandated by law or existing policy and practice. Compliance with the law and standard operating procedures establishes the baseline. CEQA mitigations are discretionary actions taken beyond the baseline. You must include verifiable mitigations in the final EIR, not merely a recital of legal requirements or standard operating practices. We ask that you revise your findings and address the following environmental concerns which we believe have been overlooked or inadequately dealt with in your draft EIR:

**RESPONSE 12-5**

This comment is identical to Comment No. 11-7. Please refer to Response to Comment No. 11-7 for a detailed discussion of cumulative impacts and mitigation measures associated with the proposed project.

**COMMENT 12-6**

IV. IMPACTS ON EARTH

This project will result in disruptions, displacements, compaction and overcovering of soil. The final EIR should specify what grading will be done, and provide a time line indicating the starting and ending dates of all grading and construction activities.

**RESPONSE 12-6**

This comment is identical to Comment No. 11-8. Please refer to Response to Comment No. 11-8 for a detailed discussion of grading.

**COMMENT 12-7**

Haul routes should be described, and mitigation proposed for dealing with the traffic congestion created by the hauling of large amounts of soil on city streets to dumpsites.

**RESPONSE 12-7**

This comment is identical to Comment 11-9. Please refer to Response to Comment No. 11-9 for a detailed discussion of haul routes.

**COMMENT 12-8**

The information presented in the final EIR should be sufficient to allow for a clear understanding of the geologic hazards and their impacts. The final EIR should present a comprehensive summary of known geologic and seismic hazards near the site. These should be clearly identified to ensure that the proposed buildings [sic] plans willfully evaluate and mitigate the problems.

**RESPONSE 12-8**

This comment is identical to Comment No. 11-10. Please refer to Response to Comment No. 11-10 for a detailed discussion of geologic hazards as they relate to the proposed project.

**COMMENT 12-9**

The final EIR should include maps that show areas of unsuitable fill soils, potentially unstable slopes, areas of differential settlement, areas of expansive soils, and the potential zone of inundation from flooding, due to a 100 year flood. The final EIR should present a summary of seismic information on ground acceleration and the duration of strong shaking that could be expected from large earthquakes on nearby faults. Impacts of seismic shaking on existing buildings in the area, and on stability of slopes and fills, should be addressed.

**RESPONSE 12-9**

This comment is identical to Comment No. 11-11. Please refer to Response to Comment No. 11-11 for a detailed discussion of seismic and related information with regard to the proposed project.

**COMMENT 12-10**

V. AIR IMPACTS

The draft EIR did not fully consider the air impacts. A project of this size will have a deteriorating effect on air quality in the region, which is located in a locality which does not meet Federal and State air quality standards. The construction of the project will generate Carbon, Monoxide, Nitrous Oxide, Ozone and particulate matter, making it more difficult to attain the required air standards in the basin. Please identify in the final EIR the specific increases of air pollutants generated by this project, and the cumulative impacts on the air quality in the region.

**RESPONSE 12-10**

This comment is identical to Comment No. 11-12. Please refer to Response to Comment No. 11-12 for a discussion of air quality impacts.

**COMMENT 12-11**

Your assessment should show how this project, when taken together with all other proposed projects in the Mullholand [sic] corridor will impact air quality. It should show threshold levels of significance for each type of air emission. The City of Los Angeles and the EPA have entered into an [sic] Consent Decree regarding growth within the Hyperion Service Area. They have agreed that growth within the area will not result in air emission increases, nor impede the region's progress toward National Ambient Air Quality Standards (NAAQS) attainment. Your final EIR should show that all impacts have been reduced to insignificance, in order to comply with the City of Los Angeles and EPA agreement. Anything short of this is a breach of the terms of the Federal consent decree, and actionable, with the possibility of substantial fines being imposed against the City.

**RESPONSE 12-11**

This comment is identical to Comment No. 11-13. Please refer to Response to Comment No. 11-13 for a discussion of air quality impacts.

**COMMENT 12-12**

Also address the air impacts at both the local level, and within the region. Explain how these impacts will be fully mitigated. Specifically, quantify all related vehicular air emissions, and

include the factors, formulas and computations used to arrive at these impacts, and their mitigations.

**RESPONSE 12-12**

This comment is identical to Comment No. 11-14. Please refer to Response to Comment No. 11-14 for a discussion of air quality impacts.

**COMMENT 12-13**

Please explain in the final EIR what effects diesel fumes, gasoline powered equipment fumes and construction odors will have upon those with respiratory problems, or the aged living nearby. Also discuss the impact on local flora and fauna, giving specific effects upon plant and animal life, as a result of the additional air degradation that may be caused by the project. The EPA has stressed the importance of secondary air impact analysis. The final EIR should assess the secondary air impacts that will result from this project and please provide adequate mitigations for these air impacts. Please contact the EPA in San Francisco, Div. IX, for consultation on this key aspect of your final EIR.

**RESPONSE 12-13**

This comment is identical to Comment No. 11-15. Please refer to Response to Comment No. 11-15 for a discussion of air quality impacts.

**COMMENT 12-14**

VI. WATER IMPACTS

The Los Angeles basin is located in a permanent drought area. The direct water impacts from this project have not been fully addressed. Identify source of water, how it will be used in the project, and how the removal of water from the aquifer will be replaced. Fully explain the quantitative impacts on the local and regional water supply, as a result of this project. Estimate water consumption both during and after construction. Provide a detailed list of mitigations to reduce the consumption, of water to insignificance.

**RESPONSE 12-14**

This comment is identical to Comment No. 11-16. Please refer to Response to Comment No. 11-16 for a detailed discussion of water as it relates to the proposed project.

**COMMENT 12-15**

The City of Los Angeles has enacted ordinances which mandate many water saving and conservation measures. These items must be considered baseline, and do not qualify as

mitigation measures, since they are already the law. Your final EIR should impose more extensive measures to deal with the water consumption issue. Please also provide mitigations for dealing with secondary water impacts. The growth sustained by a project of this size will consume large amounts of fresh water, which are in short supply in the region.

**RESPONSE 12-15**

This comment is identical to Comment No. 11-17. Please refer to Response to Comment No. 11-17 for a detailed discussion of water conservation measures as they relate to the proposed project.

**COMMENT 12-16**

Also please detail the amount of water necessary for control of dust as well as the cumulative amount of water needed by this project during the construction phase.

**RESPONSE 12-16**

This comment is identical to Comment No. 11-18. Please refer to Response to Comment No. 11-18 for a detailed discussion of water necessary for dust control during construction of the project.

**COMMENT 12-17**

VII. IMPACT UPON ANIMAL AND PLANT LIFE

A project of this size will have a detrimental effect upon the flora and fauna in the project area. The area is a natural habitat for birds and other animals. It will not be possible to construct the project, without a serious impact on the local biota. Provide a detailed assessment of impacts on both plant and animal life as a result of the project. Also provide detailed mitigations to reduce these potential impacts to insignificance.

**RESPONSE 12-17**

This comment is identical to Comment 11-19. Please refer to Response to Comment 11-19 for a detailed discussion of wildlife trails and natural habitats as they relate to the proposed project.

**COMMENT 12-18**

VIII. NOISE IMPACTS

A substantial amount of noise will be generated by the proposed project during construction. The movement of heavy vehicles, trucks, compressors and construction equipment will create



severe noise problems. Show how it will be possible to construct this project, including removal of many cubic yards of soil without creating severe noise impacts. Noise must be reduced to insignificance.

**RESPONSE 12-18**

This comment is identical to Comment No. 11-21. Please refer to Response to Comment No. 11-21 for a discussion of noise impacts.

**COMMENT 12-19**

The final EIR should explain the effects of noise levels on local residents and construction workers, during construction, and the impact on the emotional and physiological well being of people living nearby. Please explain in detail the effects of specific pieces of construction equipment, the noise levels, dBA, frequency and duration of sound that people will be exposed to. Also explain the impact of sustained noise upon the aged or those who are ill and may reside near the construction site. The final EIR should provide mitigation measures that will reduce the noise created by this project to insignificance.

**RESPONSE 12-19**

This comment is identical to Comment No. 11-21. Please refer to Response to Comment No. 11-21 for a discussion of noise impacts.

**COMMENT 12-20**

IX. LIGHT AND GLARE IMPACTS

Light and glare was not adequately assessed in the draft EIR. Residents living near the construction site will be subjected to light and glare. The applicant must be required to illuminate the premises without casting light and glare on nearby buildings. Any buildings located adjacent to the project will be directly impacted. The light and glare that will spill onto nearby buildings must be mitigated in the final EIR. The construction project will result in altered shade and shadow conditions which should also be mitigated to insignificance in the final EIR.

**RESPONSE 12-20**

This comment is identical to Comment Nos. 11-22 and 11-23. Please refer to Response to Comment Nos. 11-22 and 11-23 regarding light and glare impacts and shade and shadow impacts, respectively.

**COMMENT 12-21**

X. CHANGES IN POPULATION

Changes in population will occur if this project is approved. It will alter the distribution, density and growth rate in the region. It may cause greater population density in a regional [sic] ready [sic] without adequate infrastructure.

**RESPONSE 12-21**

This comment is identical to Comment No. 11-31. Please refer to Response to Comment No. 11-31 for a detailed discussion regarding changes in population.

**COMMENT 12-22**

Provide a detailed assessment of the growth and job impacts. What kinds and types of jobs will be created, as a result of this project. Provide a detailed list of mitigation measures to deal with any job/housing imbalance created by the project.

**RESPONSE 12-22**

This comment is identical to Comment No. 11-32. Please refer to Response to Comment No. 11-32 for a detailed discussion regarding employment and housing impacts.

**COMMENT 12-23**

XI. TRAFFIC AND CIRCULATION

Transportation and traffic circulation will be negatively impacted by the proposed project. There are a number of E and F level intersections in the vicinity of the project that have not been addressed in your DEIR.

**RESPONSE 12-23**

This comment is identical to Comment No. 11-33. Please refer to Response to Comment No. 11-33 for a detailed discussion of traffic as it relates to the proposed project.

**COMMENT 12-24**

The construction of this project and removal of large amount of soil over city streets will impede traffic and circulation and make gridlock worse. The final EIR should explain how the E and F level, gridlocked intersections in the area will be mitigated to insignificance.

**RESPONSE 12-24**

This comment is identical to Comment No. 11-34. Please refer to Response to Comment No. 11-34 for a detailed discussion of traffic associated with construction of the project.

**COMMENT 12-25**

Because of the project's magnitude and the substantial construction required, the proposed project will generate significant traffic congestion problems. Traffic congestion resulting from the expansion of freeways and access roads, lane closures, detours, slow moving construction vehicles and equipment, project personnel commutes, etc. significantly increase traffic and mobile-source air emissions. Please provide detailed maps in the final EIR which will show how the project will mitigate traffic in the area, including the number of lanes of traffic that will be lost due to the movement of heavy equipment to and from the site during construction.

**RESPONSE 12-25**

This comment is identical to Comment 11-42. Please refer to Response to Comment No. 11-42 for a detailed discussion of traffic associated with the proposed project.

**COMMENT 12-26**

The final EIR should deal with the phasing issue comprehensively. What will be the incremental impacts on traffic, and if phased, how will the infrastructure be phased in so that all mitigations are in place to prevent increases in traffic or a degradation of circulation? Include the factors, formulas and computations used to arrive at these impacts, and their mitigations. Provide an appendix with all necessary and supporting documentation, including the paper trail that will allow concerned citizens, or decision makers to trace your steps, and your conclusions with regard to traffic impacts.

**RESPONSE 12-26**

This comment is identical to Comment 11-43. Please refer to Response to Comment No. 11-43 for a detailed discussion of traffic and mitigation measures as they relate to the proposed project.

**COMMENT 12-27**

## XII. PUBLIC SERVICE IMPACTS

The final EIR should fully address impact on public services. Police and fire services are inadequate to meet the present community needs. This project will generate additional demands that the City systems cannot handle. The final EIR should show how the applicant intends to mitigate the drain on local public services. It should present a detailed explanation of the degraded response times to police, fire and paramedic services. It should present specific

mitigations and funding mechanism that show how the applicant will offset the deteriorated public service response capability.

**RESPONSE 12-27**

This comment is identical to Comment No. 11-45. Please refer to Response to Comment No. 11-45 regarding the analysis of police and fire protection impacts.

**COMMENT 12-28**

Your final EIR should thoroughly cover the adequacy of fire-flow requirements for the necessary level of protection, response distance from existing fire stations, etc. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. Show what improvements will be needed to provide the adequate G.P.M. for fire-flow. The final EIR should contain a thorough analysis of this topic, in consultation with the Water Services Section of the Department of Water and Power. It should also show how the G.P.M. requirements for the first-due Engine Company will be met, and the distance of the first-due Track company.

**RESPONSE 12-28**

This comment is identical to Comment No. 11-46. Please refer to Response to Comment No. 11-46 above for a detailed discussion with regard to fire flow and the locations of fire stations nearest to the projects sites.

**COMMENT 12-29**

You will also need to show at least two different ingress/egress roads that will accommodate major fire apparatus, and provide for major evacuation during emergency situations.

**RESPONSE 12-29**

This comment is identical to Comment No. 11-47. Please refer to Response to Comment No. 11-47 above for a detailed discussion regarding ingress/egress roads.

**COMMENT 12-30**

Include off-site and on-site location of fire hydrants, fire lane widths, and how the project will affect staffing for existing facilities, or there [sic] location of present fire protection facilities.

**RESPONSE 12-30**

This comment is identical to Comment No. 11-48. Please refer to Response to Comment No. 11-48 for a detailed discussion regarding project development, staffing, and the locations of existing fire protection facilities.

**COMMENT 12-31**

## XIII. IMPACT ON ENERGY AND UTILITIES

Utilities will be impacted by the proposed project. The lead agency is, or should be, aware of the limits on solid waste disposal. Large amount of soil will have to be trucked to a dumpsite as the project proceeds, making landfill disposal problems worse. The final EIR should quantify the impact that this project will have on the capacity and exhaustion of local landfills, both during and after construction.

**RESPONSE 12-31**

This comment is identical to Comment No. 11-49. Please refer to Response to Comment No. 11-49 for a detailed discussion regarding solid waste disposal.

**COMMENT 12-32**

Specifically how many cubic yards of soil will be trucked to landfills, and how much solid waste will be exported, and to which sites? Show haul routes and the time of day when city streets will be used for this purpose.

**RESPONSE 12-32**

This comment is identical to Comment No. 11-50. Please refer to Response to Comment No. 11-50 for a detailed discussion regarding the amount of solid waste anticipated to be removed as part of construction of the proposed project.

**COMMENT 12-33**

How much electrical energy will be needed to operate the project, once it is, in operation. Will backup energy sources be used?

**RESPONSE 12-33**

This comment is identical to Comment No. 11-51. Please refer to Response to Comment No. 11-51 for a discussion of electricity as it pertains to the proposed project.

**COMMENT 12-34**

What will be the impact on the sewage system. Show the volume of sewage produced by the project, and how it will impact the Hyperion, Los Angeles-Glendale and Tillman plants. Show which sewage lines will need to be upsized, which streets will be affected, and for how long a period. The final EIR should analyze the availability of hydraulic capacity for the anticipated flow in the local and interceptor sewers serving the proposed project area. The quantity and quality of wastewater to be discharged to the sewer system should be more thoroughly analyzed.

**RESPONSE 12-34**

This comment is identical to Comment No. 11-52. Please refer to Response 11-52 for a more detailed discussion of wastewater as it relates to the project.

**COMMENT 12-35**

XIV. GROWTH INDUCING IMPACTS

The final EIR should discuss properly the growth inducing impacts of the project and the environmental effects, and must be adequate under CEQA, Pub. Res. Code, Sec. 21000 et seq. Please include a detailed forecast of growth for each phase of the project, if phased.

**RESPONSE 12-35**

This comment is identical to Comment No. 11-54. Please refer to Response to Comment No. 11-54 for a detailed discussion of growth inducing impacts as they relate to the project.

**COMMENT 12-36**

What will be the cumulative impacts of growth in the region?

**RESPONSE 12-36**

This comment is identical to Comment No. 11-55. Please refer to Response to Comment No. 11-55 for a detailed discussion of cumulative impacts.

**COMMENT 12-37**

How is this related to the Growth Management Plan forecast, at the expected date of project or phase completion?

**RESPONSE 12-37**

This comment is identical to Comment No. 11-56. Please refer to Response to Comment No. 11-56 for a detailed discussion of growth as it relates to the project.

**COMMENT 12-38**

Specifically the Supreme Court stated that “a final EIR must include an analysis of the environmental effects of future expansion or other actions if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.”

Please be sure the final EIR properly addresses and mitigates growth inducing impacts which will have individually limited, but cumulatively considerable impact. A final EIR must be prepared which gives thoughtful discussion to dealing with short-term versus long term effects.

**RESPONSE 12-38**

This comment is identical to Comment No. 11-58. Please refer to Response to Comment No. 11-58 for a detailed discussion of growth-inducing and cumulative impacts as they relate to the project.

**COMMENT 12-39****X. NO PROJECT ALTERNATIVE**

The importance of alternatives in the EIR process is clearly established in law. CEQA Sec. 21081 requires a finding of infeasibility for each environmentally superior project alternative in the EIR prior to approval of any project which will result insignificant [sic] adverse environmental effects. It will be essential that the final EIR make a full assessment of the impacts of alternatives, including a thorough discussion of a No Project alternative. (Citizens of Goleta Valley, 89 Daily Journal D.A.R. 11920) The No Project alternative is especially important since the project is located in the center of a polluted ecosystem with degraded air, water and earth. This alternative should consider not constructing the project, or shifting it elsewhere and thus reducing the demands on the infrastructure.

**RESPONSE 12-39**

This comment is identical to Comment No. 11-60. Please refer to Response to Comment No. 11-60 regarding the No Project Alternative.

**COMMENT 12-40**

The lead agency is required to make a finding, supported by substantial evidence that the “no project” alternative is infeasible. You should be aware of this requirement in the preparation of the final EIR. Pub. Res. Code Seqs. 21002 and 21002.1(b) affirmatively mandate that public agencies take concrete actions to protect the environment“ [sic] whenever it is feasible to do so.” This substantive duty is enforced through the findings requirements of Seq. 21081 and Guideline Sec. 15091. These sections require a public agency to make detailed findings regarding the feasibility of all environmentally superior alternatives or additional mitigation measures available prior to approving any project which may cause significant impacts on the environment. See Village Laguna of Laguna Beach, Inc. v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1034-1035, 185 Cal.Rptr. 41.

**RESPONSE 12-40**

This comment is identical to Comment No. 11-61. Please refer to Response to Comment No. 11-61 regarding analysis of the No Project Alternative.

**COMMENT 12-41**

**XVI NO STATEMENT OF OVERRIDING CONSIDERATION SHOULD BE ISSUED BY  
THE LEAD AGENCY**

We ask that the lead agency prepare a final EIR that interprets CEQA to afford the fullest possible protection for the environment within the reasonable scope of the statutory language. (Friends of Mammoth v. Board of Supervisors (1972) 8 Ca1.3d. 247) We request the lead agency require additional changes and alterations in the project to avoid and substantially lessen the significant impacts that have been reported in the DEIR, satisfying the requirements of CEQA Section 21001. After certifying the EIR, we ask the lead agency select the no discretionary action alternative because it has a right to approve or disapprove the project.

**XVII.**

We appreciate your allowing us the opportunity to comment on the draft EIR. We look forward to receiving a detailed and comprehensive final EIR, fully in compliance with CEQA, State and local Guidelines.

Executed at Encino, California on August 24, 2005

**RESPONSE 12-41**

This comment is identical to Comment No. 11-62. Please refer to Response to Comment No. 11-62 regarding analysis of the No Project Alternative and the need for a Statement of Overriding Considerations. The Final EIR will be conducted in full compliance with CEQA and the CEQA guidelines.



**LETTER NO. 13**

Marcia Selz, Ph.D.  
302 N. Parkwood Drive  
Los Angeles, CA 90077

**COMMENT 13-1**

I write to you my about my concerns that the traffic impacts of this project have not been fully studied or outlined in the aforementioned DEIR. Although the student body is not proposed to change, the DEIR does not adequately address the need to improve and increase the mitigation measures of an already overloaded traffic corridor. The intersections that will be impacted by this project are already heavily congested. This congestion causes back-up onto neighborhood streets and gridlock for the residents. Please review the findings in the DEIR and ensure that the final EIR has sufficient mitigation or restrictive measures to improve the traffic and circulation for nearby neighborhoods.

In advance, thank you for your consideration.

**RESPONSE 13-1**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report referenced in preparation of the traffic analysis is contained in Appendix H of the Draft EIR. Page 247 of the Draft EIR provides the thresholds of significance utilized in accordance with LADOT requirements. Summaries of the volume-to-capacity (v/c) ratios and LOS values determined for the nine study intersections are shown in Table 18, page 257 in the Draft EIR. As shown in Table 18, the project would cause an impact at two intersections, Walt Disney Drive/Mulholland Drive and Zeldins Way/Mulholland Drive. Page 273 provides the recommended traffic mitigation measure for the project to alleviate the significant impact at the two study intersections. The mitigation measure—Mitigation Measure I-1—recommends the implementation of a Transportation Demand Management (TDM) program for the project. As shown on Table 20, page 276 of the Draft EIR, this mitigation measure would reduce the project impacts at the two affected study intersections to a level of insignificance.

