

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

amarshall@adamsbroadwell.com

AGENDA POSTED
CITY CLERK'S OFFICE

SACRAMENTO OFFICE

26 MAR 10 PM 1:00

1000 CAPITAL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

KEVIN T. CARMICHAEL
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
RICHARD M. FRANCO
ANDREW J. GRAF
TANYA A. GULESSERIAN
RACHAEL E. KOSS
AIDAN P. MARSHALL
ALAUURA R. MCGUIRE

Of Counsel

DANIEL L. CARDOZO
MARC D. JOSEPH

March 10, 2026

VIA EMAIL AND ONLINE SUBMISSION

ATTN: Chair Blumenfield and Councilmembers
Planning and Land Use Management Committee
Los Angeles City Council
Portal: LACouncilComment.com
Email: clerk.plumcommittee@lacity.org

Re: Agenda Items 6 and 7 – Comments in Support of Appeal of 6000 Hollywood Blvd Project (Case Nos. ZA-2022-6687-CUB-DB-SPR-VHCA-1A; ENV-2022-6688-EIR; VTT-83987-1A; SCH No. 2023050659)

Dear Council President Blumenfield and Councilmembers:

On behalf of Appellant **Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA")**, we submit these comments in support of CREED LA's appeal ("Appeal") of the City of Los Angeles ("City") City Planning Commission's ("CPC") November 6, 2025 approvals of the 6000 Hollywood Blvd Project (Case Nos. ZA-2022-6687-CUB-DB-SPR-VHCA-1A; ENV-2022-6688-EIR; VTT-83987-1A; SCH No. 2023050659) ("Project"). CREED LA's Appeal of the Project's Site Plan Review, Conditional Use Permit, Density Bonus Compliance Review, Final Environmental Impact Report ("FEIR") will be considered as Agenda Item 6 of the March 10, 2026, Planning and Land Use Management Committee ("Committee") meeting, and CREED LA's appeal of the Project's Vesting Tentative Tract Map will be considered as Agenda Item 7.

CREED LA respectfully requests that the Committee uphold the Appeal due to the City's failure to comply with the California Environmental Quality Act ("CEQA"), the Los Angeles Municipal Code ("LAMC"), and General Plan. There is substantial evidence in the record before the Committee that the Project would result in:

- Significant unmitigated public health impacts from exposure to the Project's diesel particulate matter ("DPM") emissions which result in a significant, unmitigated cancer risk of **22.3 in 1,000,000 and cumulative impacts to sensitive populations**. The City refuses to engage in analysis and

mitigation of those risks, despite CEQA's clear mandates and despite the fact that the Project site is located next to a preschool.

- Soil contamination impacts that have not been characterized or mitigated.
- Significant construction noise impacts at nearby recording studios that the City has not acknowledged or mitigated.

CREED LA's Appeal demonstrated that the City violated CEQA by certifying the Project's FEIR and adopting environmental findings, a Statement of Overriding Considerations, and Mitigation Monitoring Program despite these impacts.

The City has not resolved these issues in the three months since the Appeal was filed. The City's responses to comments ("Staff Report") is conclusory and fail to address any of the major issues. As a result, the FEIR remains a legally deficient document which fails to disclose and mitigate the Project's significant individual and cumulative impacts, in violation of CEQA. The City's lack of investigation and failure to address significant, unmitigated impacts also demonstrate that the City lacks substantial evidence to make requisite findings to approve the Project's entitlements under the LAMC and General Plan.

A. Health Risk Impacts from Exposure to Diesel Particulate Matter Remain Significant and Unmitigated

The City continues to ignore substantial evidence demonstrating that the Project's emissions result in significant, unmitigated health risks to sensitive populations, and refuses to engage in an analysis of those risks, despite CEQA's clear mandates to do so. As a result, the FEIR's air quality and health risk analyses do not comply with CEQA, and the FEIR lacks adequate mitigation to reduce health risks to less than significant levels.

