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Via E-mail

Councilmember Marqueece Harris-Dawson, Chair
Councilmember Gilbert A. Cedillo
Councilmember Bob Blumenfield
Councilmember John S. Lee
Councilmember Monica Rodriguez
City of Los Angeles
Planning and Land Use Management Committee
200 North Spring Street, Room 340
Los Angeles, CA 90012

Re: Comment on the Initial Study/Negative Declaration for the 9500 Pico Mixed-Use Project (ENV-2020-5838)

Dear Chair Harris-Dawson and Honorable Members of the Planning and Land Use Management Committee:

I am writing on behalf of **Supporters Alliance For Environmental Responsibility ("SAFER")** regarding the Initial Study and Negative Declaration ("IS/ND") prepared for the 9500 Pico Mixed-Use Project (ENV-2020-5838), including all actions related or referring to the proposed construction, use, and maintenance of a six-story mixed-use building with a total of 108 residential dwelling units and a total of 3,250 square feet of commercial space (1,000 square-foot restaurant and 2,250 square feet of retail) and 134 parking spaces provided within two levels of subterranean parking, located at 9500 - 9530 W. Pico Boulevard in the City of Los Angeles ("Project").

After reviewing the IS/ND, we conclude the IS/ND fails as an informational document, and that there is a fair argument that the Project may have adverse environmental impacts. Therefore, we request that the City of Los Angeles ("City") prepare an environmental impact report ("EIR") for the Project pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000, et seq.

SAFER submitted comments to the Planning Commission on September 9, 2021, which were supported by comments from environmental consulting firm Soil/Water/Air Protection Enterprise ("SWAPE") and Certified Industrial Hygienist

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Francis “Bud” Offermann (See, SAFER comment letter, September 9, 2021, Exhibit A-B).

In its letter attached to the September 9 SAFER comment, SWAPE identified significant adverse project impacts from air quality, health risks, and greenhouse gases. After reviewing the City’s response to comments, SWAPE found that it was insufficient to address the issues they previously raised regarding air quality. SWAPE’s supplemental letter explaining why the City’s response is inadequate, is attached to this comment as Exhibit A.

In its original comment, SWAPE found that the following parameters used in modeling the Project’s air emissions were unsubstantiated:

- Unsubstantiated Changes to Individual Construction Phase Lengths
- Incorrect Application of Area-Related Operational Mitigation Measures

Ex. A, p. 2-4. In an effort to more accurately estimate the Project’s construction-related and operational emissions, SWAPE prepared an updated CalEEMod model with Project-specific information. *Id.* at 4-5. SWAPE’s updated analysis demonstrated that the Project’s construction-related NOx emissions would exceed the SCAQMD threshold of 100 pounds per day. *Id.* This represents a significant impact that was not identified by the ND or the City’s response to comments. An EIR or an MND should be prepared which addresses and mitigates this impact.

As for Mr. Offermann, he also reviewed the City’s response to comments, and has provided a rebuttal, attached to this letter as Exhibit B. The City’s response to comments misstates several of the claims made by Mr. Offermann in his initial comments attached to the September 9, 2021 SAFER letter. Mr. Offermann reiterates that the Project has the potential to cause significant adverse indoor air quality impacts. An EIR is required to properly address and mitigate this impact since Mr. Offermann’s comments constitute substantial evidence supporting a fair argument that the Project will have a significant impact.

For the foregoing reasons, and those set forth in SAFER’s September 9, 2021 comment letter, SAFER believes that the ND is wholly inadequate. The City must prepare an EIR for the Project in accordance with CEQA. Thank you for considering these comments.

Sincerely,



Amalia Bowley Fuentes
Lozeau Drury LLP