In addition, pages 264-266 of Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements at Mulholland Drive to facilitate traffic movements on Mulholland Drive at the Walt Disney and Zeldins Way intersections. Such enhancements are not proposed as part of the project design and are not required as mitigation, but have been recommended by LADOT. These enhancements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. These improvements may be incorporated into the design of the access locations if required by the decision maker.

**LETTER NO. 14**

Ellen Winthrop Michel  
3056 Greentree Court  
Los Angeles, California 90077

**COMMENT 14-1**

The Draft EIR for the above referenced relocation project has determined that the project can operate, with the implementation of mitigation measures, with insignificant impacts on the environment. Construction activities that result in impacts that cannot be mitigated fully, such as noise and air quality, are short-term only and are generally expected during any construction project.

Some temporary inconvenience is a small price to pay in order to consolidate the two existing schools onto one site where facilities can be shared, thus decreasing the total amount of new development that would otherwise be needed for the middle school.

I support the relocation of the middle school and hope that you will support the findings in the Draft EIR.

**RESPONSE 14-1**

This comment expresses support for the project. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LETTER NO. 15**

Ashley M. Silberfeld  
555 S. Barrington Ave., #402  
Los Angeles, California 90049

**COMMENT 15-1**

The Stephen Wise middle school project, with mitigations, will reduce the existing amount of traffic on Mulholland Drive, as shown by the traffic study contained in the Draft EIR. And, although some may argue about the traffic study findings, the study was done using accepted methodologies that have been approved by the City.

The draft EIR should be certified by the City and the relocation project should move forward quickly.

**RESPONSE 15-1**

This comment expresses support for the project. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LETTER NO. 16**

Susan Dean  
<no address provided>

**COMMENT 16-1**

The draft Environmental Impact Report should be certified and the consolidation of the middle and high school should be approved.

First of all, both project sites are already developed for educational use. The relocation of the middle school will simply require the former Nursery School site to be converted into an athletic field that will serve both the high school and middle school.

The draft EIR finds that new construction of the middle school buildings would be consistent with the aesthetic standards and policies of the Mulholland Scenic Parkway Specific Plan. The project has been designed to fit into the hillside and would fall below the grade of Mulholland Drive, thus having minimal effect on views. Due to the unique circumstances of the project site, there is a request for a plan exception to penetrate the viewshed. This exception should be approved as the Report has determined that the exception would not cause any substantial adverse impacts.

The project will not only serve to provide a better educational experience for those students that attend the consolidated schools, but will also guarantee an aesthetic enhancement to the area.

**RESPONSE 16-1**

This comment expresses support for the project. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LETTER NO. 17**

Vivienne Friedman  
<no address provided>

**COMMENT 17-1**

I would like to comment on the above referenced project and the Draft EIR that has been completed. The Draft EIR fully addresses the issues of concern surrounding the relocation of the middle school.

I commend the applicant regarding their down-sizing of the regulation-size soccer field that was originally proposed as part of the project. The smaller field reduces community concerns about traffic since Stephen S. Wise has agreed to restrict the field to Temple school-related physical education uses only. Since the applicant has agreed that the field will not host any athletic competitions with other schools, the number of vehicle trips is significantly reduced from the originally proposed project.

The Draft EIR concludes that operations of the consolidate high school and middle school will have no significant environmental impact. Therefore, it seems that consolidation of the two schools makes good sense.

**RESPONSE 17-1**

This comment expresses support for the project. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration. Since this comment does not present any new environmental information, no further response is required.

**LETTER NO. 18**

Glenn A Sonnenberg  
Legg Mason Real Estate Investors, Inc.  
10880 Wilshire Boulevard, Suite 1750  
Los Angeles, California 90024

**COMMENT 18-1**

I urge you to support the findings of the Draft EIR and approve the necessary permits to allow the consolidation of the Stephen Wise middle and high schools. This project makes good sense for the surrounding areas, as it consolidates all the children that attend the two schools at one location. Thus, the use of shared facilities will minimize the amount of development needed by the middle school, and will reduce traffic trips on Mulholland.

Importantly, the proposed traffic improvements and the implementation of a Transportation Demand Management program at the middle school will serve to ensure that impacts to intersection operations from the consolidation of the schools are less than significant.

**RESPONSE 18-1**

This comment expresses support for the project. The comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**LATE LETTER NO. 19**

Bel Air Skycrest Property Owners Association  
16448 Sloan Drive  
Los Angeles, CA 90049

**COMMENT 19-1**

Thank you for providing two (2) copies of the Draft EIR (“DEIR”) to members of our community and also for extending the time for response to and including September 10, 2005. Our Association is a California Non-Profit Corporation representing 99 properties, with more than 400 residents, located west of the project site. In terms of distance, ours is the residential community closest to the proposed athletic field. There are four (4) homes located on Mulholland Place which are closer to the west of the proposed middle school but it is our understanding that none of those residents received a copy of the DEIR. The questions and comments set forth herein represent the consensus of opinion of our entire community. Those matters, which involve our primary areas of concern regarding the project are as follows:

**RESPONSE 19-1**

This comment introduces the Bel Air Skycrest Property Owners Association and describes the location of the associated residences. The comment does not raise environmental issues specific to the project, but is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 19-2**

1) PROPOSED WIDENING OF MULHOLLAND DRIVE

Widening of Mulholland Drive is inconsistent with the Mulholland Scenic Corridor Specific Plan (“the Plan”). Although widening to include one additional lane along the south side of Mulholland Drive, of up to 12 feet in length between the proposed Middle School site and the I-405 Freeway, is mentioned in Alternatives B and C, it is not specifically included in the Project Description (Vol. 1, Part II, pages 38-58). Part IV.I. (Transportation and Circulation, pages 237-276) does include references at pages 264 and 266 to “new pavement as needed on Mulholland Drive”, “enhanced pavement” and “pavement widening” but goes on to state: “These enhancements are not currently part of the project design” and, further that: “these improvements may be incorporated into the design of the access locations at a later date”.

The DEIR is dated July 2005. On July 25, 2005, members of our Board of Directors met with representatives of the Stephen S. Wise Temple (“SSWT”) and were informed that the widening of Muholland [sic] Drive is definitely included as a feature of this project. Accordingly, it is our

position that the DEIR is inadequate, and perhaps even misleading for failure to include a more comprehensive discussion and analysis of this important aspect of the project.

For more than 30 years, our Association has consistently opposed any widening of Mulholland Drive and we remain committed to the Mulholland Scenic Corridor in its current 2 lane configuration as described in the Plan. At your Scoping Meeting for this project, several members of our community spoke out against the project on the basis that it might require widening Mulholland Drive. We are disappointed to note that you did not include this subject in the DEIR Category of “AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED” (Vol. I, I.C.-Summary). We now request that you accord major consideration to this issue in the Final version of the EIR.

### **RESPONSE 19-2**

Pages 264 through 266 in Section IV.I, Transportation and Circulation, of the Draft EIR provide a description of circulation enhancements discussed with LADOT to facilitate traffic movements on Mulholland Drive at the Walt Disney Drive and Zeldins Way intersections. As indicated by the project Applicant, these circulation enhancements are not proposed as part of the project design, nor are they required as mitigation pursuant to CEQA, but rather have been recommended by LADOT. Such improvements would include improvements to the existing paved area of Mulholland Drive and new pavement as needed extending within the right-of-way from the new egress driveway to the Zeldins Way intersection. Specifically, pavement widening of approximately 6 feet to 12 feet may be implemented to allow for the striping of an extended turn lane; however, no additional travel lane would be added. In addition, the school may volunteer to design and construct improvements at the Curtis School Driveway at Mulholland. These improvements would require some additional right-of-way to be used. The improvements may be incorporated into the design of the access locations if required by the decision-makers.

Project consistency with the Mulholland Scenic Parkway Specific Plan is analyzed in Section IV.G, Land Use, as well as Section IV.A, Aesthetics, of the Draft EIR. The consistency of the project alternatives with applicable provisions within the Specific Plan are also addressed in Section V, Alternatives. Contrary to the statement in the above comment, the widening of or associated improvements to Mulholland Drive would not be inconsistent with the Specific Plan. Section 7 of the Specific Plan addresses Mulholland Drive and regulations pertaining to the right-of-way. As discussed therein, changes or improvements to the alignment or design of the paved portion of Mulholland Drive or the right-of-way are permitted upon recommendation by the Mulholland Scenic Parkway Design Review Board, subsequent recommendation by the Director of City Planning based upon specific findings, and approval of the City Council. The project, including all access improvements, will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to Section 16.50 of the Los Angeles Municipal Code (LAMC). As mandated, the Design Review Board will apply the standards and criteria in the Specific Plan to ensure that the project preserves the natural environment and terrain of the



Santa Monica Mountains, protects the hillside character of the Parkway, and is compatible with the Parkway environment.

The comment regarding the official position of the Bel Air Skycrest Property Owners Association regarding the widening of Mulholland Drive is acknowledged and will be forwarded to the decision-makers for review and consideration. The widening of Mulholland Drive has been added to the list of Areas of Controversy originally included in Section I.C, Summary, of the Draft EIR; please refer to Section II, Corrections and Additions, of this Final EIR.

### **COMMENT 19-3**

#### **2) STUDENT ENROLLMENT**

The Conditional Use Permit under which the SSWT/Milken High School operates already provides for a combined High School/Middle School of 650 students in grades 7-12 (See CUP No. ZA 93-0147 (CUZ) (PAD)). It was our original understanding and our belief for the past 12 years, until reading the DEIR, that the middle school would eventually be completely relocated to the present high school site. We are informed that numerous middle school students matriculate in classes at the high school site and are bused back and forth between the two locations. We are also aware that there are not 240 students enrolled at the current “temporary” middle school site, nor are there 650 students enrolled at the High school. We are informed by reliable SSWT personnel that the combined high school/middle school enrollment during the Spring semester of 2005 did not exceed 650 students, nor will it exceed that number in the Fall of 2005.

### **RESPONSE 19-3**

As discussed in Section II, Project Description, of the Draft EIR, in accordance with Conditional Use (CUP) Permit No. ZA 86-1070 (CUZ/ZV) for the current Middle School property (owned by the Bel Air Presbyterian Church), maximum permitted enrollment at the Middle School is 240 students. In accordance with CUP No. ZA 93-0147 (CUZ) (PAD), CUP No. ZA 99-0514 (CUZ), and Council File 11-1648, maximum permitted enrollment at the High School is 650 students. These permitted enrollment levels were used as the baseline for the EIR analysis, as appropriate and in compliance with CEQA. In actuality, and in contrast to the comment above, the combined enrollment of the Middle and High Schools has averaged between 850 and 890 students in recent years. Thus, while the project would require a new CUP to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location, the project would not involve an increase in total student enrollment by the Applicant. The Consolidated Middle School/High School Site would serve up to 890 students, which is the aggregate number of students currently permitted at the existing Middle School location and High School.

**COMMENT 19-4**

Moreover, the middle school is not entitled to transfer the so-called “permitted enrollment” of 240 students from their current “temporary”, but un-owned, location because the rights to the CUP on that property run with the land. That CUP (No. ZA 86-1070 (CUZ/ZV) was originally granted to SSWT at a time when SSWT and the Bel Air Presbyterian Church planned to jointly purchase the subject property. The CUP should have expired in accordance with its own terms because SSWT did not, in fact, purchase any interest in the property nor was any permanent construction ever commenced as originally contemplated. That CUP was extended for the sole purpose of allowing SSWT’s middle school to remain in “temporary” facilities until their permanent facility at the present high school site was completed.

**RESPONSE 19-4**

As discussed above in Response to Comment No. 19-3, the project would require a new CUP to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment at that location. Previous actions relating to CUP No. ZA 86-1070 (CUZ/ZV) for the current Middle School property (owned by the Bel Air Presbyterian Church) occurred in accordance with LAMC requirements and are not a part of this project, nor within the scope of this EIR. As the CUP for the current Middle School site will remain in place for that property and will not be transferred to the Consolidated Middle School/High School Site, the Draft EIR conservatively assumed that the existing Middle School site may continue to be utilized for a 240-student middle school, and no trip credit was taken in the analysis. However, it is noted that the improvements at the athletic field site would replace an existing nursery school permitted for up to 320 students at buildout.

**COMMENT 19-5**

Accordingly, we contend that any studies or projections in the DEIR based on a supposed enrollment of 890 students is fundamentally flawed and should, at the very least, be compared to the more probable current enrollment of not more than 650.

**RESPONSE 19-5**

As discussed above in Response to Comment No. 19-3, the permitted enrollment levels at the existing Middle School location and High School were used as the baseline for the EIR analysis, as appropriate. As discussed above in Response to Comment No. 19-4, the Draft EIR conservatively assumed that the existing Middle School site may continue to be utilized for a 240-student middle school, and no trip credit was taken. As such, the EIR analysis and associated projections therein are considered adequate.

**COMMENT 19-6**

We also recommend that in preparing the Final EIR, your department should attempt to ascertain the correct number of students actually enrolled at all educational institutions in the approximately 1 mile area known as the Institutional Use Corridor (“IUC”). We are informed that there are 10 such institutions but the enrollment numbers vary from 3650+ to more than 4050 depending on the sources of such data. For many reasons, including the cumulative impact of this project, we believe the City Planning Department has a vested interest in obtaining the actual enrollment numbers from each institution and then considering the combined total in any calculations or projections regarding traffic and other impacts.

**RESPONSE 19-6**

Each of the analysis sections within Section IV, Environmental Impact Analysis, of the Draft EIR contains a discussion of the environmental setting, which describes the existing physical environmental conditions at the project site and throughout the surrounding area, in accordance with CEQA Guidelines Section 15125. The impact analyses are based on the project’s incremental change to or effect on the existing physical environmental conditions. The analyses thus take into account local conditions associated with surrounding land uses and activities, such as those associated with other schools within the Mulholland Scenic Parkway Institutional Use Corridor. For example, the analysis provided in Section IV.I, Transportation and Circulation, of the Draft EIR is based on manual traffic counts that were conducted at the project’s study intersections. Those counts took into account all automobile trips traveling through the study intersections, including those trips associated with the Stephen S. Wise Middle School, Milken Community High School, other educational facilities in the area, as well as surrounding residences.

The cumulative impact analyses provided in each of the analysis sections are based on effects that may result from the project in combination with other projects in the area, per CEQA Guidelines Section 15355. As such, the Draft EIR presents in Section III.B, Related Projects, a list of six related projects in the vicinity of the proposed project that are planned, proposed or have recently been approved for development. Thorough discussions of cumulative impacts associated with the proposed project in conjunction with these related projects are contained throughout Section IV, Environmental Impact Analysis, subsections A through I, for each environmental topic addressed in the Draft EIR.

**COMMENT 19-7**

It is important to note, however, that this is not a Relocation Project which will result in no additional students! This project is actually designed for the increase in permitted student enrollment by 240 students (a 40% increase), enlargement of permitted building space by an additional 37,056 square feet (new middle school facility and enclosure of high school balconies), enlargement of the parking lot by an additional 42 spaces as well as other changes to

the existing SSWT High School/Middle School CUP. Thus the DEIR is inadequate for failure to accurately and candidly describe the project as the proposed major modification of an existing CUP which includes the off-site relocation of a major portion of the physical education facilities, for failure to mention the findings and variances needed in order to separate the daily educational activities onto non-contiguous parcels of land and for failure to adequately assess the impacts associated with the need to shuttle students to and from said parcels throughout each school day.

### **RESPONSE 19-7**

Section II, Project Description (Subsection F, Necessary Approvals), of the Draft EIR lists the following approval required for development of the proposed Stephen S. Wise Middle School Relocation Project:

“A Conditional Use Permit (CUP) to permit the addition of the Middle School within the existing High School site by allowing for an increase in enrollment and the additional square footage for the Middle School facilities and to allow the former Nursery School site to be converted to athletic fields for accessory use by the consolidated Middle School/High School.”

Refer to Response to Comment No. 19-3 for further discussion of the requested CUP. Other discretionary approvals necessary prior to project implementation are listed in Section II, Project Description (Subsection F, Necessary Approvals), of the Draft EIR, in accordance with CEQA Guidelines Section 15124.

As stated in Section II, Project Description, of the Draft EIR, students would be bused/shuttled between the school site and physical education classes at the athletic field. Please refer to Section II, Corrections and Additions, of this Final EIR, wherein the proposed service is described as requiring three to six round trips per day or six to 12 one-way trips.

### **COMMENT 19-8**

#### **3) FIRE SAFETY/EVACUATION PLAN**

The Los Angeles Fire Department (“LAFD”) has designated our area a “High Fire Hazard Severity Zone”. Yet we find no reference to this fact in the DEIR nor any studies nor discussion regarding fire safety proposals involving the project. At the very least, the project should include an evacuation or containment plan for the safety of its own students and staff. Neither the City nor the LAFD has an evacuation plan in place for our area; their most recent position on the subject of response to hazards is one of “containment” (i.e. in the event of a major fire there would be total closure of Mulholland Drive ingress and egress in the affected area; nobody would be allowed to get in and nobody could get out while the LAFD attempts to control the fire). With more than 4,000 students attending 10 schools within the IUC and thousands of

homeowners also affected in the surrounding area, a major conflagration would result in chaos. Human nature being what it is, no City/LAFD policy would prevent the parents of more than 4,000 school children from attempting to personally evacuate their own children; nor would the residents be deterred from attempting to either return to their homes or to flee the scene. At that point, of course, the lack of adequate fire-fighting capacity would become a matter of paramount concern -- but, perhaps too late!

However, there is a small fire station within a hundred feet of our community and less than a mile from the proposed project (Fire Station No. 109); just a light duty, single engine station, but with sufficient space for enlargement to a heavy duty engine company with capacity for adequate response to a major fire. Unfortunately, the LAFD's letter in response to your NOP fails to identify that station but their reference to Fire Station No. 108 in Beverly Hills may have been a typographical error (see DEIR, Vol. 1, Appendix A, Comment Letters).

We suggest that the Final EIR should contain a thorough discussion of Fire and Police response times, capacities and plans in the event of any major catastrophe in the IUC, including fire, flood, earthquake, riot, terrorist attack or any other hazard. We also recommend that the expansion of Fire Station No. 109 be given top priority as a mitigation measure; to be constructed prior to the expansion of any other projects in the IUC.

#### **RESPONSE 19-8**

Potential impacts to fire protection were evaluated in the Initial Study prepared for the project, included in Appendix A of the Draft EIR. As indicated in Section XIII, Public Services (response a.1), of the Initial Study, the nearest fire station to the project sites is the Encino Hills Station (No. 109), which is a single-engine company, located approximately 0.5 to 0.75 mile west of the sites at 16500 Mulholland Drive. The Sherman Oaks Station (No. 88), located approximately 3.0 to 3.25 miles north of the sites at 5101 North Sepulveda Boulevard, is the nearest heavy-duty task force. Given that the project sites are located in a Very High Fire Hazard Severity Zone, as defined in the LAMC, the project vicinity contains a higher concentration of fire stations as compared to other areas of the City.<sup>16</sup> In the event of an emergency, responding fire personnel would utilize surrounding public streets, including Sepulveda Boulevard and Mulholland Drive, as appropriate, to respond to incidents on-site. The proposed interior roads on both the consolidated Middle School/High School site and athletic field site would provide emergency access within the sites and to the proposed facilities, allowing the Los Angeles Fire Department (LAFD) to adequately respond to potential on-site emergencies. Fire flow was also addressed in Section XIII, Public Services (response a.1) of the Initial Study. As discussed therein, the existing water mains that serve the project sites together with compliance with LAFD requirements would ensure that adequate fire flows would be

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<sup>16</sup> *Los Angeles Municipal Code, Chapter 5, Article 7, Section 57.25.*

provided. In addition, the Applicant has met with LAFD to review the proposed site plan and final project plans will be reviewed by LAFD in the future to ensure that LAFD requirements are implemented. As indicated in Section XIII, Public Services (response a.1), of the Initial Study, the proposed project would not necessitate an increase in fire safety personnel. Thus, potential impacts on fire protection services would be less than significant. The Commentor's suggestion regarding expansion of Fire Station No. 109 is acknowledged and will be forwarded to the decision-makers for review and consideration.

Potential impacts to police protection were evaluated in Section XIII, Public Services (response a.2), of the Initial Study, which concluded that project impacts on police protection would also be less than significant. As discussed therein, when accounting for the Nursery School use currently permitted at the athletic field site, the proposed project would not result in an overall increase in faculty and students within the immediate project area. In addition, with proposed mitigation measures, the project site would not result in any significant traffic impacts and thus would not significantly impact response times. Private security personnel would also be employed to patrol the sites, monitoring access to the consolidated Middle School/High School site, the area between the High School and Middle School, and the athletic fields site.

The Initial Study evaluated potential project impacts due to interference with an adopted emergency response plan or emergency evacuation plan. Section VII, Hazards and Hazardous Materials 9 (response g.), concludes that no significant impacts would result from construction or operation of the project. The contents of such plans are within the purview of LAFD, LAPD and/or other governmental agencies and are outside the scope of the project and this EIR.