CREED LA's air quality consultant Dr. Clark provided quantitative evidence demonstrating that the FEIR's health risk analysis contained errors that underestimated the Project's impacts, and that when these errors are corrected, ***the cancer risk for the most sensitive population near the Project site would be 22.3 in 1,000,000.***¹ This exceeds the Air District's cancer risk threshold of 10 in a

¹ Letter from Adams Broadwell Joseph & Cardozo to City re: Appeal of Zoning Administrator Decision Regarding the 6000 Hollywood Blvd Project (Case No. ZA-2022-6687-CUB-DB-SPR-VHCA; ENV-2022-6688-EIR; SCH No. 2023050659; Related Case No. VTT-83987-VHCA).

March 10, 2026

Page 3

million, resulting in a significant health impact.² The FEIR failed to disclose or mitigate this impact.

The City refuses to engage with this evidence and repeats baseless arguments as to why it does not need to analyze or mitigate health risk from DPM emissions.

First, the Staff Report continues to claim that health risk is not significant because age sensitivity to air pollution is irrelevant. This is false. The Supreme Court has explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.³ The City's approach is also inconsistent with its own analysis of health risk in other projects in which the City has used Age Sensitivity Factors ("ASFs").⁴ CREED LA presented evidence showing that the City applied ASFs in numerous other EIRs for residential and commercial projects.⁵ In response, the City simply throws up its hands and attempts to disclaim its own methodology by stating "the inclusion of ASFs for one project does not mandate that all projects follow the same methodology."⁶

Second, the City also claims that guidance from the South Coast Air Quality Management District does not consider age sensitivity.⁷ This is false. As CREED LA's Appeal explained, SCAQMD has commented on many HRAs conducted in the South Coast Air Basin, commenting on the failures of other agencies to apply ASFs for projects with DPM emissions.⁸ Moreover, application of ASFs is critical for this

² *Id.*

³ *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.

⁴ PLUM Committee Staff Report, pg. 3.

⁵ For example: City of Los Angeles, Air Quality Technical Report For the Proposed 1020 S. Figueroa Street Project (June 2016), available at

https://planning.lacity.gov/eir/1020SoFigueroa/DEIR/Appendix_C_Air_Quality_Technical_Report.pdf

; City of Los Angeles, Initial Study for 698 New Hampshire Project, pg. B23-B24, available at

https://planning.lacity.gov/staffrpt/mnd/Pub_102716/ENV-2016-1414.pdf; City of Los Angeles, Air

Quality Technical Report for 698 New Hampshire Project (September 2017), pg. 52-53, available at

https://planning.lacity.gov/eir/FigPico/files/Apx%20C_Air%20Quality%20Tech%20Report.pdf; City of

Los Angeles, Final EIR for Harvard-Westlake Parking Improvement Plan (June 2017), pg. 66,

available at

[https://planning.lacity.gov/eir/Harvard_WestLake/FEIR/0.0%20FEIR%20Responses%20to%20Comm](https://planning.lacity.gov/eir/Harvard_WestLake/FEIR/0.0%20FEIR%20Responses%20to%20Comments%20and%20MMP.pdf)
[ents%20and%20MMP.pdf](https://planning.lacity.gov/eir/Harvard_WestLake/FEIR/0.0%20FEIR%20Responses%20to%20Comments%20and%20MMP.pdf).

⁶ PLUM Committee Staff Report, pg. 3.

⁷ PLUM Committee Staff Report, pg. 2-3.

⁸ These letters are linked on pg. 16 of CREED LA's July 15, 2025, comments on the Final EIR.

Project because it is located next to a preschool, where young children and teachers will be exposed to the Project's construction emissions.

Third, the Staff Report reiterates the City's scientifically unsupported claim that ASFs need not be applied for diesel exhaust because not all of diesel exhaust's constituent particles are mutagenic (USEPA states that ASFs should be applied for compounds with mutagenic effects). This argument has already been refuted. Simply put: USEPA found that there is "extensive supporting data including the demonstrated *mutagenic* and/or chromosomal effects of DE."⁹ The City's argument that not all of diesel exhaust's constituent particles are mutagenic is thus completely irrelevant.