#### **COMMENT 19-9**

#### **4) VIEWS, LIGHT & NOISE IMPACTS**

The DEIR incorrectly states that "neither project site ... would substantially obstruct a recognized or valued view enjoyed from public or private vantages". In actuality there are several residences in our community, which have direct views of the proposed athletic field site. Numerous other properties have somewhat limited views of the site. Almost all properties on the east side of our neighborhood are impacted by the current lighting at the SSWT Middle School and Nursery School sites and our entire neighborhood is adversely impacted by noises emanating from the Skirball amphitheatre - more than a mile away.

The suggestion that views, lighting and noise are less than significant impacts is patently ridiculous!

We specifically recommend that there be no night lighting of the proposed athletic field and no usage of that field on weekends and holidays. Because the project specifies a school closing

time of 2:30 PM and no intramural games nor inter-league competitions, we can find no justification for night lighting of the field. Night lighting would impose an unwarranted adverse impact upon our community and serve no important function for the school. Moreover, the Berkeley Hall School CUP specifies no night lighting of their athletic field, which is directly east of the proposed site.

We respectfully submit that the subjects of view, lighting and noise require further study and much more important consideration in the Final EIR.

### **RESPONSE 19-9**

As described in Section II, Project Description, of the Draft EIR, development of the athletic field site would involve the removal of existing temporary classrooms and the introduction of recreational facilities, including a variety of field based playing areas (e.g., running track, grassy field areas, basketball/volleyball courts, and batting cages), natural toned playing surfaces, a small field house of approximately 760 square feet and no more than 12 feet in height, and a small guard shack. The removal of the existing temporary classrooms may be considered as having a positive effect on views. As analyzed in Section IV.A, Aesthetics, of the Draft EIR, the athletic field site is not considered a large open space area that includes features or elements that substantially contribute to the valued visual character or image of the area. Further, the proposed project would create active open space, positively contributing to the area's visual character.

The comment regarding lighting of the athletic field site is acknowledged and will be forwarded to the decision-makers for review and consideration. As described in Sections II, Project Description, and IV.A, Aesthetics, of the Draft EIR, athletic field activities would occur primarily during school hours, but could occur as late as 9:00 P.M. Low-wattage, pole-mounted lighting would be installed along the east and west sides of the playing areas and would be shielded and oriented to maximize light spread to the field area. Lighting would be directed toward the playing fields to prevent spill over onto adjacent properties and reduce off-site glare. In addition, the project, including lighting proposed as part of the project, will undergo design review by the Mulholland Scenic Parkway Design Review Board pursuant to LAMC Section 16.50.

Noise impacts are analyzed in Section IV.H, Noise, of the Draft EIR. The section contains thorough analyses of potential noise and vibration construction and operational impacts based on City standards and policies as well as industry-accepted standards, and appropriate mitigation measures are proposed. As indicated in the Draft EIR, with the exception of short-term impacts during construction, all noise impacts associated with the project would be less than significant.

**COMMENT 19-10****5) MULHOLLAND DRIVE RIGHT OF WAY**

The Specific Plan shows the Mulholland Drive right-of-way in our area as a pedestrian trail. Apparently the former SSWT Nursery School, which is now proposed to become the SSWT athletic field, has already illegally intruded into that right-of-way and now proposes to extend its athletic field onto that property.

Our community needs bike paths and pedestrian trails. We respectfully point out that our area is zoned for residential use. We object to any private, commercial or institutional use of such public property.

**RESPONSE 19-10**

As described in Section IV.A, Aesthetics, of the Draft EIR, the proposed athletic field areas would extend into the designated right-of-way of Mulholland Drive by approximately 37 feet, but would still lie approximately 40 feet south of the edge of the road. Refer to Figure 6 in the Draft EIR for a graphic illustration of the proposed Athletic Field site. Proposed landscaping adjacent to the Mulholland Drive right-of-way would include an informal arrangement of native plants and trees, and the entire site would be enclosed with a black vinyl, chain link fence, in accordance with the Mulholland Scenic Parkway Specific Plan Design and Preservation Guidelines. Furthermore, it is noted that the school's proposed use of the right-of-way area is consistent with the site's zoning, as educational uses are permitted by CUP permit. As previously indicated, the project will undergo design review by the Mulholland Scenic Parkway Design Review Board to ensure compliance with the Specific Plan. This comment is acknowledged and will be forwarded to the decision-makers for review and consideration.

**COMMENT 19-11****6) SEPULVEDA BOULEVARD TUNNEL/BRIDGE**

The proposed middle school site is dangerously close to the Sepulveda Boulevard tunnel -- yet there is only slight reference in the DEIR to the tunnel and no reference to the fact that Mulholland Drive passes directly over the tunnel at a point adjacent to the proposed middle school. Much has been written about defects and proposals related to the tunnel; all of which should be included in the Final EIR. Our major concern at this time is that there has evidently been no geological study of the tunnel nor of its bridge which comprises a portion of Mulholland Drive. Please include a thorough review of this subject in the Final EIR.



**RESPONSE 19-11**

Geological hazards and related impacts are assessed in Section IV.E, Geology/Seismic Hazards, of the Draft EIR. That analysis is based on a series of geotechnical investigations undertaken to ensure that all of the structural elements of the project would be constructed in a manner that provides safety for project occupants and that avoids adverse impacts associated with geology. The investigations are included in Appendix E of the Draft EIR. To ensure that potential geotechnical impacts associated with the project would be less than significant, a mitigation measure recommending that the Applicant or its contractor incorporate the recommendations detailed in the geotechnical investigations prepared for the proposed project, as approved by the City of Los Angeles, is provided on page 181 of the Draft EIR. Section IV.E, Geology/Seismic Hazards, also addresses the Sepulveda Boulevard tunnel. Based on the recommendations of the geotechnical investigations, to avoid surcharging the existing Sepulveda Boulevard tunnel, foundations for retaining walls would be constructed below a 1:1 plane extending upward from the base of the tunnel. In addition, a geotechnical engineer has recently been hired by the Applicant to determine whether other options for the retaining wall exist; please refer to Section II, Corrections and Additions, of this Final EIR. In any case, final design must be approved by the City in order to ensure Code compliance and adequate safety. Thus, significant impacts to or involving the tunnel would not occur.

**COMMENT 19-12**

## 7) TRAFFIC

Traffic in the IUC is already horrible at certain hours of the morning, afternoon and evenings of every school day and the overall rating of F+ would be more accurate during those hours.

The DEIR provides an inadequate analysis of the true impact on our community. Assumptions and ratings cited in the DEIR should be reexamined in light of the clear, plain, factual traffic problems that we and our neighboring communities face on a daily basis.

**RESPONSE 19-12**

Section IV.I, Transportation and Circulation, of the Draft EIR provides the traffic impact analysis prepared for the project. The technical report referenced in preparation of the traffic analysis is contained in Appendix H of the Draft EIR. The traffic analysis contained in the Draft EIR fully analyzes the potential impacts of the proposed project on the adjacent roadway system. The traffic analysis was prepared in accordance with LADOT's Traffic Study Policies and Procedures manual and is consistent with traffic impact assessment guidelines set forth in the 2002 Congestion Management Program (CMP) for Los Angeles County, County of Los Angeles Metropolitan Transportation Authority, June 2002. LADOT reviewed and approved the analysis.

**COMMENT 19-13****8) CUMULATIVE IMPACTS**

The DEIR compares this project only to other supposedly proposed projects; with no mention of the existing status of the IUC! This is a wholly inadequate analysis. No adequate study of cumulative impacts can be made without first knowing the foundation upon which proposed increases are to be made. Please provide a comprehensive overview of the area that this project will affect, including current data regarding student enrollment, square footage of buildings compared to available land, number of visitors to cultural and religious institutions on a daily and annual basis, number of staff and other personnel at all relevant institutions, number of current car trips to and from all institutions, number of residences within a one (1) mile radius and the SSWT projections for future growth and expansion in the area.

**RESPONSE 19-13**

As discussed above in Response No. 19-6, each of the analysis sections within Section IV, Environmental Impact Analysis, of the Draft EIR contains a discussion of the environmental setting (i.e., the existing physical environmental conditions at the project site and throughout the surrounding area), based upon which the project's impacts were determined. The environmental baseline reflects other existing uses in the project vicinity. Cumulative impacts are defined as effects that may result from the project in combination with other projects in the area, per CEQA Guidelines Section 15355. As such, the Draft EIR presents in Section III.B, Related Projects, a list of six related projects in the vicinity of the proposed project that are planned, proposed or have recently been approved for development. These six projects are the only ones reasonably foreseeable at this time. In addition, the traffic analysis included a 1 percent per annum ambient growth factor to take into account possible future but currently speculative new development and the intensification of existing development. Thorough discussions of cumulative impacts associated with the proposed project in conjunction with these related projects are contained throughout Section IV, Environmental Impact Analysis, subsections A through I, for each environmental topic addressed in the Draft EIR. In addition, cumulative impacts in the remaining issue areas were addressed in Section XVII.b, Mandatory Findings of Significance, within the Initial Study for the project that was included as Appendix A of the Draft EIR.

**COMMENT 19-14****9) OTHER IMPACTS**

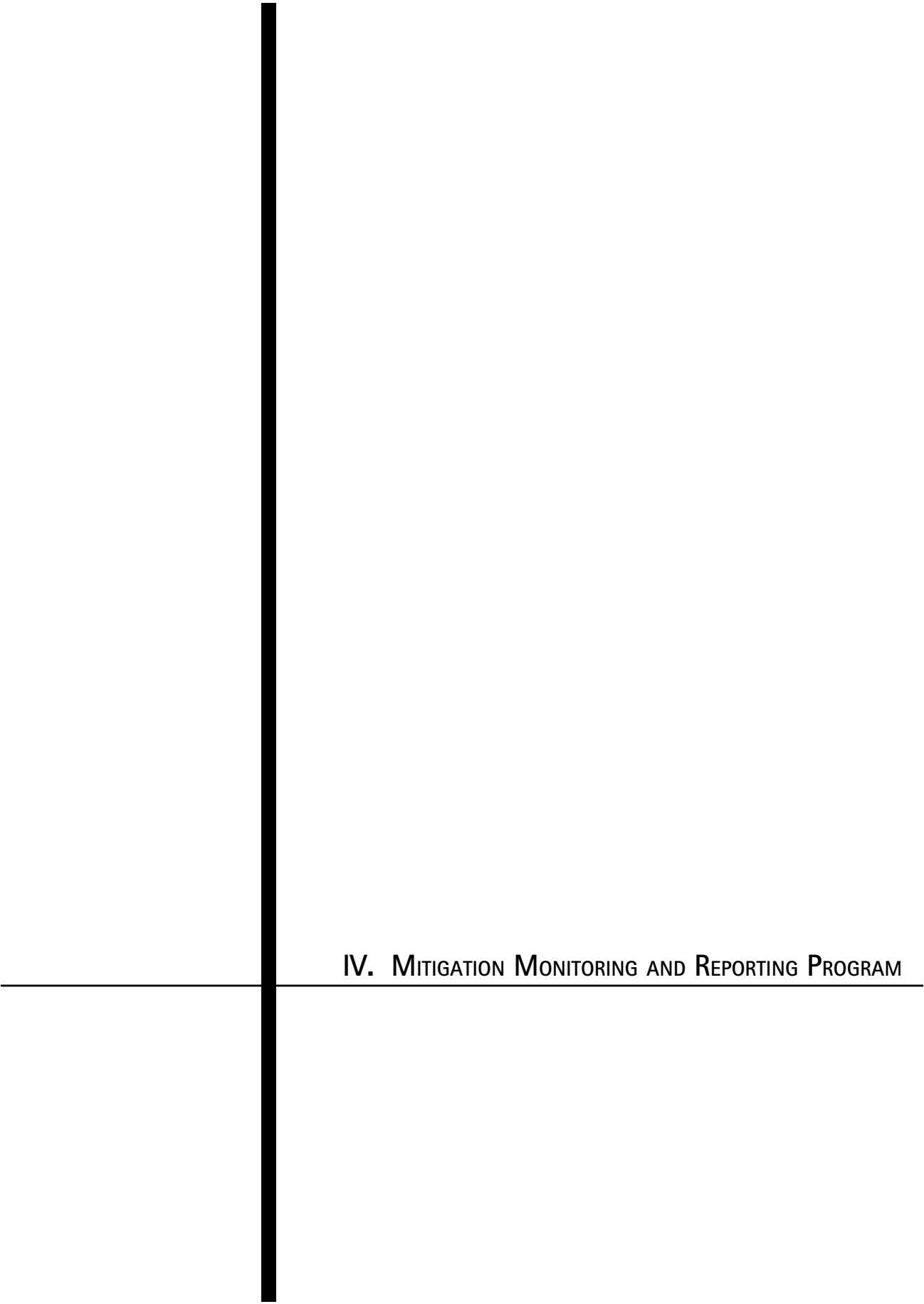
Without diminishing the importance of other impacts from this project our community doesn't have the expertise to analyze the subjects of air quality, biological and cultural resources, geology and hydrology. But it is the consensus of our community that these subjects are in need of further investigation because many of us have experienced negative effects from changes in our environment associated with these topics and don't believe that they have been accorded

adequate coverage in the DEIR. It is our hope and request that either the City or the applicant will undertake that job. Otherwise, of course, we will be faced with the need to hire additional experts; which shouldn't be our responsibility.

In conclusion, we appreciate the opportunity to participate in the review process and look forward to receiving the Final EIR.

**RESPONSE 19-14**

This comment is acknowledged and will be forwarded to the decision-makers for review and consideration. The Draft EIR addresses all necessary topics and includes all sections required by CEQA Guidelines Section 15120 et seq. Analyses of the environmental topics referenced in the comment above are included in the Draft EIR and have been prepared in accordance with CEQA and the CEQA Guidelines, as well as applicable Federal, State, and City regulations, policies, and standards, which are described and referenced throughout Section IV, Environmental Impact Analysis, subsections A through I.



#### IV. MITIGATION MONITORING AND REPORTING PROGRAM

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## IV. MITIGATION MONITORING AND REPORTING PROGRAM

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### INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Public Resources Code Section 21081.6, which requires adoption of a MMRP for projects in which the Lead Agency has required changes or adopted mitigation to avoid significant environmental effects. The Los Angeles Department of City Planning (Planning Department) is the lead agency for the proposed Stephen S. Wise Middle School Relocation Project and is, therefore, responsible for administering and implementing the MMRP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project. The primary purpose of the MMRP is to ensure that the mitigation measures identified in the EIR are implemented thereby minimizing identified environmental effects.

The MMRP for the proposed project will be in place through all phases of the project, including design (pre-construction), construction, and operation (post-construction both prior to and post-occupancy). The Planning Department shall be responsible for administering the MMRP activities to staff, other City departments (e.g., Department of Building and Safety, Department of Public Works, etc.), consultants, or contractors. The Planning Department will also ensure that mitigation monitoring is documented through reports and that deficiencies are promptly corrected. The designated environmental monitor (e.g., City building inspector, project contractor, certified professionals, etc., depending on the provisions specified below) will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems.

Each mitigation measure is categorized by impact area, with an accompanying identification of:

- The enforcement agency;
- The monitoring agency;
- The monitoring phase (i.e., the phase of the project during which the measure should be monitored):
  - Pre-construction
  - Construction
  - Post-construction (prior to and post-occupancy);
- The monitoring frequency; and

- The action indicating compliance with the mitigation measure(s).

**A. AESTHETICS, VIEWS AND LIGHT AND GLARE**

**Mitigation Measure A-1:** Pole lighting within the Athletic Field site shall not be used after 9 P.M.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Periodic field inspection sign off and compliance certification report by Applicant

**B. AIR QUALITY**

**Mitigation Measure B-1:** Water three times daily or non-toxic soil stabilizers shall be applied, according to manufacturers' specifications, as needed to reduce off-site transport of fugitive dust from all unpaved staging areas and unpaved road surfaces.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report submitted by project contractor

**Mitigation Measure B-2:** Streets shall be swept as needed during construction, but not more frequently than hourly, if visible soil material has been carried onto adjacent public paved roads.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report submitted by project contractor

**Mitigation Measure B-3:** General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions to the extent feasible. During construction, trucks and vehicles in loading and unloading queues will have their engines turned off when not in use, to reduce vehicle emissions. Construction activities should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

**Enforcement Agency:** South Coast Air Quality Management District

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report submitted by project contractor

**Mitigation Measure B-4:** To the extent feasible, electricity powered construction equipment shall utilize electricity from power poles rather than temporary diesel power generators and/or gasoline power generators.

**Enforcement Agency:** South Coast Air Quality Management District

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report submitted by project contractor

## C. BIOLOGICAL RESOURCES

**Mitigation Measure C-1:** Communication: All construction work potentially impacting any protected oak tree shall be approved by, performed under the supervision of, and inspected by a certified arborist or registered consulting arborist. This arborist shall also oversee all maintenance work on the oak trees including irrigation, pruning and spraying. The on-site construction supervisor shall be

responsible to ensure that all contractors, equipment operators, spotters, assistants, or those directing operations in the area are fully informed of the oak tree protection practices. This shall include information on the oak tree protection zone, the necessity of preventing damage, and the discussion of work practices that will accomplish such.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by a certified arborist and quarterly compliance certification report by the project contractor

**Mitigation Measure C-2:** Fencing: Six-foot-high, brightly colored construction fencing secured to heavy-gauge posts 8 feet on-center shall be erected along the construction side of each oak tree. The protective fence shall be installed 5 feet outside of the drip line, if possible. If construction is to occur within the drip line, the fencing shall be installed 12 inches inside the new footing or trenching line. The fence shall delineate the oak tree protection area and prevent unwanted activity in and around the oak trees. Construction personnel shall keep the fenced area clear of building materials, waste, and excess soil (ISA 2001). In addition, no digging, trenching, compaction, or other soil disturbance shall be allowed in or around the fenced area (ISA 2001). Tree protection signs shall be attached to every other post. An opening (or gate) in the fence shall be provided to allow access within the tree protection zone for tree maintenance purposes. All work within the fenced area shall be approved in writing and performed under the supervision of an arborist. The fence shall be maintained upright, taut and aligned at all times. Fencing shall be removed only after all construction activities are complete.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection by a certified arborist and quarterly



compliance certification report by the project contractor

**Mitigation Measure C-3:** Irrigation: The oak trees shall not be irrigated during the summer or fall months prior to any root pruning.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout summer and fall months during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist and compliance certification report by Applicant

**Mitigation Measure C-4:** Equipment Operation and Storage: Heavy equipment operation around the trees shall be avoided. Operating heavy machinery around the root zones of trees would increase soil compaction, which decreases soil aeration and subsequently reduces water penetration in the soil. All heavy equipment and vehicles shall, at minimum, stay out of the fenced tree protection zone, unless where specifically approved in writing and under supervision of the certified arborist.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by a certified arborist and quarterly compliance certification report by the project contractor

**Mitigation Measure C-5:** Storage and Disposal: Supplies and materials, including paint, lumber, concrete overflow, etc., shall not be stored or discarded within the protection zone. All foreign debris within the protection zone shall be removed; it is important to leave the duff, mulch, chips, and leaves around the retained trees for water retention and nutrients. Draining or leakage of equipment fluids near retained trees shall be avoided. Fluids such as gasoline, diesel, oils, hydraulics, brake and transmission fluids, paint, paint thinners, and glycol (anti-freeze) shall be disposed of properly. Equipment shall be

parked at least 50 feet away from retained trees to avoid the possibility of leakage of equipment fluids into the soil.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist and quarterly compliance certification report by the project contractor

**Mitigation Measure C-6: Grade Changes:** Grade changes, including adding fill, shall not be permitted within the tree protection zone, without special written authorization and under supervision by the certified arborist. Lowering the grade within this area would necessitate cutting main support and feeder roots, jeopardizing the health and structural integrity of the trees. Adding soil, even temporarily, on top of the existing grade would compact the soil further, and decrease both water and air availability to the trees' roots.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist and quarterly compliance certification report by the project contractor

**Mitigation Measure C-7: Moving Construction Materials:** Care shall be taken when moving equipment or supplies near the trees, especially overhead. Tree damage shall be avoided when transporting or moving construction materials and working around the trees (even outside of the fenced tree protection zone). Above ground tree parts that could be damaged (e.g., low limbs, trunks) shall be flagged with red ribbon. If contact with tree crowns is unavoidable, the interfering branch(es) shall be pruned by a licensed tree trimmer experienced with oak trees using ISA standards.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure C-8:** Pruning: Unless unavoidable, trees shall not be pruned until all construction is completed. This will help protect the tree canopies from damage. All pruning shall be done under the direction of an ISA Certified Arborist and using ISA guidelines.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist

**Mitigation Measure C-9:** Root Pruning: Except where specifically approved in writing, all trenching shall be outside of the fenced protection zone. Roots primarily extend in a horizontal direction forming a support base for trees that are similar to the base of a wineglass. Where trenching is necessary in areas that contain tree roots, hand trenching or an air spade is recommended. Prune the roots using a Dosko root pruner or equivalent. All cuts shall be clean and sharp, to minimize ripping, tearing, and fracturing of the root system. The trench shall be made no deeper than necessary. If trenching within the tree protection zone is unavoidable, an air spade shall be used rather than mechanical trenching equipment. Any underground line within the tree protection zone shall curve so that no roots are impacted.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist and quarterly compliance certification report by the project contractor

**Mitigation Measure C-10:** Irrigation: Approximately 48 hours before root pruning, the soil shall be irrigated to a depth of 3 feet. The liquid root stimulant “Root Concentrate” shall be added to the irrigation water prior to root pruning. This product helps the trees to regenerate root growth. Root Concentrate can be purchased from Target Specialty Products Inc. located in Santa Fe Springs, California, 562/802-2238. Application of this product is best achieved in a dilution state via the use of a water truck. Follow “Root Concentrate” label instructions.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist

**Mitigation Measure C-11:** Once roots have been pruned (30 percent or more of the total root zone), the trees shall be irrigated for the first 12 months. The first irrigation shall be within 48 hours of root pruning, containing a liquid root stimulant such as “Root Concentrate.” For the first 12 months following root pruning, the soil shall be deep watered every two weeks during the summer and once a month during the winter (adjust accordingly with rainfall). One irrigation cycle shall thoroughly soak the root zones of the trees to a depth of 3 feet. The soil should dry out between watering; avoid keeping a consistently wet soil.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist

**Mitigation Measure C-12:** One person shall be designated to be responsible for irrigating (deep watering) the trees. Check soil moisture with a soil probe

before irrigating. Irrigation is best accomplished by installing a temporary above ground micro-spray system that will distribute water slowly (so as to avoid runoff) and evenly throughout the fenced protection zone. If irrigated via a water truck, a 12-inch-high berm shall be built around the fenced area. Constructing several dividing berms within the fenced area (like spokes on a wheel) will help to distribute evenly the water within the irrigation zone.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by certified arborist

**Mitigation Measure C-13: Washing:** During construction, the trees' foliage shall be washed with a strong water stream every week in early hours before 10:00 A.M. to control mite and insect populations. Washing should include the upper and lower leaf surfaces and the tree bark.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist

**Mitigation Measure C-14: Spraying:** Following root pruning a preventative spray is recommended for insect control. Insects and other damaging organisms are attracted to and will proliferate in trees under stress. The spraying should be performed by a licensed applicator under the direction of a licensed pest control advisor.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Certification report by certified arborist

**Mitigation Measure C-15:** Inspection: An ISA Certified Arborist shall inspect the oak trees on a monthly basis during construction. A report comparing tree health and condition to the original, pre-construction baseline shall be submitted following each inspection. Photographs of the trees are to be included in the report on a minimum annual basis.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Construction

**Monitoring Frequency:** Throughout construction during periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by certified arborist

**Mitigation Measure C-16:** Mulch: The natural duff layer under the trees shall be maintained. Additional mulch shall be added in areas where the natural duff layer is less than 3 inches. All mulch added shall be organic mulch such as wood chips, shredded bark, or pine needles. Avoid piling mulch up against the trunk of trees to avoid disease problems. The mulch helps condition the soil, moderates soil temperatures, maintains moisture, and reduces competition from weeds and grass.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist

**Mitigation Measure C-17: Pruning:** The trees will not require regular pruning. Pruning should only be done to maintain clearance and remove broken, dead or diseased branches. Pruning shall only take place following a recommendation by an ISA Certified Arborist and performed under the supervision of an ISA Certified Arborist. No more than 15 percent of the canopy shall be removed at any one time. All pruning shall conform to International Society of Arboriculture standards.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist

**Mitigation Measure C-18: Irrigation:** Beyond the 12 months following substantial root pruning, the trees should not require regular irrigation. However, soil probing shall be performed to accurately monitor moisture levels. Especially in years with low winter rainfall, supplemental irrigation may be necessary. If recommended by the appointed arborist, trees should be irrigated only during the winter and spring months. Once native oaks are placed in an improved landscape setting, there is a greater concern for over watering than under watering.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist

**Mitigation Measure C-19: Other Plant Material:** There shall be no additional plants installed within the drip line of an oak tree. A minimum 30-inch dry zone shall be maintained around tree trunks.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist

**Mitigation Measure C-20: Washing:** Periodic washing of the foliage is recommended even after construction. This shall be completed twice a year (early June and late August) with a high-powered hose only in the early morning hours. Washing shall include the upper and lower leaf surfaces and the tree bark. Washing will help control dirt/dust buildup that can lead to mite and insect infestations.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Field inspection in June and August

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report submitted by applicant

**Mitigation Measure C-21: Spraying:** Because of the impact that trees will sustain during construction, trees may require regular application of insecticides to prevent the intrusion of bark-boring beetles and other invading pests. An ISA Certified Arborist shall develop a preventative spraying program once the extent of construction activity is known. All chemical spraying shall be performed by a licensed applicator under the direction of a licensed pest control advisor.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Field inspection sign off by certified arborist

**Mitigation Measure C-22: Inspection:** The oak trees impacted by construction shall be monitored by an ISA Certified Arborist, appointed by the Recreation and Parks Department, for the first five years after construction completion. The Arborist shall submit an annual report with photographs and compare tree health and condition to the original, pre-construction baseline.

**Enforcement Agency:** Los Angeles Bureau of Street Services

**Monitoring Agency:** Los Angeles Bureau of Street Services



**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspections for five years following completion of construction

**Action Indicating Compliance with Mitigation Measure(s):** Annual compliance certification report

**Mitigation Measure C-23:** Compliance with the Migratory Bird Treaty Act (MBTA): Due to some sizeable trees and shrubs occurring within and adjacent to the project sites, removal of any large trees and large vegetation (i.e., large branching shrubs) shall take place outside of the nesting season (February 15–August 15) in accordance with the MBTA. If such removal activities must occur during the nesting season, a biological monitor shall be present during the removal activities to ensure that no active nests will be impacted. If active nests are found, a 200-foot buffer radius (500 feet for raptors) shall be established until the fledglings have left the nest.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspection during the February through August nesting season

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report

#### **D. CULTURAL RESOURCES**

**Mitigation Measure D-1:** A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities of the project site where excavations into bedrock material of the marine Late Miocene Monterey Formation (also known as the Modelo Formation) may occur. The services of a qualified paleontologist shall be secured by contacting the Natural History Museum of Los Angeles County. The frequency of inspections will be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

**Mitigation Measure D-2:** If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

**Mitigation Measure D-3:** At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

**Mitigation Measure D-4:** Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

**Mitigation Measure D-5:** Any fossils collected should be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

**Mitigation Measure D-6:** If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Construction

**Monitoring Frequency:** To be determined by consultation with paleontologist

**Action Indicating Compliance with Mitigation Measure(s):** If no unanticipated discoveries are found, compliance certification report by qualified paleontologist; if unanticipated discoveries are found, mitigation plan(s) by a qualified paleontologist

## **E. GEOLOGY/SEISMIC HAZARDS**

**Mitigation Measure E-1:** The Applicant or its contractor shall incorporate the recommendations detailed in the site-specific geotechnical investigations prepared for the proposed project, as approved by the City of Los Angeles.

**Enforcement Agency:** Los Angeles Department of Building and Safety

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction and construction

**Monitoring Frequency:** Once prior to issuance of a grading permit and once at final inspection

**Action Indicating Compliance with Mitigation Measure(s):** Issuance of a grading permit and issuance of a Certificate of Occupancy

## **F. HYDROLOGY**

Impacts associated with surface water runoff and water quality would be less than significant and no mitigation measures would be required.

## **G. LAND USE**

Impacts associated with land use would be less than significant and no mitigation measures would be required.

## H. NOISE

**Mitigation Measure H-1:** To the extent feasible, construction activities shall be scheduled so as to avoid operating several pieces of heavy equipment simultaneously, which causes high noise levels.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-2:** Engine idling from construction equipment such as bulldozers and haul trucks shall be limited, to the extent feasible.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-3:** The construction staging area shall be located as far as feasible from sensitive receivers.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-4:** An 8-foot temporary sound barrier shall be erected along the eastern edge of the Middle School site such that the “line of sight” between construction activity and the High School is obstructed where feasible.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-5:** A 6-foot temporary sound barrier shall be erected along the western edge of the Athletic Field property boundary such that the “line of sight” between construction activity and the Mirman School is obstructed.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-6:** In accordance with the Los Angeles Municipal Code, construction shall be prohibited between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, 6:00 P.M. and 8:00 A.M. on Saturday, and at any time on Sunday.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Construction

**Monitoring Frequency:** Quarterly throughout construction

**Action Indicating Compliance with Mitigation Measure(s):** Quarterly compliance certification report by the project contractor

**Mitigation Measure H-7:** Amplified sound devices such as loudspeakers shall not be used outdoors within the Middle School or Athletic Field sites.

**Enforcement Agency:** Los Angeles Department of City Planning

**Monitoring Agency:** Los Angeles Department of City Planning

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Periodic field inspections

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by the Applicant

## I. TRANSPORTATION AND CIRCULATION

**Mitigation Measure I-1:** The project applicant shall implement a Transportation Demand Management (TDM) program for the Middle School project, operated in conjunction with the existing TDM program for the High School. Required elements of the TDM program shall include offering bus service for students, as well as requiring that all adult-driven and student-driven vehicles entering the campus for student drop-off or pick-up be part of a carpool registered with the High School administration. Ride-share targets shall be established at 3.3 students per student-driven carpool and 2.3 students per adult-driven carpool. Also, the existing satellite parking program shall be expanded to permit up to 90 student-driven vehicles to park off site at the Skirball Center East Lot or the Stephen S. Wise Temple.

**Enforcement Agency:** Los Angeles Department of Transportation

**Monitoring Agency:** Los Angeles Department of Transportation

**Monitoring Phase:** Project operation

**Monitoring Frequency:** Annually

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by the Applicant

**Mitigation Measure I-2:** Prior to the issuance of construction permits, the developer shall prepare a Work Area Traffic Control Plan that at a minimum shall include the following provisions:

- Excavation resulting in the export of material on the Middle School site and the Athletic Field site shall not occur simultaneously.

- The applicant shall provide a five-day written notice to all residents and institutions within a 500-foot radius of the Middle School site and the Athletic Field site apprising them of the commencement date and anticipated schedule of planned grading, excavation and construction activities. This notice shall include the name and telephone number of a person for the applicant that may be contacted to register questions or concerns.
- Construction personnel and construction-related vehicles shall not park on any off-site street, with the exception of the early stages of the construction grading period.
- As needed, construction personnel shall be positioned at the Mulholland Drive entry to the Middle School site and Athletic Field site to safely facilitate the entry and exit of large trucks.
- The hours of excavation and construction, except interior finish work and installations, shall be limited to the period of 7:00 A.M. to 5:00 P.M., Monday through Friday, excluding holidays.
- The hours of hauling shall be limited to the period of 9:00 A.M. to 2:30 P.M., Monday through Friday, excluding holidays.
- Construction-related vehicles shall arrive at the site no earlier than 6:30 A.M. Actual construction activities may begin no earlier than 7:00 A.M. Construction worker vehicles shall exit the property by 5:30 P.M. Construction worker vehicles shall avoid travel to and from the site between 8:00 A.M. and 9:00 A.M., and between 3:00 P.M. and 4:00 P.M. This condition does not apply to construction personnel engaged in supervisory, administrative or inspection activities.

**Enforcement Agency:** Los Angeles Department of Transportation

**Monitoring Agency:** Los Angeles Department of Building and Safety

**Monitoring Phase:** Pre-construction

**Monitoring Frequency:** Plan check review and final inspection

**Action Indicating Compliance with Mitigation Measure(s):** Issuance of construction permits



**Mitigation Measure I-3:** Sightline visibility shall be maintained in the sightline area identified in the Sight Distance Analysis by maintaining vegetation in the right-of-way and project site at or below a height of 42 inches above Mulholland Drive.

**Enforcement Agency:** Los Angeles Department of Transportation

**Monitoring Agency:** Los Angeles Department of Transportation

**Monitoring Phase:** Pre-construction, Construction, Project operation

**Monitoring Frequency:** Quarterly during field inspection

**Action Indicating Compliance with Mitigation Measure(s):** Compliance certification report by Applicant



**APPENDIX A**  
ORIGINAL COMMENT LETTERS



STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Arnold  
Schwarzenegger  
Governor

Sean Walsh  
Director

September 7, 2005

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CITY OF LOS ANGELES

SEP 14 2005

ENVIRONMENTAL  
UNIT

Nicholas Hendricks  
City of Los Angeles Planning  
200 North Spring Street, Room 750  
Los Angeles, CA 90012-4801

Subject: Stephen S. Wise Middle School Relocation Project  
SCH#: 2003101055

Dear Nicholas Hendricks:

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 August 29, 2005. 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 (2003101055) when contacting this office.

Sincerely,

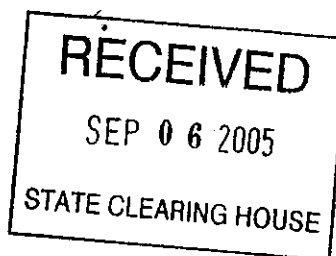
Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures  
cc: Resources Agency

**DEPARTMENT OF TRANSPORTATION**  
 DISTRICT 7, OFFICE OF PUBLIC TRANSPORTATION  
 AND REGIONAL PLANNING  
 IGR/CEQA BRANCH, MS 16  
 100 SOUTH SPRING STREET  
 LOS ANGELES, CA 90012  
 PHONE (213) 897-3747  
 FAX (213) 897-1337



*Flex your power!  
 Be energy efficient!*



*clear  
 8.29.05  
 late*

August 29, 2005

Mr. Nicholas Hendricks  
 City of Los Angeles  
 200 North Spring Street, 7<sup>th</sup> Floor  
 Los Angeles, CA 90012

Re: *Stephen S. Wise Middle School Relocation, DEIR*  
*ENV-2003-4563-EIR*  
 IGR/CEQA 050723/EA, SCH#2003101055  
 Vic. LA / 405 /PM 37.03

Dear Mr. Hendricks:

We acknowledge receipt of the Draft Environmental Impact Report (EIR) prepared for School Relocation project mentioned above. Stephen W. Wise Middle School is to be relocated to the existing Milken Community high school site. The two schools would occupy and share a consolidated Middle School/High School site located on Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway (State Route 405).

Based on a review of the information received, we offer the following comments:

- During the Notice of Preparation of an EIR for this project, we requested an analysis of traffic operations at the Mulholland Drive and State Route 405 interchange. We note that the traffic impact analysis did not include an analysis of this interchange; therefore, *we reiterate that request at this time*. Please refer to section IIA of Caltrans' statewide guide for the preparation of traffic impact studies for input as to when a traffic impact analysis is required on State highway facilities. During the CEQA review process, the lead agency is to follow thresholds established by the agencies with jurisdiction over the impacted facilities. The Congestion Management Act is a planning tool intended to assist federal, state, and local agencies in developing and implementing planning strategies to handle traffic congestion. It does not relieve Caltrans of its duties under the Streets and Highways Code sections 90 and 92.
- We acknowledge that the project would be conditioned to implement a comprehensive Transportation Demand Management program to address traffic impacts to Mulholland Drive intersections with Zeldins Way and Walt Disney Drive. Hauling hours shall be limited to off-peak commuting periods between 9:00 AM and 2:30 PM Mondays through Fridays.

If you have any questions regarding our comments, please call me at (213) 897-3747 or Elmer Alvarez of my staff at (213) 897-6696 and please refer to our record number 050723/EA.

Sincerely,

CHERYL J. POWELL  
 IGR/CEQA Program Manager  
 Caltrans, District 7

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 7, OFFICE OF PUBLIC TRANSPORTATION  
AND REGIONAL PLANNING  
IGR/CEQA BRANCH, MS 16  
100 SOUTH SPRING STREET  
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ENVIRONMENTAL  
UNIT

August 29, 2005

Mr. Nicholas Hendricks  
City of Los Angeles  
200 North Spring Street, 7<sup>th</sup> Floor  
Los Angeles, CA 90012

Re: **Stephen S. Wise Middle School Relocation, DEIR**  
**ENV-2003-4563-EIR**  
IGR/CEQA 050723/EA, SCH#2003101055  
Vic. LA / 405 /PM 37.03

Dear Mr. Hendricks:

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Based on a review of the information received, we offer the following comments:

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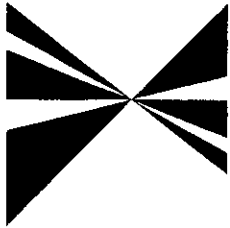
If you have any questions regarding our comments, please call me at (213) 897-3747 or Elmer Alvarez of my staff at (213) 897-6696 and please refer to our record number 050723/EA.

Sincerely,

Handwritten signature of Cheryl J. Powell in cursive.

CHERYL J. POWELL  
IGR/CEQA Program Manager  
Caltrans, District 7

SOUTHERN CALIFORNIA



**ASSOCIATION of  
GOVERNMENTS**

**Main Office**

818 West Seventh Street  
12th Floor  
Los Angeles, California  
90017-3435

t (213) 236-1800

f (213) 236-1825

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• Richard Chavez, Anaheim • Debbie Cook,  
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Niguel • Richard Dixon, Lake Forest • Marilyn  
Poe, Los Alamitos • Tod Ridgeway, Newport  
Beach

**Riverside County:** Jeff Stone, Riverside County •  
Thomas Buckley, Lake Elsinore • Bonnie  
Flickinger, Moreno Valley • Ron Loveridge,  
Riverside • Greg Pettis, Cathedral City • Ron  
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**San Bernardino County:** Gary Oviatt, San  
Bernardino County • Lawrence Dale, Barstow •  
Paul Eaton, Montclair • Lee Ann Garcia, Grand  
Terrace • Tim Jasper, Town of Apple Valley • Larry  
McCallon, Highland • Deborah Robertson, Rialto  
• Alan Wagner, Ontario

**Ventura County:** Judy Mikels, Ventura County •  
Glen Becerra, Simi Valley • Carl Morehouse, San  
Buena Ventura • Toni Young, Port Hueneme

**Orange County Transportation Authority:** Lou  
Correa, County of Orange

**Riverside County Transportation Commission:**  
Robin Lowe, Hemet

**Ventura County Transportation Commission:**  
Keith Millhouse, Moorpark

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**AUG 05 2005**

ENVIRONMENTAL  
UNIT

August 3, 2005

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

**RE: SCAG Clearinghouse No. I 20050459 Stephen S. Wise Middle School  
Relocation Project**

Dear Mr. Hendricks:

Thank you for submitting the **Stephen S. Wise Middle School Relocation Project** or 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 **Stephen S. Wise Middle School Relocation 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). 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 **July 1-15, 2005** 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. If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

**BRIAN WALLACE**  
Associate Regional Planner  
Intergovernmental Review



**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207



July 25, 2005

Environmental Review Section  
City of Los Angeles Planning  
200 North Spring Street, Room 763  
Los Angeles, California 90012-4801

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UNIT

**Stephen S. Wise Middle School Relocation Project**  
**DEIR Comments - ENV-2003-4563- EIR - SCH No. 2003101055**

Dear Environmental Review Section:

The Santa Monica Mountains Conservancy's concerns with the subject school relocation and expansion project revolve around maximizing the aesthetics of the Mulholland Scenic Parkway, the connectivity between habitat patches, and the net amount of open space acres in the area.

**Inadequate Wildlife Corridor Analysis**

The proposed project involves major construction next to Mulholland Drive in two locations. Both of these proposed construction sites either abut or encompass the substantial sized habitat area between the existing High School and existing nursery school. This natural area provides both habitat and an irreplaceable wildlife movement corridor between the Mission Canyon area and a smaller network of habitat patches located north of Mulholland Drive. In addition this habitat patch provides the only direct connection for wildlife to access the Mulholland Drive bridge over the San Diego (405) Freeway. The Draft Environmental Impact Report (DEIR) is deficient for providing zero acknowledgment or analysis about the site's contribution to wildlife movement to habitat located north of Mulholland Drive.

The DEIR is also deficient in its analysis of the relationship of the subject project to wildlife movement across the 405 Freeway. Every conclusion made in this analysis is based on the Roth (2001) wildlife corridor study. Roth may discount the value of the Mulholland Drive -405 Freeway bridge as a freeway crossing structure relative to the Sepulveda Boulevard, Skirball Drive, and Bel Air Crest crossing structures. This total lack of independent thought misses several key points.

The first point is that the Mulholland Drive overpass is the only crossing structure that spans both the freeway and Sepulveda Boulevard. Traffic pressures will continue to add pressure for mass transit and lane expansion projects through the length of the Sepulveda

Pass transportation corridor. The odds of the three currently superior freeway-crossing-structures functioning at their current levels in twenty-five years unfortunately cannot be counted on. For example, already the night lighting and traffic congestion at the Skirball Drive bridge is a considerable impediment to wildlife movement. The recent Sepulveda Boulevard Task Force commissioned by CD 11 was fixated on further reducing the meager shoulder width of the road under the freeway. Things change and whether adequate mitigation funds and political will will be in place to compensate for such change is a great unknown.

The second point is that the Mulholland Drive bridge possesses superior potential for enhancement. Given its substantially smaller 2 am to 5 am traffic volume than the other three freeway crossing structures along Sepulveda Boulevard, the bridge also offers superior traffic conditions. The wildlife aversion to use of the bridge because of road kill potential referred to in the DEIR may be true. However, such a conclusion lacks any vision and foresight. Before discounting the importance of project design and mitigation measures to maintain and improve the wildlife corridor capability of the Mulholland Drive bridge, an adequate analysis of the issue must consider the future capability of the bridge for wildlife movement (by itself and relative to the other three crossing structures). For example the superstructure of the now plentifully wide bridge may be adequate to support a low weight bearing deck on one side to facilitate wildlife movement (permanently free of all lights, cars, pedestrians and with a dirt surface and intermittent native vegetation.) Europe is twenty years ahead of this country in employing such ingenuity.