The City's approach to the health risk posed this Project is inconsistent with law and fact, with its own methodology, and with the methodology of regulatory agencies. The FEIR's health risk analysis therefore remains incorrect and unsupported. The Committee should uphold the Appeal and require the significant impact on the Shir Hashirim Montessori School and residences next door to the Project to be disclosed and mitigated in a revised EIR.

B. The City Still Has Not Disclosed Cumulative Health Risk

CREED LA's Appeal demonstrated that the City's analysis of cumulative health risk impacts violated CEQA because it improperly focuses on the Project's individual impacts and ignores cumulative effects. CREED LA noted that a SCAQMD Working Group has stated that its existing cumulative impacts methodology is inadequate to meet CEQA's requirements, and proposed new protocols for analyzing cumulative impacts.¹⁰ Under the proposed protocols, impacts to communities with high pollution burden would be compared against more stringent significance thresholds. Here, the community ranks in the 99.3 percentile in the State for exposure to diesel particulate matter, so would be subject to a reduced significance threshold.¹¹

⁹ U.S. Environmental Protection Agency, Integrated Risk Information System (IRIS) Chemical Assessment Summary: Diesel engine exhaust; CASRN N.A., pg. 11, available at https://iris.epa.gov/static/pdfs/0642_summary.pdf.

¹⁰ SCAQMD, Working Group Meeting #6: Cumulative Impacts from Air Toxics for CEQA Projects, https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561_13, pg. 4.

¹¹ DEIR, Appendix B, PDF pg. 54.

The Staff Report and Applicant letter fail to respond to this issue with reasoned analysis, reiterating prior arguments already addressed in CREED LA's appeal. The Staff Report argues that because SCAQMD has not officially adopted new guidance, the City may use its discretion to continue to rely on SCAQMD's current thresholds. But as stated in the Appeal, even if new guidelines have not yet formally been adopted, the City ignored evidence showing that its methodology is outdated and no longer supported by substantial evidence.

C. The City Has Still Not Characterized Onsite Soil Contamination

The Project would be constructed on a site contaminated with Volatile Organic Compounds ("VOCs") found in levels exceeding residential and commercial thresholds.¹² The Project was originally analyzed as requiring 40-foot-deep excavation, but was revised in the FEIR to require 48-foot excavation. CREED LA demonstrated that the City's Phase I and II ESA had not analyzed soil and soil vapor contamination at that depth, rendering the FEIR's conclusions unsupported by substantial evidence.

The Staff Report *ignores* the fact that no sampling was done below 40 feet bgs and continues to assert that "the Final EIR adequately analyzes the increased excavation quantity and depth."¹³ This statement does not address the flaw identified by CREED LA, which is that no sampling was done below 40 feet bgs and that the City has no evidence to support this conclusion.

The Staff Report also responds that the Soil Management Plan required by HAZ-MM-1 would mitigate any impacts.¹⁴ But Dr. Clark previously demonstrated that if there are especially high levels of contamination in the soil below the Project (48 bgs or below), they may infiltrate upwards into the Project's buildings.¹⁵ In that situation, simply removing currently contaminated soils would be ineffective, and additional mitigation would be required.¹⁶

¹² DEIR, pg. IV.F-26.

¹³ PLUM Committee Staff Report, pg. 4.

¹⁴ PLUM Committee Staff Report, pg. 4.

¹⁵ Letter from ABJC to City re: Agenda Item 1 – 6000 Hollywood Boulevard Project (SCH No. 2023050659; Environmental Case No. ENV-2022-6688-EIR) (July 15, 2025), pg. 7.

¹⁶ *Id.*

By failing to characterize baseline soil conditions at the new Project depth and failing to analyze the severity of impacts associated with excavating the soil contamination below 40 feet bgs, the FEIR fails to comply with CEQA's disclosure requirements. The FEIR also lacks substantial evidence to conclude that HAZ-MM-1 would be effective in light of these substantial physical changes in the Project.