The loss of substantive wildlife movement capability across the 405 Freeway directly reduces the population viability of numerous mammal species in the Santa Monica Mountains east of the 405 Freeway including the whole of Griffith Park. Ten years ago the value of all the types of freeway crossing structures over or under the 405 Freeway and that are addressed in this letter were questioned by many biologists. Now most all biologists advocate protecting all available and all potential sites for wildlife movement, particularly over freeways and busy arterial streets. The proof is in the pudding in terms of numerous recent mountain lion sightings east of the 405 (including in Griffith Park) and a steady rise in frequent bobcat sightings in the same area. Another note on the Roth (2001) study is that the data collection method was not comprehensive and was for a short interval. Much too short of an interval to write off the Mulholland bridge as a regionally valuable wildlife crossing structure.



City of Los Angeles Planning  
Stephen Wise School Relocation DEIR Comments  
July 25, 2005  
Page 3

The subject DEIR is clearly deficient until it adequately discloses and analyzes the existing and potential value of the Mulholland Drive bridge for wildlife movement. The subject DEIR is further deficient for not addressing how wildlife approach the Mulholland bridge from the west where the proposed school expansion is located. The effects of proposed and potential future fencing, lighting, paving, and conversion of non-native open space to building area on this potential resource must be addressed in the FEIR.

A step above this would have the FEIR include substantive mitigation measures that maximize the wildlife movement capability of the subject section of the Mulholland Drive right-of-way and a contributory section of the school's property. We encourage all members of the Institutional Corridor of the Mulholland Scenic Parkway to participate in the protection and maximization of wildlife resources in the Santa Monica Mountains. The current net contribution of all Institutional Corridor members is zero. The zero arises from no permanent land protection and no permanent mitigation measures directly designed, and equally effective, to facilitate wildlife movement. We urge the City and the applicant to take these comments to heart and produce project changes and mitigation measures to further this critical resource management effort. Without a strong effort from this project, we urge you to deny the application. The types of mitigation measures recommended are of a relatively low cost and eliminate almost no useable area from the project.

The lack of such an effort to date is probably that of a lack of understanding. Under any scenario the FEIR will remain deficient without this effort and an excellent graphics depicting existing and proposed conditions for wildlife movement. In particular the Mulholland Drive right-of-way should be devoted to public purposes (wildlife movement and trails) to the maximum extent possible above and beyond the private use of a school. The school has ample property to solve landscaping and traffic issues.

The following information is critical to a wildlife corridor analysis. Our NOP letter requested,

“To help the public and decision makers with understanding the area, the DEIR should include as many figures and maps as necessary to show the exact parcel boundaries of every property located in the aerial photograph labeled Figure A-3 in the distributed Environmental Assessment Form and Initial Study. These new figures must use the most up to date City of Los Angeles parcel data to be accurate. The figures should clearly label any property that is permanently protected by deed restriction, condition of approval, or public

ownership. The figures should indicate the exact ownership of every non-residential parcel in the subject area.”

None of that information was included in the DEIR. The FEIR will remain deficient if it does not include this information. The school should provide permanent protection for all remaining open space, graded and ungraded. The school must disclose what real property is available or not available for such protection.

As stated in our NOP comments, and again fully ignored, the DEIR should clearly lay out any and all mitigation measures and conditions of approval in the certified EIR for the Stephen Wise High School project and the City’s project approval, respectively, that addresses the protection, minimized disturbance, landscaping and fencing of areas without buildings. The current fencing of the northern portions of the existing High School is an unfortunate impediment to wildlife movement.

The DEIR is deficient for not including an alternative that maximizes wildlife movement potential above the Sepulveda Tunnel both to the Mulholland Drive freeway overcrossing and to the open space network north of Mulholland Drive. To be permanently effective this alternative must require the dedication of conservation easements to at least two public agencies. Those conservation easements must include every portion of wildlife movement areas that the project applicant controls. That requirement should also apply to all the applicant’s property that is not part of subject application. One of the reasons that the Conservancy did not request conditions on the prior High School approval is that the project left the now proposed Middle School site open for habitat and wildlife movement purposes. The project appears to have an unmitigable adverse effect on the wildlife approach and reception area on the west side of the freeway overpass. An unfenced gap between the existing High School and proposed Middle School may be the only solution. This gap would have to be totally free of any light shine between mid-night and 5 AM and be a minimum of 75-feet-wide.

**Compliance and Consistency with Mulholland Specific Plan**

The schools within the Institutional Corridor should be leaders in bringing forth and constructing improvements that are fully consistent with the Mulholland Scenic Parkway Specific Plan. To our knowledge, the proposed project has not been vetted through the Mulholland Scenic Parkway Design Review Board (DRB). The DRB is fundamental to exercising the spirit of the ordinance. The FEIR will remain deficient if it does not include

City of Los Angeles Planning  
Stephen Wise School Relocation DEIR Comments  
July 25, 2005  
Page 5

an exact accounting of the project's, and each of its alternatives, consistency with the ordinance.

**Best Use of Public Right of Way**

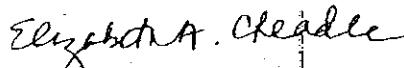
In general, the fee rights-of-way of Mulholland Drive have been consumed for private uses (some permitted, some un-permitted) along the length of the scenic parkway. The DEIR should clearly show what uses, disturbances and permanently required enhancements are proposed in the rights-of-way. The best public purpose for the rights-of-way is to leave them entirely open and planted with just native plants. In addition the Mulholland Drive Core Trail as required in the Specific Plan must be accommodated on both sides of Mulholland Drive on all portions of the street controlled by the applicant. The project makes no provision for the Mulholland Core Trail. The FEIR will remain deficient if it does not address fully this issue and provide adequate project design elements or mitigation measures.

The proposed installation of a playing field with lighting in the public right-of-way is sub-optimal. The DEIR should include an alternative for this portion of the project that includes only irrigated native vegetation in the Mulholland right-of-way with no fencing or lighting or pavement. Is a private playing field in the public right-of-way a gift of public funds? The FEIR will remain deficient if it does not include this information.

In general, the FEIR must address how the proposed lighting of the project, and all relevant FEIR alternatives, could adversely effect wildlife usage of, and passage through, all abutting open space areas. Adequate mitigation of lighting impacts must include a diagram showing the extent of light shine, or illuminance, on all abutting patches of open space. The actual limits of such light shine/illuminance must be a documented mitigation condition in the FEIR to be enforceable and enduring. The FEIR will remain deficient if it does not include this information.

Please direct any questions or future correspondence to Paul Edelman of our staff at (310) 589-3200 ext. 128 and at the above address.

Sincerely,

  
ELIZABETH A. CHEADLE  
Chairperson



**THE FEDERATION**  
OF HILLSIDE AND CANYON ASSOCIATIONS, INC.  
POST OFFICE BOX 1041  
STUDIO CITY, CALIFORNIA 91614

---

FOUNDED IN 1962

September 8, 2005

Michelas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
Los Angeles, CA

RE: Stephen S. Wise Middle School Relocation Project  
EAF NO: ENV-2003-4563-EIR

The Federation of Hillside and Canyon Property Owners Assns supports the community opposition to this relocation project as it affects transportation, earth, air, water, population, and land use.

At last count, 4,865 students per day are dropped off, picked up and travel a 2-lane, scenic parkway. The CUP for the Stephen Wise Facilities is for 650 students. The proposed "relocation" will add a 40% expansion to the CUP, and since the Bel-Air Pres Church, which currently leases modular facilities to Stephen Wise, plans to build its own school on its own property, this relocation adds to the total of students in the area.

This area has been, and will continue to be desperately in need of a traffic management plan, without the addition of schools and more students. For this and the issues listed in the 1st paragraph, we wish to express our opposition and would be happy to pursue this issue further in any way you might deem helpful.

Thank you for your consideration.



Polly Ward  
President

(818) 761-4065

The Mission of the Hillside Federation shall be:

To protect the property and the quality of life of residents of the Santa Monica Mountains and other hillside areas of Los Angeles and its environs, and to encourage and promote those policies and programs which will best preserve the natural topography and wildlife of the mountains and hillsides for the benefit of all of the people of Los Angeles.

August 25, 2005

Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 North Spring Street, Room 750  
Los Angeles, CA 90012

RECEIVED  
CITY OF LOS ANGELES  
AUG 29 2005  
ENVIRONMENTAL  
UNIT

RE: Stephen S. Wise Temple-Milken Community High & Middle  
Schools - EAF No. ENV=2003-4563-EIR  
CUP ZA86-1070; CUP ZA93-0147(CUZ)

Dear Mr. Hendricks:

The draft EIR for the above educational facility states that police response time to the campus should be within 7-8 minutes. My personal investigation of this directive developed information that response time would be a minimum of 20-25 minutes. This investigation was done in the '90's; current time frame could be greater.

In addition, the draft EIR stated that fire dept. response locale be within approximately 1 1/2 miles. My investigation showed that Fire dept. HEAVY DUTY equipment availability is 5 miles distant, with access solely via Sepulveda Blvd., the #405, the Sepulveda Tunnel, then to Mulholland Drive, the location of Milken School(s)

Even with the information as above, the S. Wise Temple moved forth and constructed the Milken High School(s). The CUP states that a maximum of 650 students, grades 7-12 would be accommodated. Now, a request is made for an addition of 240 students. The safety of the original maximum number of students is imperiled; to add an additional component of 240 students would be foolhardy. It is known that Los Angeles is a probable terrorist target...including this educational corridor. (Source: Homeland Security)

It was clearly defined and accepted by the Stephen S. Wise Temple/Milken Community High School that transportation of students to the school would be by bus from two locations, one on the "city" side of the facility, one on the "Valley" side. Implementation of a school bus program was never done... has never been done.

Mulholland Drive is semi-rural in character. It should not and need not be reconfigured or widened. The S. Wise Temple should be compelled to comply with the terms of the draft EIR, thereby reducing the heavy traffic flow that is current.

There should be a "Master Plan" on Mulholland Drive, even with the designation "Institutional Corridor". The growth within this corridor impacts the adjoining residential neighborhoods in a negative manner, i.e. noise from the planned athletic field next to the Mirman School.

Sincerely,

  
MARGERY GROSSMAN

Public Safety Rep., Encino Neighborhood Council  
Director, Ballina Canyon Neighborhood Watch

CITY OF LOS ANGELES  
CALIFORNIA



ENCINO NEIGHBORHOOD COUNCIL  
EXECUTIVE COMMITTEE

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BARBARA HAND  
TREASURER  
GLENN BAILEY  
SECRETARY  
JOEL SIMON  
SERGEANT AT ARMS

ENCINO NEIGHBORHOOD COUNCIL  
(A Certified Neighborhood Council)

4933 Balboa Bl.  
P.O. Box 260439  
Encino, CA 91426-0439

818-255-1040

[www.EncinoCouncil.org](http://www.EncinoCouncil.org)

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AUG 29 2005

ENVIRONMENTAL  
UNIT

August 26, 2005

Nicholas Hendricks  
Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

RE: EAF NO. ENV-2003-4563-EIR

Dear Mr. Hendricks:

The Encino Neighborhood Council ("ENC") is writing to express our concerns regarding the draft environmental impact report, referenced above, for the Milken Community High School of Stephen S. Wise Temple Middle School project.

The ENC has numerous concerns about the draft EIR in particular and development in the Mulholland Institutional Use Corridor in general. Specifically, the ENC wrote to Councilman Jack Weiss concerning previous plans for enlarging school facilities in the Mulholland Institutional Use Corridor. In that correspondence we expressed our strong objection to any further development in the Institutional Use Corridor without a master plan.

Now, we have been presented with the current EIR for another school enlargement and there is still no master plan in place. In addition to our general objection to development without a master plan, the ENC has specific concerns about the Milken Middle School project. They are as follows:

1. The EIR has not addressed public safety concerns dealing with LAPD and LAFD response time in the Institutional Use Corridor.
2. The Mulholland Design Review Board has not looked at the plan for widening Mulholland Drive on the south side in front of the proposed middle school.

3. It is unclear what other traffic mitigation has been planned.
4. The impact of traffic within two miles of the proposed project has not been addressed.
5. More information is needed on air quality and noise that this proposed project would generate.
6. The hours of operation of the athletic field and the proposed number of bus trips that would be generated each week moving the students between the campus and the field has not been provided.

Finally, we note that the original CUP ZA 86-1070 has had continual renewals for “time necessary to complete the permanent high school/middle school facility,” and the original CUP ZA 93-047 (CUZ) and ZA-99-0514 (CUZ) limited total enrollment in grades 7-12 to 650 students. Adding 240 students for the “temporary” middle school amounts to a 38% increase in enrollment over what was originally provided for.

Therefore, the ENC believes that these concerns need to be addressed prior to the approval of the final EIR. Please keep the ENC informed of any further developments in the EIR process and dates of upcoming meetings or hearings regarding the project. Please contact the ENC at 818-255-1040 or [enc@socal.rr.com](mailto:enc@socal.rr.com) with any further information.

Sincerely,



Linda Goldstein  
President  
Encino Neighborhood Council

Laurie Kelson  
16632 Calneva Dr.  
Encino CA 91436

8/25/05

**RECEIVED**  
CITY OF LOS ANGELES

AUG 23 2005

ENVIRONMENTAL  
UNIT

EAF No. ENV-2003-4563-EIR

Nicholas Hendricks, Environmental Review Coordinator  
Dept of City Planning  
Environmental Review Section  
200 N Spring St. Room 750  
Los Angeles CA 90012

This project is a redundancy. Please refer to **ZA 86-1070**. The language is clear that the Middle School of the Stephen S Wise Temple (SSWT) had continual renewals for "time necessary to complete the permanent High School/Middle School facility".

Please refer to the original **ZA 93-0147 (CUZ)** and **ZA 99-0514 (CUZ)**. Condition #12 states that 650 students grades 7-12 for this property. Adding 240 students from the "temporary" middle school is asking for a 38% increase enrollment.

The Encino Neighborhood Council passed a motion that was sent on to our Councilman Jack Weiss asking for a "Master Plan" for the Institutional Use Corridor before any further development is approved.

Mulholland Dr. should not be reconfigured or widened. The Mulholland Design Review Board has not approved this plan. It is a poor design with the circulation/traffic pattern too close to the classroom building for the safety of the students.



If this project is approved, the transportation (entrance and exit) for the High School/Middle School should be on Sepulveda Blvd. The SSWT should work out a contract with the Skirball Cultural Center to double deck the flat parking lot on the E side of Sepulveda Blvd. that SSWTHS is already using. SSWTHS/MS could use the top deck for all the drop offs and pick-ups. There is already an existing traffic light.


How many car trips (bus or van) a day will be required to transport the students between the campus and the athletic field next to the Mirman School? The planned field should only operate school hours M-F. No weekend hours should be permitted.

The response time for the LAPD and the LAFD has not been considered. West LAPD @ 1633 Butler in West LA and LAFD with large equipment @ 5101 Sepulveda Blvd. in Sherman Oaks can easily be 15-20 minutes away with the 405 congestion.

Look back at the Transportation Demand Management Program that the SSWT agreed to for the SSWTHS including:

1. Remote Parking Lots in West Los Angeles and the Valley. This condition was never met.
2. No Student Drivers. The SSWTHS has 90 student drivers.

I hope that the Planning Dept. will not approve this project.

Sincerely, Laurie Kelson   
Encino Neighborhood Council Transportation/Traffic  
Chairperson and Area Representative

Nicholas Hendricks  
Environmental Review Coordinator  
Dept of City Planning  
Environmental Review Section  
200 N. Spring St. Room 750  
Los Angeles. CA 90012

August 15, 2005

**RECEIVED**  
CITY OF LOS ANGELES  
**AUG 17 2005**  
ENVIRONMENTAL  
UNIT

Dear Sir,

As a resident of the immediate Mulholland Drive community for the past fifteen years, I have witnessed many changes and alterations to our beautiful hillside community. However I am very upset to hear that Milken Community High School of the Stephen S. Wise Temple is attempting to increase their campus size by building in the hills. The school has no right to expand their campus per actions and legislation that has been taken in the past. Yet, both Milken High School and Stephen S. Wise middle school have continuously pestered and tested the patience of the surrounding neighborhood by constantly trying to undermine and bypass legislation that bars them from expanding their campuses. There are several actions which have been taken to prevent this sort of selfish behavior but have been conveniently overlooked by the schools:

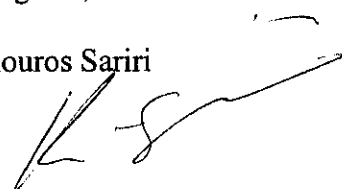
1. The ENC (Encino Neighborhood Council) has voted that no further development should take place on Mulholland Drive.
2. Per the original CUP ZA 93-0147 and ZA 99-0154 the Stephen S. Wise schools have been granted a maximum capacity of 650 students in grades 7-12. The proposed expansion is calling for a 38% increase above and beyond said maximum limit.

In addition to the aforementioned city imposed restrictions, there is no just reason to begin construction or reconfigure Mulholland Drive as this would only to serve to worsen the already intolerable traffic problems during rush hour caused mainly by the six schools located on Mulholland Drive. If the Stephen S. Wise schools wish to increase the transportation methods for their campus they should use Sepulveda Boulevard instead of Mulholland Drive and reach a deal with the neighboring Skirball Center to double deck the flat parking lot on the east side of Mulholland Drive that is already being used by Milken rather than selfishly takeover Mulholland Drive. Being that there are existing traffic lights at this Sepulveda location the schools could use this area for their pick ups and drop offs rather than creating more congestion on Mulholland Drive. Lastly, any planned athletic field or facility should not be used at nights or weekends and should be limited for use during school hours only.

I appreciate your time in handling this matter and I hope that an accord can be reached where both sides are pleased without jeopardizing the future of Mulholland Drive by increasing the traffic and ruining the quaint hillside community that we have.

Regards,

Kouros Sariri



M Y R O N   A N D   N A N C Y   L E V I N

August 21, 2005

Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring St., Room 750  
Los Angeles, CA 90012

**RECEIVED**  
CITY OF LOS ANGELES  
AUG 24 2005  
ENVIRONMENTAL  
UNIT

SUBJECT: EAF NO. ENV-2003-4563-EIR

Dear Mr. Hendricks:

My husband Myron and I strongly oppose the proposed expansion of the Stephen S. Wise Temple-Milken Community School located on Mulholland Drive. Encino Neighborhood Council has voted to have no further development on Mulholland Drive in the Institutional Use Corridor without a Master Plan. We are long-time residents of our quiet residential neighborhood and strongly support this Master Plan which considers the needs of the adjacent neighborhoods as well as the institutions located along the corridor.

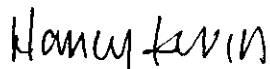
The SSWT HS/MS has had continual renewals for time necessary to complete the permanent high school and middle school facilities. In the Milken School's original CUP ZA 93-0147 (CUZ) and ZA 99-0154(CUZ), condition #12 allows 650 students in grades 7-12. Adding 240 students from the "temporary" middle school is asking for a 38% increase in enrollment. All the transportation for the SSWT HS/MS should be routed from Sepulveda Boulevard as originally planned. They are already using the Skirball lot on the east side of Sepulveda and there is already a traffic light there. Perhaps this could be expanded or decked.

We feel that Mulholland Drive should not be reconfigured or widened to accommodate more traffic. We worry about any increase in traffic on this section of Mulholland. The traffic congestion is already horrendous during the morning rush hours, making it extremely difficult for us to get "over the hill" using the most direct routes.

The Milken Community School's original Conditional Use Permit permitted no student drivers except those with special needs and mandated remote parking lots with bus service to the school. The school chose to simply ignore these restrictions and do as they pleased. It is unconscionable to reward this appalling disregard of the original CUP by allowing further expansion.

We would also request that the planned athletic field adjacent to Mirman School operate only on weekdays during school hours. Thank you for your consideration.

Sincerely,



Nancy Levin

**BEL AIR KNOLLS PROPERTY OWNER'S ASSOCIATION**

16606 PARK LANE PLACE  
LOS ANGELES, CA 90049

LOS ANGELES CITY PLANNING DEPARTMENT

Stephen S. Wise Middle School Relocation Project

RESPONSE TO: DRAFT ENVIRONMENTAL IMPACT REPORT

CASE NO. EAF NO.: ENV-2003-4563-EIR  
STATE CLEARINGHOUSE NO.: 2003101055

**RECEIVED**  
CITY OF LOS ANGELES

AUG 29 2005

ENVIRONMENTAL  
UNIT

Date: August 22, 2005

Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

(CEQA, SEC. 21000 et. seq. and GUIDELINES SEC. 15087)

RESPONSE to the Draft Environmental Impact Report (DEIR) for a project known as:  
Stephen S. Wise Middle School Relocation Project  
Located at: 15900 & 16100 Mulholland Drive

Project applicant is: Stephen S. Wise Middle School

The proposed project affects transportation, earth, air, water, plant life, population, energy, utilities, land use, and other environmental elements in Brentwood, Encino and Bel Air, and surrounding area. This document contains our response to the scope and content of the draft environmental information which is germane to the environmental evaluation of this project.

I. HOMEOWNERS OF BEL AIR KNOLLS PROPERTY OWNER'S ASSOCIATION.

This Response is filed by the Bel Air Knolls Property Owner's Association, a Californian non-profit corporation duly organized and existing under the laws of the State of California. This Association, formed in 1967, seeks to protect the residential character of its neighborhoods and to enhance the quality of life for its members and the community.

Members reside within the neighborhood of the proposed project, and will be negatively impacted by the Milken Middle/ High School (MHS).

## II. DESCRIPTION OF PROJECT

Conditional Use Permit and Director's Determination for Design Review Board recommendations and Plan Exception from the Mulholland Scenic Parkway Specific Plan, and other applicable discretionary and administrative permits to authorize the "relocation" of the existing Stephen S. Wise Middle School from its current temporary location on property owned by the Bel Air Presbyterian Church on Mulholland Drive to a permanent location on the Milken Community High School Site, located at 15900 Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway.

According to the DRAFT EIR, the two schools would occupy and share a Consolidated Middle School/High School site. Upon completion of the project, the Stephen S. Wise Middle School would continue to provide a co-educational, day school facility that serves grades seven and eight. The project would provide permanent and upgraded facilities to accommodate the educational needs of up to 240 middle school students on an underutilized portion of the existing High School site. The new Middle School would be up to 18.5 feet in height and would include approximately 30,000 square feet of floor area.

Additionally, minor improvements would be made on the High School site, including the enclosure of three existing balconies and the addition of a canopy over existing walkways . The proposed project would also include the conversion of an abandoned nursery / pre-school site at 16100 Mulholland Drive to athletic fields to serve both the Middle School and High School students. The Athletic Field site was previously used by the Stephen S. Wise Nursery School program which recently leased the temporary trailers to the Bel Air Presbyterian Church.

### HISTORY OF THIS AREA and HISTORY OF THIS INSTITUTION:

In 1987, a CUP was granted to Bel Air Presbyterian Church (BAPC) to build a Middle School. See Case No. ZA 86-1069(CUZ). A permanent structure was never built. Shortly thereafter, SSWT applied for a temporary Middle School at that site. The temporary site for grades 7-9, on land owned by BAPC, was intended only for a temporary Middle School site until the Milken Middle/High School building was completed. See Case No. ZA 86-1070(CUZ)(PA), page 8, as it appears: (see next page)

In making his December 7, 1995 determination, Zoning Administrator Lillenberg found:

- 1. Stephen S. Wise Temple is requesting an extension of the continued use and maintenance of the modules currently utilized for the Middle School for an additional three years.

At present, the conditional use authorized under Case No. ZA 93-0147(CUZ) (ZV) for the Stephen S. Wise Community High School located at 15800-15900 Mulholland Drive is undergoing architectural design. The anticipated date of completion of the high school facility is in September, 1997. At that time the Middle School students (7th, 8th and 9th grades) currently located at the 16190 Mulholland Drive facilities will be moved to the new high school facility. The high school was approved for grades 7 through 12.

Until the new facility is completed, the Stephen S. Wise Temple requests that the Zoning Administrator grant an additional three year period of time to continue to occupy the Middle School modules.

- 2. Staff spoke to the representative of the applicant and was told that there have been delays. However, design drawings are now being finalized for the new high school and the middle school will move into the buildings that will be vacated by the high school students. The modules will then be removed. The parking lot remains the property of the Bel Air Presbyterian Church.

According to this same approval, on page 11, the following also states:

in a location which is consistent with the prior middle school approval; in fact, the applicants state that the location of the module units on the site is designed to precede the actual construction of the middle school facilities as authorized.

On October 19, 1990, an approval of plans for the placement of five temporary module units to be used as classrooms for 7th, 8th and 9th graders was approved for a period of two years. The temporary housing for middle school children was to remain until the permanent building and facilities are constructed on the high school campus to the east.

The middle school has not yet been constructed hence the new application for a further The Middle School/ High School CUP allows 650 students, IN TOTAL from grades 7-12. Therefore, let us be perfectly clear: This is not a "relocation" but a 40% expansion on a CUP granting a maximum of 650 students, grades 7 through 12.

We believe the project is not an accurate assessment as titled, "Relocation." It is an expansion. Since an EIR runs with the land, any institution that is able to use the land currently housing the Middle School, owned by the Bel Air Presbyterian Church (BAPC), will net this area an increase in the total number of students in the

Institutional Use Corridor. This project is not a relocation, it is an expansion of an existing CUP that was always intended to be a Middle/High School with a MAXIMUM enrollment of 650.

The use of the BAPC facility was to house the Middle School students until the permanent High School was completed grades 7-12. What happened, in actuality, was that MHS filled up with students grades 10-12 on the MHS site and never made room for the Middle School students and failed to consolidate the schools into the single school, as required by their CUP. The Middle School should have been removed in 1993 when the permanent facilities were completed.

Bear in mind the cumulative impact of this expansion: In the area, named the "Institutional Use Corridor," (IUC) 10 schools operate. the IUC is one mile in length. **At last count, 4,865 students per day are dropped off, picked up and circumnavigate a two-lane, scenic parkway.** No schools have ever widened Mulholland Drive to accommodate their personal needs.

If the MHS expands by 40%, and the BAPC follows through with their plans to build a school on the land vacated by the Middle School, we will see a gain of over 230 students to an area already over-burdened and congested.

### III. IMPACTS THAT HAVE NOT BEEN FULLY ASSESSED

We believe that the proposed project will have significant impacts on the environment that have not been fully addressed in the draft EIR. It will have a significant impact on air quality, water, natural resources, population, noise, geology, energy, and population growth and possible landfill emissions, or carcinogens from a nearby landfill that closed many years ago.

The Lead Agency must take into consideration the effects of this and other projects which, will have individually limited, but cumulatively considerable impact on the environment. With the effects of past, current and probably future projects mandatory findings of significance should be found. (Guidelines Sec. 15065) Throughout your draft EIR you have relied upon "mitigations" that are required by law or official regulations and these are unacceptable. Such measures cannot serve as mitigations to satisfy the requirements of the California Environmental Quality Act (CEQA). Nor can mitigations be acceptable that are considered to be standard operating practices by developers who could be found negligent, if such operating procedures were not met.

In preparing your final EIR, you must recognize that any mitigations that you propose must go beyond those mandated by law or existing policy and practice. Compliance with the law and standard operating procedures establishes the baseline. CEQA mitigations are discretionary actions taken beyond the baseline. You must include verifiable mitigations in the final EIR, not merely a recital of legal requirements or standard operating practices. We ask that you revise your findings and address the following environmental concerns which we believe have been overlooked or inadequately dealt with in your draft EIR:

#### IV. IMPACTS ON EARTH

This project will result in disruptions, displacements, compaction and overcovering of soil. The final EIR should specify what grading will be done, and provide a time line indicating the starting and ending dates of all grading and construction activities. Haul routes should be described, and mitigation proposed for dealing with the traffic congestion created by the hauling of large amounts of soil on city streets to dumpsites. The information presented in the final EIR should be sufficient to allow for a clear understanding of the geologic hazards and their impacts, **especially as they effect the Sepulveda Tunnel, just west of the proposed development. The tunnel is very old, leaks an abundant amount of water, and may be unstable due to construction impacts and vibrations from construction equipment,** haul routes and other peri-construction activity. The final EIR should present a comprehensive summary of known geologic and seismic hazards near the site and for the area. These should be clearly identified to ensure that the proposed buildings plans willfully evaluate and mitigate the problems.

The final EIR should include maps that show areas of unsuitable fill soils, potentially unstable slopes, areas of differential settlement, areas of expansive soils, and the potential zone of inundation from flooding, due to a 100 year flood. The final EIR should present a summary of seismic information on ground acceleration and the duration of strong shaking that could be expected from large earthquakes on nearby faults. Impacts of seismic shaking on existing buildings in the area, and on stability of slopes and fills, should be addressed.

#### V. AIR IMPACTS

The draft EIR did not fully consider the air impacts. A project of this size will have a deteriorating effect on air quality in the region, which is located in a locality which does not meet Federal and State air quality standards. The construction of the project will generate Carbon Monoxide, Nitrous Oxide, Ozone and particulate matter, making it more difficult to attain the required air standards in the basin. Please identify in the final EIR the specific increases of air pollutants generated by this project, and the cumulative impacts on the air quality in the region. **As well, if construction is to take place during school hours, extremely careful review of airborne dust, dirt, and particulate matter that can cause asthma and related health risks to the students at the High School and all other schools in the area is vital and should reduce said impacts to insignificance.**

Your assessment should show how this project, when taken together with all other proposed projects in the Mulholland corridor will impact air quality. It should show threshold levels of significance for each type of air emission. The City of Los Angeles and the EPA have entered into an Consent Decree regarding growth within the Hyperion Service Area. They have agreed that growth within the area will not result in air emission increases, nor impede the region's progress toward National Ambient Air



Quality Standards (NAAQS) attainment. Your final EIR should show that all impacts have been reduced to insignificance, in order to comply with the City of Los Angeles and EPA agreement. Anything short of this is a breach of the terms of the Federal consent decree, and actionable, with the possibility of substantial fines being imposed against the City.

Also address the air impacts at both the local level, and within the region. Explain how these impacts will be fully mitigated. Specifically, quantify all related vehicular air emissions, and include the factors, formulas and computations used to arrive at these impacts, and their mitigations.

Please explain in the final EIR what effects diesel fumes, gasoline powered equipment fumes and construction odors will have upon those with respiratory problems, or the aged living nearby. Also discuss the impact on local flora and fauna, giving specific effects upon plant and animal life, as a result of the additional air degradation that may be caused by the project. The EPA has stressed the importance of secondary air impact analysis. The final EIR should assess the secondary air impacts that will result from this project and please provide adequate mitigations for these air impacts. Please contact the EPA in San Francisco, Div. IX, for consultation on this key aspect of your final EIR.

## VI. WATER IMPACTS

The Los Angeles basin is located in a permanent drought area. The direct water impacts from this project have not been fully addressed. Identify source of water, how it will be used in the project, and how the removal of water from the aquifer will be replaced. Fully explain the quantitative impacts on the local and regional water supply, as a result of this project. Estimate water consumption both during and after construction. Provide a detailed list of mitigations to reduce the consumption of water to insignificance.

The City of Los Angeles has enacted ordinances which mandate many water saving and conservation measures. These items must be considered baseline, and do not qualify as mitigation measures, since they are already the law. Your final EIR should impose more extensive measures to deal with the water consumption issue. Please also provide mitigations for dealing with secondary water impacts. The growth sustained by a project of this size will consume large amounts of fresh water, which are in short supply in the region. Also please detail the amount of water necessary for control of dust as well as the cumulative amount of water needed by this project during the construction phase.

## VII. IMPACT UPON ANIMAL AND PLANT LIFE

A project of this size will have a detrimental effect upon the wildlife trails, migration trails and native flora and fauna in the project area. The area is a natural habitat for birds and other animals. It will not be possible to construct the project, without a serious impact on the local biota. Provide a detailed assessment of impacts on both plant

and animal life as a result of the project. Also provide detailed mitigations to reduce these potential impacts to insignificance.

**MHS proposes to widen Mulholland Drive by 12 feet.** In order to accomplish this, it appears the asphalt may impede, cover or require removal of many native and oak trees along Mulholland Drive. **Oak trees** are finally mature along the entire driveway on Mulholland. It is unacceptable to kill oak trees and fill their root area with asphalt and car fumes when other alternatives exist. We request a sincere and effective alternate to widening Mulholland Drive and such plans would provide detailed mitigations to reduce these potential impacts to insignificance.

## VIII. NOISE IMPACTS

A substantial amount of noise will be generated by the proposed project during construction. The movement of heavy vehicles, trucks, compressors and construction equipment will create severe noise problems. Show how it will be possible to construct this project, including removal of many cubic yards of soil without creating severe noise impacts. Noise must be reduced to insignificance.

The final EIR should explain the effects of noise levels on local residents and construction workers, during construction, and the impact on the emotional and physiological well being of people living nearby. Please explain in detail the effects of specific pieces of construction equipment, the noise levels, dBA, frequency and duration of sound that people will be exposed to. Also explain the impact of sustained noise upon the aged or those who are ill and may reside near the construction site. The final EIR should provide mitigation measures that will reduce the noise created by this project to insignificance.

## IX. LIGHT, VISUAL IMPACTS AND GLARE IMPACTS

Light and glare was not adequately assessed in the draft EIR. Residents living and driving near the construction site will be subjected to light and glare. The applicant must be required to illuminate the premises without casting light and glare on nearby buildings or onto Mulholland Drive and must comply with all requirements as explained in the Mulholland Scenic Corridor Specific Plan. Any buildings located adjacent to the project will be directly impacted. The light and glare that will spill onto nearby buildings must be mitigated in the final EIR. The construction project will result in altered shade and shadow conditions which should also be mitigated to insignificance in the final EIR.

### ATHLETIC FIELD AREA ON MULHOLLAND:

It appears the SSWT wants to turn a small land space once occupied by their Nursery School as an Athletic Field, no buildings, gated.

Our concerns are the following:

**A. Lights.** The SSWT proposes to build lights to illuminate the field for the winter months when it gets dark early. Over the years, this area has been faced with many schools and institutions requesting lighting, night lighting in fact. Berkeley Hall requested a lit field, which is actually not visible from Mulholland. The request was denied because it was incompatible with the rustic nature of the area. Mirman School has no evening functions because their small athletic field, not visible from Mulholland, was not allowed to light the area. The same should hold for SSWT: If their hours are 8-5, as promised by Richard Shapiro, representative for the SSWT, then no lights are actually needed. Since the daylight savings dates have been dramatically shortened, 4 weeks to be exact, the darkest time of the year will no longer be. **We firmly request NO lights on the field or play areas. The neighbors need not be burdened by a lit field or by noise, cars or loitering.**

B. The site should include, with other limits, the following:

- Gates with security.
- A limited number of parking spaces and when it is locked closed, the gates must be sufficient to keep unwanted visitors out. As security is a growing matter in this day and age, we urge the SSWT to consider fences that do not allow outsiders to see through - in or out.
- Prohibit the area from becoming a satellite pick up or drop off spot for students, teachers or employees.
- No lighting for the fields. When it's dark out, the field closes.
- Limited hours strictly enforced. 8am - 5pm Monday through Friday and Sunday.
- No tournaments, intermural games or competitions with any entity outside of the MHS.
- Completely block the field from the view from Mulholland Drive by use of extensive landscaping in accordance with the MSCSP.

## X. CHANGES IN POPULATION

Changes in population will occur if this project is approved. It will alter the distribution, density and growth rate in the region. It may cause greater population density in a regional ready without adequate infrastructure. Provide a detailed assessment of the growth and job impacts. What kinds and types of jobs will be created, as a result of this project. Provide a detailed list of mitigation measures to deal with any job/housing imbalance created by the project.

## XI. TRAFFIC AND CIRCULATION

Transportation and traffic circulation will be negatively impacted by the proposed project. There are a number of E and F level intersections in the vicinity of the project that have not been addressed in your DEIR. The construction of this project and removal of large amount of soil over city streets will impede traffic and circulation and make gridlock worse. The final EIR should explain how the E and F level, gridlocked intersec-

tions in the area will be mitigated to insignificance.

**OUR ALTERNATE TRAFFIC SUGGESTION:** Currently, most of the MHS students park at Skirball's run-over lot, located across from the Skirball Center on Sepulveda (the east side of Sepulveda - directly under the High School). **We strongly urge the City of Los Angeles to maintain the parking system that has worked: Let the MHS students park in the Skirball lot and walk up the stairs to the school.**

If the walk is too far for Middle School students, we suggest MHS shuttle them from the lower lot to the entrance. That would reduce the number of cars on Mulholland and keep an already highly congested area less cumbersome for the families to get their children to school. There are no other schools with an entrance on Sepulveda and this option would soften the impact of 240 new students to a small space.

At the one meeting we had with SSWT, to share their plans with us, we suggested they work with the Skirball Center to arrange better, more ample parking for the students. If a double decked parking facility needed to be built on the Skirball lot, we had no objection.

**SAFETY and ALTERNATE TRAFFIC SUGGESTION:**

Because of the MHS' need for security, we could not be more supportive of the Skirball entrance because it is inaccessible except through one ingress/egress and security could operate properly. Whatever security measures MHS needs could be met at this location.

**WIDENING OF MULHOLLAND DRIVE:**

The Mulholland Scenic Parkway Specific Plan (MSPSC) was adopted in 1992 as a ordinance "to promote and maintain Mulholland Drive a scenic parkway" (MSPSC,1-1). ...*"WHEREAS the City Council on March 25, 1973, directed the Director of Planning to conduct the necessary studies and to prepare an ordinance to implement and accomplish the preservation of the Mulholland Scenic Parkway. MSPSC, Ordinance No. 176,943, adopted May 13, 1992."*

*Mulholland Drive and Right of Way Regulations:*

*A. Changes and/or improvements. No change or improvement may be made to the alignment or design of the paved portion of Mulholland Drive or the right-of-way, except for resurfacing and street utility maintenance, without the prior approval of the City Council acting after receipt of their recommendation of the Director. After receipt of their commendation of the Board, the Director may recommend approval after making the following findings:*

- 1. The project is required for public health and safety reasons.*
- 2. The project does not obstruct a scenic feature or resource.*
- 3. The project is compatible with the scenic parkway environment.*
- 4. The project is not inconsistent with the purposes and objectives of the Specific Plan.*

The proposed widening of Mulholland Drive for the purposes of the proposed expansion for the MHS does not meet the above REQUIREMENTS. Furthermore, as stated in the MSCSP (Sec. 7, page 4-7) Roadway Alignment and design shall conform to the following standards (in brief) (Sec 7, Para. A- C.)

- no change in alignment,
- travel lanes are limited to two lanes, one in each direction,
- the shoulder shall remain level and serve as a 5 foot bikeway,
- Turn Lanes shall not be permitted without prior Director determination.
- Intersection access to Mulholland Drive may be allowed if the Director finds that NONE of the following alternatives are feasible (c.) access from an easement over an existing driveway or an adjacent property; or (d.) access from the shared use of existing driveway(s).

**All this to say, Mulholland Drive shall not be widened as other, more feasible, alternatives exist.**

Currently, many of the High School seniors park at the Milken High School/Skirball parking lot, adjacent to the property, connected by stairs, to the MHS. The system functions without complaint from the neighbors and that lot is rarely used by Skirball patrons, except for evening concerts or functions.

**MANY Lighting/ Utility poles** exist on the area proposed to be widened on Mulholland. What a tremendous expense to have to bury those utility poles, as the MSPSP states all new poles have to be underground.

**Oak trees** are finally mature along the entire driveway on Mulholland. What a shame to kill oak trees and fill their root area with asphalt and car fumes when other alternatives exist.

The current 2000 Traffic Demand Management Program (TDM) allows 30 cars to park on the school grounds and 60 students at Skirball. That has, by admission of the MHS, increased to at least 90 at Skirball.

It appears an arrangement between MHS and the Skirball Center, already working, needs to be explored. It is not in violation of the MSCSP, does not require moving and/or burying utility poles, it does not widen a scenic parkway, nor does it send families onto Mulholland Drive, an already highly congested area. Skirball and Sepulveda also have the newly added benefit of the tunnel changes; reversible lanes making the flow of traffic easier. Furthermore, a light already exists at the intersection into the Skirball parking lot, maintaining safety measures.

Should this arrangement prove impossible, the fact remains that an expansion of the Middle School does not actually require more High School drivers, as they are too young. The real issue is drop off. We strongly urge MHS to continue to use the lower level as a drop off for all students and shuttle if necessary.

## PROJECT AS PROPOSED and TRAFFIC:

Because of the project's magnitude AS PROPOSED and the substantial construction required, the proposed project will generate significant traffic congestion problems. Traffic congestion resulting from the expansion of freeways and access roads, lane closures, detours, slow moving construction vehicles and equipment, project personnel commutes, etc. significantly increase traffic and mobile-source air emissions. Please provide detailed maps in the final EIR which will show how the project will mitigate traffic in the area, including the number of lanes of traffic that will be lost due to the movement of heavy equipment to and from the site during construction.

The final EIR should deal with the phasing issue comprehensively. What will be the incremental impacts on traffic, and if phased, how will the infrastructure be phased in so that all mitigations are in place to prevent increases in traffic or a degradation of circulation? Include the factors, formulas and computations used to arrive at these impacts, and their mitigations. Provide an appendix with all necessary and supporting documentation, including the paper trail that will allow concerned citizens, or decision makers to trace your steps, and your conclusions with regard to traffic impacts.

## ATHLETIC FIELD AREA on Mulholland:

It appears the SSWT wants to turn a small land space once occupied by their Nursery School as an Athletic Field, no buildings, gated.

Our concerns spelled out on Page 8 (A.) of this reply letter.

- Lights. The SSWT proposes to build lights to illuminate the field for the winter months when it gets dark early. Over the years, this area has been faced with many schools and institutions requesting lighting, night lighting in fact. Berkeley Hall requested a lit field, which is actually not visible from Mulholland and the request was denied because it was incompatible with the rustic nature of the area. Mirman School has no evening functions because their small athletic field, not visible from Mulholland, was not allowed to light the area. The same should hold for SSWT. If their hours are 8-5, as promised by Richard Shapiro, representative for the SSWT, then no lights are actually needed. Since the daylight savings dates have been dramatically shortened, 4 weeks to be exact, the darkest time of the year will no longer be. **We firmly request any lighting, other than minimal exit lighting, be denied to this property.**

## XII. PUBLIC SERVICE IMPACTS

The final EIR should fully address impact on public services. Police and fire services

are inadequate to meet the present community needs. This project will generate additional demands that the City systems cannot handle. The final EIR should show how the applicant intends to mitigate the drain on local public services. It should present a detailed explanation of the degraded response times to police, fire and paramedic services. It should present specific mitigations and funding mechanism that show how the applicant will offset the deteriorated public service response capability.

Your final EIR should thoroughly cover the adequacy of fire-flow requirements for the necessary level of protection, response distance from existing fire stations, etc. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. Show what improvements will be needed to provide the adequate G.P.M. for fire-flow. The final EIR should contain a thorough analysis of this topic, in consultation with the Water Services Section of the Department of Water and Power. It should also show how the G.P.M. requirements for the first-due Engine Company will be met, and the distance of the first-due Truck company. You will also need to show at least two different ingress/egress roads that will accommodate major fire apparatus, and provide for major evacuation during emergency situations. Include off-site and on-site location of fire hydrants, fire lane widths, and how the project will affect staffing for existing facilities, or there location of present fire protection facilities.

### XIII. IMPACT ON ENERGY AND UTILITIES

Utilities will be impacted by the proposed project. The lead agency is, or should be, aware of the limits on solid waste disposal. Large amount of soil will have to be trucked to a dumpsite as the project proceeds, making landfill disposal problems worse. The final EIR should quantify the impact that this project will have on the capacity and exhaustion of local landfills, both during and after construction. Specifically how many cubic yards of soil will be trucked to landfills, and how much solid waste will be exported, and to which sites? Show haul routes and the time of day when city streets will be used for this purpose. How much electrical energy will be needed to operate the project, once it is in operation. Will backup energy sources be used?

What will be the impact on the sewage system. Show the volume of sewage produced by the project, and how it will impact the Hyperion, Los Angeles-Glendale and Tillman plants. Show which sewage lines will need to be made adequate, which streets will be affected, and for how long a period. The final EIR should analyze the availability of hydraulic capacity for the anticipated flow in the local and interceptor sewers serving the proposed project area. The quantity and quality of wastewater to be discharged to the sewer system should be more thoroughly analyzed.

We believe strongly that Mulholland Drive does not need to be widened to accommodate any private institution, including the Milken High School. **MANY Lighting/Utility poles exist on the area proposed to widened on Mulholland**, which appears to

require moving many utility poles and lights. The MSPSP states all new poles have to be underground on new subdivisions. We believe this should also apply to this private institution.

**Milken High School should offer and consider alternatives to widening a street that is protected by an Ordinance, the Mulholland Scenic Parkway Specific Plan, which clearly denies the ability to expand Mulholland Drive.**

#### XIV. GROWTH INDUCING IMPACTS

The final EIR should discuss properly the growth inducing impacts of the project and the environmental effects, and must be adequate under CEQA, Pub. Res. Code, Sec. 21000 et seq. Please include a detailed forecast of growth for each phase of the project, if phased. What will be the cumulative impacts of growth in the region? How is this related to the Growth Management Plan forecast, at the expected date of project or phase completion? What will be the cumulative impacts of growth in the Institutional Use Corridor? **Currently, approximately 4,000 students per day attend schools in this one mile stretch. What impact will occur by adding 240 more students to an already densely populated area?**

**The cumulative impact of concurrent or future expansions by other institutions in the area must be considered.** Specifically, the Supreme Court stated that "a final EIR must include an analysis of the environmental effects of future expansion or other actions if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." Please be sure the final EIR properly addresses and mitigates growth inducing impacts which will have individually limited, but cumulatively considerable impact by this and other institutions. A final EIR must be prepared which gives thoughtful discussion to dealing with short-term versus long term effects.

#### XV. CUP REVIEWS:

**Due to a lengthy history of failed CUP mandatory obligations that were never complied with by the MHS and SSWT, we regretfully have developed a keen sense of distrust for the institution.** The initial Traffic Demand Management Program (TDM), though promised to us by Rabbi Zeldins in 1993, was not complied with at all. (See Attachment A.) Currently, the parking allotted to the MHS in their current CUP allows for 60 student drivers at the Skirball lot. From what the Temple told us, they have more than 80 parking there now. Car pools are not full. Teachers are parking at the Bel Air Presbyterian Church (BAPC) lot and shuttled back and forth. Large busses are used, when small busses are called for in the current TDM. Large busses even drive through neighborhoods and drop students off in Bel Air Knolls. A lack of conformity and lack of respect for the limits have resulted in a skeptical attitude by the residents in the vicinity. We request draconian measures to ensure compliance.



We request to add to the conditions already imposed on the MHS:

- A yearly review with the City Planning Department, and/or ZA for the first 3 years of the new CUP. After that, every two years if compliance is maintained.
- In the event of apparent non-compliance, the neighborhoods can request an ad hoc review.
- Maintain a Community Contact person, with a phone number available to the residents.
- In the event of proven non-compliance, that the City Attorney is required to impose immediate and severe compliance.
- The agreement must be entered into both parties as outlined and made legal as a Civil Agreement.

## XVI. NO PROJECT ALTERNATIVE

The importance of alternatives in the EIR process is clearly established in law. CEQA Sec. 21081 requires a finding of infeasibility for each environmentally superior project alternative in the EIR prior to approval of any project which will result insignificant adverse environmental effects. It will be essential that the final EIR make a full assessment of the impacts of alternatives, including a thorough discussion of a No Project alternative. (Citizens of Goleta Valley, 89 Daily Journal D.A.R. 11920) The No Project alternative is especially important since the project is located in the center of a polluted ecosystem with degraded air, water and earth. This alternative should consider not constructing the project, or shifting it elsewhere and thus reducing the demands on the infrastructure.

The lead agency is required to make a finding, supported by substantial evidence that the "no project" alternative is infeasible. You should be aware of this requirement in the preparation of the final EIR. Pub. Res. Code Seqs. 21002 and 21002.1(b) affirmatively mandate that public agencies take concrete actions to protect the environment" whenever it is feasible to do so." This substantive duty is enforced through the findings requirements of Seq. 21081 and Guidelines Sec.15091. These sections require a public agency to make detailed findings regarding the feasibility of all environmentally superior alternatives or additional mitigation measures available prior to approving any project which may cause significant impacts on the environment. See Village Laguna of Laguna Beach, Inc. v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1034-1035, 185 Cal.Rptr. 41.

## XVII. NO STATEMENT OF OVERRIDING CONSIDERATION SHOULD BE ISSUED BY THE LEAD AGENCY

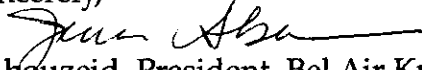
We ask that the lead agency prepare a final EIR that interprets CEQA to afford the fullest possible protection for the environment within the reasonable scope of the statutory language. (Friends of Mammoth v. Board of Supervisors (1972) 8 Cal.3d. 247) We request the lead agency require additional changes and alterations in the project to avoid and substantially lessen the significant impacts that have been reported in the

DEIR, satisfying the requirements of CEQA Section 21001. After certifying the EIR, we ask the lead agency select the no discretionary action alternative because it has a right to approve or disapprove the project.

XVIII.

We appreciate your allowing us the opportunity to comment on the draft EIR. We look forward to receiving a detailed and comprehensive final EIR, fully in compliance with CEQA, State and local Guidelines.

Most sincerely,



Jenna Abouzeid, President, Bel Air Knolls Property Owner's Association

cc: Bill Rosendahl, Councilman CD11

Jack Weiss, Councilman CD5

Lynette Berg Robe, Chair, Mulholland Design Review Board

APPENDIX A:  
This their old Program: NEVER IMPLEMENTED

pg 10

Stephen S. Wise New High School  
Transportation Demand Management Program

Below is a summary of measures contained in the Stephen S. Wise High School Transportation Demand Management Program. These measures will be voluntarily implemented by the Stephen S. Wise High School to reduce and manage trip generation associated with the facility.

- o No Student Drivers - No student will be allowed to drive to the high school during regular school hours, even in a carpool, except for students demonstrating special requirements, such as handicapped students.
- o Mandatory Carpool Program - Every student must be a member of a carpool. Student drivers will only be permitted to drive to the remote parking lots with three passenger students per car.
- o Early Start Time - School will be started prior to normal morning commute rush hour traffic. School will start each day at 7:30 am. Morning peak traffic hour on the adjacent street system is 7:45 am to 8:45 am.
- o Remote Parking - The school will utilize parking locations in West Los Angeles (Leo Baeck Temple, 1300 Sepulveda Boulevard) and the San Fernando Valley (First Presbyterian Church of Encino, Ventura Boulevard/Balboa Boulevard) as remote collection points for students, and then bus the students to the high school facility. Student drivers will be required to carpool to the remote lots.
- o Carpool/Transportation Coordinator - The school will have an assigned Carpool/Transportation Coordinator in charge of managing and promoting ridesharing and pooling programs. The coordinator will be in charge of assignment and monitoring of all pooling activities, as well as information exchange regarding transportation options. Student carpools will average at least 2.5 students per car. There are currently three certified Employee Transportation Coordinators employed by Stephen S. Wise Temple. One of the ETC's will be assigned to this task.

o Parking - All school parking will be provided on-site, with the exception of those students involved in the Remote Parking Program.

o Site Access - The eastern driveway of the high school shall be designated as exit only. Traffic exiting the eastern driveway between 7:00 am and 5:00 pm on school days shall exit with right turns only. Additionally, any event as defined by ~~Condition 18 of the Conditional Use Permit occurring at the high school outside the above times shall also be subject to right run only restrictions from forty five minutes before to forty five minutes after the scheduled event times. Traffic control personnel provided by the high school will enforce these provisions.~~ Additionally, any event after 5:00 pm or on weekends at any time as defined by Conditions 18 and 20 of the Conditional Use Permit, involving 25 or more persons, occurring at the high school shall also be subject to right turn only restrictions from forty-five minutes before to forty-five minutes after the scheduled event times. Traffic control personnel provided by the high school will enforce these provisions.

HOMEOWNERS OF ENCINO  
GERALD A. SILVER, PRESIDENT  
P. O. BOX 260205  
ENCINO, CA 91426-0205  
(818) 990-2757

RECEIVED  
CITY OF LOS ANGELES  
AUG 26 2005  
ENVIRONMENTAL  
UNIT

LOS ANGELES CITY PLANNING DEPT.

Stephen S. Wise Middle School Relocation Project

RESPONSE TO

DRAFT ENVIRONMENTAL IMPACT REPORT

CASE NO. EAF NO.: ENV-2003-4563-EIR  
STATE CLEARINGHOUSE NO.: 2003101055

Date: August 24, 2005

Responsible person:  
Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

(CEQA, SEC. 21000 et. seq. and GUIDELINES SEC. 15087)

RESPONSE to the Draft Environmental Impact Report (DEIR) for a project known as:

Stephen S. Wise Middle School Relocation Project

The project will be located at: 15900 & 16100 Mulholland Drive

The project applicant is: Stephen S. Wise Middle School

The proposed project affects transportation, earth, air, water, plant life, population, energy, utilities, land use, and other environmental elements in Encino, (and surrounding area). This document contains our response to the scope and content of the draft environmental information which is germane to your environmental evaluation of this project.

I. HOMEOWNERS OF ENCINO, INC.

This Response is filed by the Homeowners of Encino, a Californian non-profit corporation duly organized and existing under the laws of the State of California.

Homeowners of Encino is a public benefit association organized for the purpose of promoting social welfare. This corporation seeks to protect the residential character of its neighborhoods and to enhance the quality of life for its members and the community. Many of its members reside within the neighborhood of the proposed project, and will be heavily impacted by it.

## II. DESCRIPTION OF PROJECT

Conditional Use Permit and Director's Determination for Design Review Board recommendations and Plan Exception from the Mulholland Scenic Parkway Specific Plan, and other applicable discretionary and administrative permits to authorize the relocation of the existing Stephen S. Wise Middle School from its current temporary location on property owned by the Bel Air Presbyterian Church on Mulholland Drive to a permanent location on the Milken Community High School Site, located at 15900 Mulholland Drive between Sepulveda Boulevard and the San Diego Freeway (State Route 405).

The two schools would occupy and share a Consolidated Middle School High School site. Upon completion of the project, the Stephen S. Wise Middle School would continue to provide a co-educational, day school facility that serves grades seven and eight. The project would provide permanent and upgraded facilities to accommodate the educational needs of up to 240 middle school students on an underutilized portion of the existing High School site. The new Middle School would be up to 18.5 feet in height and would include approximately 30,000 square feet of floor area.

Additionally, minor improvements would be made on the High School site, including the enclosure of three existing balconies and the addition of a canopy over existing walkways. The proposed project would also include the conversion of an existing nursery/pre-school site at 16100 Mulholland Drive to athletic fields to serve both the Middle School and High School students. The Athletic Field site was previously used by the Stephen S. Wise Nursery School program which recently returned to its original, permanent location at the Stephen S. Wise Temple site east of the 405 Freeway.

## III. IMPACTS THAT HAVE NOT BEEN FULLY ASSESSED

We believe that the proposed project will have significant impacts on the environment that have not been fully addressed in the draft EIR. It will have a significant impact on air quality, water, natural resources, population, noise, geology, energy, and population growth.

The Lead Agency must take into consideration the effects of this and other projects which, will have individually limited, but cumulatively considerable impact on the environment. With the effects of past, current and probably future projects mandatory findings of significance should be found. (Guidelines Sec. 15065) Throughout your draft EIR you have relied upon "mitigations" that are required by law or official regulations and these are unacceptable. Such measures cannot serve as mitigations to satisfy the requirements of the California Environmental Quality Act (CEQA). Nor can mitigations be acceptable that are considered to be standard operating practices

by developers who could be found negligent, if such operating procedures were not met.

In preparing your final EIR, you must recognize that any mitigations that you propose must go beyond those mandated by law or existing policy and practice. Compliance with the law and standard operating procedures establishes the baseline. CEQA mitigations are discretionary actions taken beyond the baseline. You must include verifiable mitigations in the final EIR, not merely a recital of legal requirements or standard operating practices. We ask that you revise your findings and address the following environmental concerns which we believe have been overlooked or inadequately dealt with in your draft EIR:

#### IV. IMPACTS ON EARTH

This project will result in disruptions, displacements, compaction and overcovering of soil. The final EIR should specify what grading will be done, and provide a time line indicating the starting and ending dates of all grading and construction activities. 3Haul routes should be described, and mitigation proposed for dealing with the traffic congestion created by the hauling of large amounts of soil on city streets to dumpsites. The information presented in the final EIR should be sufficient to allow for a clear understanding of the geologic hazards and their impacts. The final EIR should present a comprehensive summary of known geologic and seismic hazards near the site. These should be clearly identified to ensure that the proposed buildings plans will fully evaluate and mitigate the problems.

The final EIR should include maps that show areas of unsuitable fill soils, potentially unstable slopes, areas of differential settlement, areas of expansive soils, and the potential zone of inundation from flooding, due to a 100 year flood. The final EIR should present a summary of seismic information on ground acceleration and the duration of strong shaking that could be expected from large earthquakes on nearby faults. Impacts of seismic shaking on existing buildings in the area, and on stability of slopes and fills, should be addressed.

#### V. AIR IMPACTS

The draft EIR did not fully consider the air impacts. A project of this size will have a deteriorating effect on air quality in the region, which is located in a locality which does not meet Federal and State air quality standards. The construction of the project will generate Carbon Monoxide, Nitrous Oxide, Ozone and particulate matter, making it more difficult to attain the required air standards in the basin. Please identify in the final EIR the specific increases of air pollutants generated by this project, and the cumulative impacts on the air quality in the region.

Your assessment should show how this project, when taken together with all other proposed projects in the Mullholand corridor will impact air quality. It should show threshold levels of significance for each type of air emission. The City of Los Angeles and the EPA have entered into a Consent Decree regarding growth within the Hyperion Service Area. They have agreed that growth within the area will not result in air emission increases, nor impede the region's progress toward National Ambient Air

Quality Standards (NAAQS) attainment. Your final EIR should show that all impacts have been reduced to insignificance, in order to comply with the City of Los Angeles and EPA agreement. Anything short of this is a breach of the terms of the Federal consent decree, and actionable, with the possibility of substantial fines being imposed against the City.

Also address the air impacts at both the local level, and within the region. Explain how these impacts will be fully mitigated. Specifically, quantify all related vehicular air emissions, and include the factors, formulas and computations used to arrive at these impacts, and their mitigations.

Please explain in the final EIR what effects diesel fumes, gasoline powered equipment fumes and construction odors will have upon those with respiratory problems, or the aged living nearby. Also discuss the impact on local flora and fauna, giving specific effects upon plant and animal life, as a result of the additional air degradation that may be caused by the project. The EPA has stressed the importance of secondary air impact analysis. The final EIR should assess the secondary air impacts that will result from this project and please provide adequate mitigations for these air impacts. Please contact the EPA in San Francisco, Div. IX, for consultation on this key aspect of your final EIR.

## VI. WATER IMPACTS

The Los Angeles basin is located in a permanent drought area. The direct water impacts from this project have not been fully addressed. Identify source of water, how it will be used in the project, and how the removal of water from the aquifer will be replaced. Fully explain the quantitative impacts on the local and regional water supply, as a result of this project. Estimate water consumption both during and after construction. Provide a detailed list of mitigations to reduce the consumption of water to insignificance.

The City of Los Angeles has enacted ordinances which mandate many water saving and conservation measures. These items must be considered baseline, and do not qualify as mitigation measures, since they are already the law. Your final EIR should impose more extensive measures to deal with the water consumption issue. Please also provide mitigations for dealing with secondary water impacts. The growth sustained by a project of this size will consume large amounts of fresh water, which are in short supply in the region. Also please detail the amount of water necessary for control of dust as well as the cumulative amount of water needed by this project during the construction phase.

## VII. IMPACT UPON ANIMAL AND PLANT LIFE

A project of this size will have a detrimental effect upon the flora and fauna in the project area. The area is a natural habitat for birds and other animals. It will not be possible to construct the project, without a serious impact on the local biota. Provide a detailed assessment of impacts on both plant and animal life as a result of the project. Also provide detailed mitigations to reduce these potential impacts to insignificance.



## VIII. NOISE IMPACTS

A substantial amount of noise will be generated by the proposed project during construction. The movement of heavy vehicles, trucks, compressors and construction equipment will create severe noise problems. Show how it will be possible to construct this project, including removal of many cubic yards of soil without creating severe noise impacts. Noise must be reduced to insignificance.

The final EIR should explain the effects of noise levels on local residents and construction workers, during construction, and the impact on the emotional and physiological well being of people living nearby. Please explain in detail the effects of specific pieces of construction equipment, the noise levels, dBA, frequency and duration of sound that people will be exposed to. Also explain the impact of sustained noise upon the aged or those who are ill and may reside near the construction site. The final EIR should provide mitigation measures that will reduce the noise created by this project to insignificance.

## IX. LIGHT AND GLARE IMPACTS

Light and glare was not adequately assessed in the draft EIR. Residents living near the construction site will be subjected to light and glare. The applicant must be required to illuminate the premises without casting light and glare on nearby buildings. Any buildings located adjacent to the project will be directly impacted. The light and glare that will spill onto nearby buildings must be mitigated in the final EIR. The construction project will result in altered shade and shadow conditions which should also be mitigated to insignificance in the final EIR.

## X. CHANGES IN POPULATION

Changes in population will occur if this project is approved. It will alter the distribution, density and growth rate in the region. It may cause greater population density in a regional ready without adequate infrastructure. Provide a detailed assessment of the growth and job impacts. What kinds and types of jobs will be created, as a result of this project. Provide a detailed list of mitigation measures to deal with any job/housing imbalance created by the project.

## XI. TRAFFIC AND CIRCULATION

Transportation and traffic circulation will be negatively impacted by the proposed project. There are a number of E and F level intersections in the vicinity of the project that have not been addressed in your DEIR. The construction of this project and removal of large amount of soil over city streets will impede traffic and circulation and make gridlock worse. The final EIR should explain how the E and F level, gridlocked intersections in the area will be mitigated to insignificance.

Because of the project's magnitude and the substantial construction required, the proposed project will generate significant traffic congestion problems. Traffic congestion resulting from the expansion of freeways and access roads, lane closures,

detours, slow moving construction vehicles and equipment, project personnel commutes, etc. significantly increase traffic and mobile-source air emissions. Please provide detailed maps in the final EIR which will show how the project will mitigate traffic in the area, including the number of lanes of traffic that will be lost due to the movement of heavy equipment to and from the site during construction.

The final EIR should deal with the phasing issue comprehensively. What will be the incremental impacts on traffic, and if phased, how will the infrastructure be phased in so that all mitigations are in place to prevent increases in traffic or a degradation of circulation? Include the factors, formulas and computations used to arrive at these impacts, and their mitigations. Provide an appendix with all necessary and supporting documentation, including the paper trail that will allow concerned citizens, or decision makers to trace your steps, and your conclusions with regard to traffic impacts.

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Your final EIR should thoroughly cover the adequacy of fire-flow requirements for the necessary level of protection, response distance from existing fire stations, etc. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. Show what improvements will be needed to provide the adequate G.P.M. for fire-flow. The final EIR should contain a thorough analysis of this topic, in consultation with the Water Services Section of the Department of Water and Power. It should also show how the G.P.M. requirements for the first-due Engine Company will be met, and the distance of the first-due Truck company. You will also need to show at least two different ingress/egress roads that will accommodate major fire apparatus, and provide for major evacuation during emergency situations. Include off-site and on-site location of fire hydrants, fire lane widths, and how the project will affect staffing for existing facilities, or there location of present fire protection facilities.

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when city streets will be used for this purpose. How much electrical energy will be needed to operate the project, once it is in operation. Will backup energy sources be used?

What will be the impact on the sewage system. Show the volume of sewage produced by the project, and how it will impact the Hyperion, Los Angeles-Glendale and Tillman plants. Show which sewage lines will need to be upsized, which streets will be affected, and for how long a period. The final EIR should analyze the availability of hydraulic capacity for the anticipated flow in the local and interceptor sewers serving the proposed project area. The quantity and quality of wastewater to be discharged to the sewer system should be more thoroughly analyzed.

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Specifically the Supreme Court stated that "a final EIR must include an analysis of the environmental effects of future expansion or other actions if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects." Please be sure the final EIR properly addresses and mitigates growth inducing impacts which will have individually limited, but cumulatively considerable impact. A final EIR must be prepared which gives thoughtful discussion to dealing with short-term versus long term effects.

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sections require a public agency to make detailed findings regarding the feasibility of all environmentally superior alternatives or additional mitigation measures available prior to approving any project which may cause significant impacts on the environment. See Village Laguna of Laguna Beach, Inc. v. Board of Supervisors (1982) 134 Cal.App.3d 1022, 1034-1035, 185 Cal.Rptr. 41.

XVI

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LEAD AGENCY

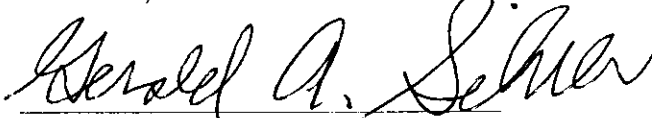
We ask that the lead agency prepare a final EIR that interprets CEQA to afford the fullest possible protection for the environment within the reasonable scope of the statutory language. (Friends of Mammoth v. Board of Supervisors (1972) 8 Cal.3d. 247) We request the lead agency require additional changes and alterations in the project to avoid and substantially lessen the significant impacts that have been reported in the DEIR, satisfying the requirements of CEQA Section 21001. After certifying the EIR, we ask the lead agency select the no discretionary action alternative because it has a right to approve or disapprove the project.

XVII.

We appreciate your allowing us the opportunity to comment on the draft EIR. We look forward to receiving a detailed and comprehensive final EIR, fully in compliance with CEQA, State and local Guidelines.

Executed at Encino, California on August 24, 2005

by Gerald A. Silver,  
President, Homeowners of Encino.



GERALD A. SILVER

**From:** "Marcia Selz, Ph.D." <selz@markmatrix.com>  
**To:** "Nicholas Hendricks" <nhendric@planning.lacity.org>  
**Date:** 8/26/2005 3:58:54 PM  
**Subject:** Stephen S. Wise DEIR ENV-2003-4563-EIR

August 25, 2005

To the:  
LOS ANGELES CITY PLANNING DEPT.  
Stephen S. Wise Middle School Relocation Project  
RESPONSE TO

DRAFT ENVIRONMENTAL IMPACT REPORT  
CASE NO. EAF NO.: ENV-2003-4563-EIR  
STATE CLEARINGHOUSE NO.: 2003101055

Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

The project will be located at: 15900 & 16100 Mulholland Drive  
The project applicant is: Stephen S. Wise Middle School

Dear Sir:

I write to you my about my concerns that the traffic impacts of this project have not been fully studied or outlined in the aforementioned DEIR. Although the student body is not proposed to change, the DEIR does not adequately address the need to improve and increase the mitigation measures of an already overloaded traffic corridor. The intersections that will be impacted by this project are already heavily congested. This congestion causes back-up onto neighborhood streets and gridlock for the residents. Please review the findings in the DEIR and ensure that the final EIR has sufficient mitigation or restrictive measures to improve the traffic and circulation for nearby neighborhoods.

In advance, thank you for your consideration.

Sincerely,  
Marcia Selz, Ph.D.  
302 N. Parkwood Drive  
Los Angeles, CA 90077

**Ellen Winthrop Michel  
3056 Greentree Court  
Los Angeles, California 90077**

August 27, 2005

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

Re: Stephen S. Wise Middle School Relocation Project  
ENV-2003-4563-EIR

Dear Mr. Hendricks:

The Draft EIR for the above referenced relocation project has determined that the project can operate, with the implementation of mitigation measures, with insignificant impacts on the environment. Construction activities that result in impacts that cannot be mitigated fully, such as noise and air quality, are short-term only and are generally expected during any construction project.

Some temporary inconvenience is a small price to pay in order to consolidate the two existing schools onto one site where facilities can be shared, thus decreasing the total amount of new development that would otherwise be needed for the middle school.

I support the relocation of the middle school and hope that you will support the findings in the Draft EIR.

Sincerely,

Ellen Winthrop Michel

cc: Hon. Jack Weiss  
Hon. Bill Rosendahl

**Ashley M. Silberfeld**  
**555 S. Barrington Ave., #402**  
**Los Angeles, California 90049**

August 30, 2005

Mr. Nicholas Hendricks  
Environmental Review Coordinator  
Department of City Planning  
200 N. Spring Street, Rm. 750  
Los Angeles, CA 90012-4801

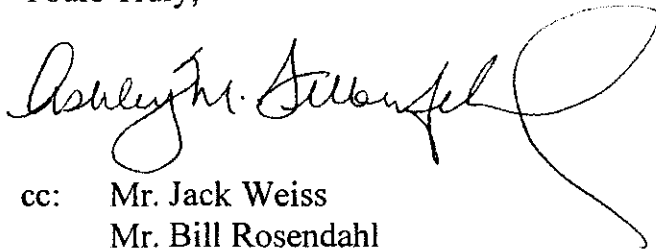
ENV-2003-4563-EIR  
Stephen Wise Middle School Relocation

Mr. Hendricks:

The Stephen Wise middle school project, with mitigations, will reduce the existing amount of traffic on Mulholland Drive, as shown by the traffic study contained in the Draft EIR. And, although some may argue about the traffic study findings, the study was done using accepted methodologies that have been approved by the City.

The draft EIR should be certified by the City and the relocation project should move forward quickly.

Yours Truly,

  
cc: Mr. Jack Weiss  
Mr. Bill Rosendahl

August 23, 2005

Mr. Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Rm. 750  
Los Angeles, CA 90012-4801

**RECEIVED**  
CITY OF LOS ANGELES  
AUG 29 2005  
ENVIRONMENTAL  
UNIT

Reference: ENV-2003-4563-EIR  
Stephen S. Wise Middle School & High School Consolidation

Dear Mr. Hendricks:

The draft Environmental Impact Report should be certified and the consolidation of the middle and high school should be approved.

First of all, both project sites are already developed for educational use. The relocation of the middle school will simply require the former Nursery School site to be converted into an athletic field that will serve both the high school and middle school.

The draft EIR finds that new construction of the middle school buildings would be consistent with the aesthetic standards and policies of the Mulholland Scenic Parkway Specific Plan. The project has been designed to fit into the hillside and would fall below the grade of Mulholland Drive, thus having minimal effect on views. Due to the unique circumstances of the project site, there is a request for a plan exception to penetrate the viewshed. This exception should be approved as the Report has determined that the exception would not cause any substantial adverse impacts.

The project will not only serve to provide a better educational experience for those students that attend the consolidated schools, but will also guarantee an aesthetic enhancement to the area.

Thank you,



Susan Dean

cc: Honorable Jack Weiss  
Honorable Bill Rosendahl



August 20, 2005

**RECEIVED**  
CITY OF LOS ANGELES

AUG 29 2005

ENVIRONMENTAL  
UNIT

Mr. Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Rm. 750  
Los Angeles, CA 90012-4801

Subject: Stephen S. Wise Middle School Relocation Project  
ENV-2003-4563-EIR

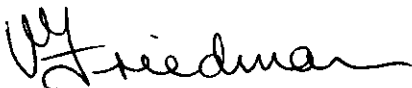
Dear Mr. Hendricks:

I would like to comment on the above referenced project and the Draft EIR that has been completed. The Draft EIR fully addresses the issues of concern surrounding the relocation of the middle school.

I commend the applicant regarding their down-sizing of the regulation-size soccer field that was originally proposed as part of the project. The smaller field reduces community concerns about traffic since Stephen S. Wise has agreed to restrict the field to Temple school-related physical education uses only. Since the applicant has agreed that the field will not host any athletic competitions with other schools, the number of vehicle trips is significantly reduced from the originally proposed project.

The Draft EIR concludes that operations of the consolidated high school and middle school will have no significant environmental impact. Therefore, it seems that consolidation of the two schools makes good sense.

Sincerely,



Vivienne Friedman

cc: Hon. Bill Rosendahl  
Hon. Jack Weiss



GLENN A. SONNENBERG  
President

Legg Mason Real Estate Investors, Inc.  
10880 Wilshire Blvd., Suite 1750, Los Angeles, CA 90024  
310 • 234 • 2101 Fax: 310 • 234 • 2150

August 26, 2005

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

RECEIVED  
CITY OF LOS ANGELES  
AUG 30 2005  
ENVIRONMENTAL  
UNIT

Subject: Stephen S. Wise Middle School Relocation Project: ENV-2003-4563-EIR

Dear Mr. Hendricks:

I urge you to support the findings of the Draft EIR and approve the necessary permits to allow the consolidation of the Stephen Wise middle and high schools. This project makes good sense for the surrounding areas, as it consolidates all the children that attend the two schools at one location. Thus, the use of shared facilities will minimize the amount of development needed by the middle school, and will reduce traffic trips on Mulholland.

Importantly, the proposed traffic improvements and the implementation of a Transportation Demand Management program at the middle school will serve to ensure that impacts to intersection operations from the consolidation of the schools are less than significant.

Sincerely,

Glenn A. Sonnenberg

cc: Councilman Bill Rosendahl  
Councilman Jack Weiss

# BEL AIR SKYCREST PROPERTY OWNERS ASSOCIATION

16448 Sloan Drive, Los Angeles, CA 90049 (310) 471-6667

September 8, 2005

Nicholas Hendricks, Environmental Review Coordinator  
Department of City Planning  
Environmental Review Section  
200 N. Spring Street, Room 750  
Los Angeles, CA 90012

RECEIVED  
CITY OF LOS ANGELES  
SEP 13 2005  
ENVIRONMENTAL  
UNIT

Re: EAF NO: ENV-2003-4563-EIR  
Stephen S. Wise Middle School Relocation Project

Dear Mr. Hendricks,

Thank you for providing two (2) copies of the Draft EIR ("DEIR") to members of our community and also for extending the time for response to and including September 10, 2005. Our Association is a California Non-Profit Corporation representing 99 properties, with more than 400 residents, located west of the project site. In terms of distance, ours is the residential community closest to the proposed athletic field. There are four (4) homes located on Mulholland Place which are closer to the west of the proposed middle school but it is our understanding that none of those residents received a copy of the DEIR. The questions and comments set forth herein represent the consensus of opinion of our entire community. Those matters, which involve our primary areas of concern regarding the project are as follows:

## 1) PROPOSED WIDENING OF MULHOLLAND DRIVE

Widening of Mulholland Drive is inconsistent with the Mulholland Scenic Corridor Specific Plan ("the Plan"). Although widening to include one additional lane along the south side of Mulholland Drive, of up to 12 feet in length between the proposed Middle School site and the I-405 Freeway, is mentioned in Alternatives B and C, it is not specifically included in the Project Description (Vol. 1, Part II, pages 38-58). Part IV.I. (Transportation and Circulation, pages 237-276) does include references at pages 264 and 266 to "new pavement as needed on Mulholland Drive", "enhanced pavement" and "pavement widening" but goes on to state: "These enhancements are not currently part of the project design" and, further that: "these improvements may be incorporated into the design of the access locations at a later date".

The DEIR is dated July 2005. On July 25, 2005, members of our Board of Directors met with representatives of the Stephen S. Wise Temple ("SSWT") and were informed that the widening of Mulholland Drive is definitely included as a feature of this project. Accordingly, it is our position that the DEIR is inadequate, and perhaps even misleading for failure to include a more comprehensive discussion and analysis of this important aspect of the project.

For more than 30 years, our Association has consistently opposed any widening of Mulholland Drive and we remain committed to the Mulholland Scenic Corridor in its current 2 lane configuration as described in the Plan. At your Scoping Meeting for this project, several members of our community spoke out against the project on the basis that it might require widening Mulholland Drive. We are disappointed to note that you did not include this subject in the DEIR Category of "AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED" (Vol. I, I.C.-Summary). We now request that you accord major consideration to this issue in the Final version of the EIR.

## 2) STUDENT ENROLLMENT

The Conditional Use Permit under which the SSWT/Milken High School operates already provides for a combined High School/Middle School of 650 students in grades 7-12 (See CUP No. ZA 93-0147 (CUZ) (PAD). It was our original understanding and our belief for the past 12 years, until reading the DEIR, that the middle school would eventually be completely relocated to the present high school site. We are informed that numerous middle school students matriculate in classes at the high school site and are bused back and forth between the two locations. We are also aware that there are not 240 students enrolled at the current "temporary" middle school site, nor are there 650 students enrolled at the High school. We are informed by reliable SSWT personnel that the combined high school/middle school enrollment during the Spring semester of 2005 did not exceed 650 students, nor will it exceed that number in the Fall of 2005.

Moreover, the middle school is not entitled to transfer the so-called "permitted enrollment" of 240 students from their current "temporary", but un-owned, location because the rights to the CUP on that property run with the land. That CUP (No. ZA 86-1070 (CUZ/ZV) was originally granted to SSWT at a time when SSWT and the Bel Air Presbyterian

Church planned to jointly purchase the subject property. The CUP should have expired in accordance with its own terms because SSWT did not, in fact, purchase any interest in the property nor was any permanent construction ever commenced as originally contemplated. That CUP was extended for the sole purpose of allowing SSWT's middle school to remain in "temporary" facilities until their permanent facility at the present high school site was completed.

Accordingly, we contend that any studies or projections in the DEIR based on a supposed enrollment of 890 students is fundamentally flawed and should, at the very least, be compared to the more probable current enrollment of not more than 650. We also recommend that in preparing the Final EIR, your department should attempt to ascertain the correct number of students actually enrolled at all educational institutions in the approximately 1 mile area known as the Institutional Use Corridor ("IUC"). We are informed that there are 10 such institutions but the enrollment numbers vary from 3650+ to more than 4050 depending on the sources of such data.. For many reasons, including the cumulative impact of this project, we believe the City Planning Department has a vested interest in obtaining the actual enrollment numbers from each institution and then considering the combined total in any calculations or projections regarding traffic and other impacts.

It is important to note, however, that this is not a Relocation Project which will result in no additional students! This project is actually designed for the increase in permitted student enrollment by 240 students (a 40% increase), enlargement of permitted building space by an additional 37,056 square feet (new middle school facility and enclosure of high school balconies), enlargement of the parking lot by an additional 42 spaces as well as other changes to the existing SSWT High School/Middle School CUP. Thus the DEIR is inadequate for failure to accurately and candidly describe the project as the proposed major modification of an existing CUP which includes the off-site relocation of a major portion of the physical education facilities, for failure to mention the findings and variances needed in order to separate the daily educational activities onto non-contiguous parcels of land and for failure to adequately assess the impacts associated with the need to shuttle students to and from said parcels throughout each school day.

### 3) FIRE SAFETY/EVACUATION PLAN

The Los Angeles Fire Department ("LAFD") has designated our area a "High Fire Hazard Severity Zone". Yet we find no reference to this fact in the DEIR nor any studies nor discussion regarding fire safety proposals involving the project. At the very least, the project should include an evacuation or containment plan for the safety of its own students and staff. Neither the City nor the LAFD has an evacuation plan in place for our area; their most recent position on the subject of response to hazards is one of "containment" (i.e. in the event of a major fire there would be total closure of Mulholland Drive ingress and egress in the affected area; nobody would be allowed to get in and nobody could get out while the LAFD attempts to control the fire). With more than 4,000 students attending 10 schools within the IUC and thousands of homeowners also affected in the surrounding area, a major conflagration would result in chaos. Human nature being what it is, no City/LAFD policy would prevent the parents of more than 4,000 school children from attempting to personally evacuate their own children; nor would the residents be deterred from attempting to either return to their homes or to flee the scene. At that point, of course, the lack of adequate fire-fighting capacity would become a matter of paramount concern -- but, perhaps too late!

However, there is a small fire station within a hundred feet of our community and less than a mile from the proposed project (Fire Station No. 109); just a light duty, single engine station, but with sufficient space for enlargement to a heavy duty engine company with capacity for adequate response to a major fire. Unfortunately, the LAFD's letter in response to your NOP fails to identify that station but their reference to Fire Station No. 108 in Beverly Hills may have been a typographical error (see DEIR, Vol. 1, Appendix A, Comment Letters).

We suggest that the Final EIR should contain a thorough discussion of Fire and Police response times, capacities and plans in the event of any major catastrophe in the IUC, including fire, flood, earthquake, riot, terrorist attack or any other hazard. We also recommend that the expansion of Fire Station No. 109 be given top priority as a mitigation measure; to be constructed prior to the expansion of any other projects in the IUC.

#### 4) VIEWS, LIGHT & NOISE IMPACTS

The DEIR incorrectly states that "neither project site . . . would substantially obstruct a recognized or valued view enjoyed from public or private vantages". In actuality there are several residences in our community, which have direct views of the proposed athletic field site.

Numerous other properties have somewhat limited views of the site.

Almost all properties on the east side of our neighborhood are impacted by the current lighting at the SSWT Middle School and Nursery School sites and our entire neighborhood is adversely impacted by noises emanating from the Skirball amphitheatre - more than a mile away.

The suggestion that views, lighting and noise are less than significant impacts is patently ridiculous!

We specifically recommend that there be no night lighting of the proposed athletic field and no usage of that field on weekends and holidays. Because the project specifies a school closing time of 2:30 PM and no intramural games nor inter-league competitions, we can find no justification for night lighting of the field. Night lighting would impose an unwarranted adverse impact upon our community and serve no important function for the school. Moreover, the Berkeley Hall School CUP specifies no night lighting of their athletic field, which is directly east of the proposed site.

We respectfully submit that the subjects of view, lighting and noise require further study and much more important consideration in the Final EIR.

#### 5) MULHOLLAND DRIVE RIGHT OF WAY

The Specific Plan shows the Mulholland Drive right-of-way in our area as a pedestrian trail. Apparently the former SSWT Nursery School, which is now proposed to become the SSWT athletic field, has already illegally intruded into that right-of-way and now proposes to extend its athletic field onto that property.

Our community needs bike paths and pedestrian trails. We respectfully point out that our area is zoned for residential use. We object to any private, commercial or institutional use of such public property.

6) SEPULVEDA BOULEVARD TUNNEL/BRIDGE

The proposed middle school site is dangerously close to the Sepulveda Boulevard tunnel -- yet there is only slight reference in the DEIR to the tunnel and no reference to the fact that Mulholland Drive passes directly over the tunnel at a point adjacent to the proposed middle school. Much has been written about defects and proposals related to the tunnel; all of which should be included in the Final EIR. Our major concern at this time is that there has evidently been no geological study of the tunnel nor of its bridge which comprises a portion of Mulholland Drive. Please include a thorough review of this subject in the Final EIR.

7) TRAFFIC

Traffic in the IUC is already horrible at certain hours of the morning, afternoon and evenings of every school day and the overall rating of F+ would be more accurate during those hours.

The DEIR provides an inadequate analysis of the true impact on our community. Assumptions and ratings cited in the DEIR should be reexamined in light of the clear, plain, factual traffic problems that we and our neighboring communities face on a daily basis.

8) CUMULATIVE IMPACTS

The DEIR compares this project only to other supposedly proposed projects; with no mention of the existing status of the IUC! This is a wholly inadequate analysis. No adequate study of cumulative impacts can be made without first knowing the foundation upon which proposed increases are to be made. Please provide a comprehensive overview of the area that this project will affect, including current data regarding student enrollment, square footage of buildings compared to available land, number of visitors to cultural and religious institutions on a daily and annual basis, number of staff and other personnel at all relevant institutions, number of current car trips to and from all institutions, number of residences within a one (1) mile radius and the SSWT projections for future growth and expansion in the area.



9) OTHER IMPACTS

Without diminishing the importance of other impacts from this project our community doesn't have the expertise to analyze the subjects of air quality, biological and cultural resources, geology and hydrology. But it is the consensus of our community that these subjects are in need of further investigation because many of us have experienced negative effects from changes in our environment associated with these topics and don't believe that they have been accorded adequate coverage in the DEIR. It is our hope and request that either the City or the applicant will undertake that job. Otherwise, of course, we will be faced with the need to hire additional experts; which shouldn't be our responsibility.

In conclusion, we appreciate the opportunity to participate in the review process and look forward to receiving the Final EIR.

Very truly yours,



Mort Rezvani  
President

BEL AIR SKYCREST PROPERTY OWNERS ASSOCIATION



Barbara Dohrmann  
Chair, Legal Committee

cc: Bill Rosendahl, Councilman, District 11  
Jack Weiss, Councilman, District 5