D. The City Improperly Defers Formulation of Mitigation for Soil Contamination

CREED LA's Appeal demonstrated that HAZ-MM-1, which calls for future formulation of a Soil Management Plan ("SMP"), which would be approved by City Department of Building and Safety after Project approval, constitutes improperly deferred mitigation.¹⁷

Deferring formulation of mitigation measures is generally impermissible.¹⁸ If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.¹⁹ Mitigation that does no more than allow approval by a county department without setting enforceable standards is inadequate.²⁰

The Staff Report responds that CREED LA confuses a cleanup plan with an SMP.²¹ This statement is erroneous because CREED LA's appeal clearly stated that the details of the SMP were improperly deferred, and separately argued that a cleanup plan with expert agency oversight was needed to ensure that impacts from disturbance of existing contamination would be adequately addressed.²²

The Staff Report further states: "[t]he SMP would specify the frequency of testing and the specific contaminants and thresholds that would require soil

¹⁷ FEIR, pg. IV-8.

¹⁸ *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.

¹⁹ *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; Quail Botanical, supra, 29 Cal.App.4th at pg. 1604, fn. 5.

²⁰ *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 794.

²¹ PLUM Committee Staff Report, pg. 4.

²² Letter from ABJC to City re: Appeal of City Planning Commission Determinations Regarding the 6000 Hollywood Blvd Project (Case No. ZA-2022-6687-CUB-DB-SPR-VHCA-1A; ENV-2022-6688-EIR; SCH No. 2023050659; Related Case No. VTT-83987-1A) (December 23, 2025), pg. 7.

removal.”²³ This is an example of improperly deferred mitigation because the City is deferring formulation of performance standards until after Project approval.²⁴

The Staff Report also states: “[c]omplete removal of any impacted soils, as contemplated by the Project, reduces potential impacts related to hazardous materials as compared to remediation of any impacted soils.”²⁵ But as explained in DTSC’s comments, “an SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment...DTSC recommends that a cleanup plan, a Remedial Action Workplan (RAW) or Remedial Action Plan (RAP), be prepared to adequately address all site impacts after complete characterization.”²⁶ The Staff Report fails to meaningfully address evidence that an SMP alone would be inadequate to mitigate hazardous materials impacts, requiring a cleanup plan with agency oversight. The Staff Report also fails to respond to evidence that the City Department of Building and Safety is not self-certified to provide oversight for environmental investigations and cleanup.

The City thus continues to ignore the substance of CREED LA’s Appeal.

E. The City Still Fails to Fully Analyze and Mitigate Significant Noise Impacts

CREED LA’s noise expert provided substantial evidence demonstrating that groundborne construction noise may adversely affect receptors at two nearby recording studios, and explained that the FEIR ignored this impact because it failed to identify nearby recording studios as sensitive receptors for noise and vibration impacts.

CREED LA’s Appeal explained that (1) recording studios are listed as sensitive uses in the Noise Element of the General Plan,²⁷ (2) recording studios are identified as sensitive receptors under the City’s updated “Construction Noise and

²³ PLUM Committee Staff Report, pg. 4.

²⁴ Cal. Code Regs. Tit. 14, § 15126.4.

²⁵ PLUM Committee Staff Report, pg. 4.

²⁶ FEIR, Appendix 1, pg. 4.

²⁷ City of Los Angeles, General Plan, Noise Element, pg. 29,

https://planning.lacity.gov/odocument/b49a8631-19b2-4477-8c7f-08b48093cddd/Noise_Element.pdf.

Vibration Thresholds and Methodology,”²⁸ and (3) any City policy allowing the Project to rely on the outdated City noise guidelines would not override CEQA’s requirement that an agency’s analysis be supported by substantial evidence.²⁹ Even the City’s updated thresholds state “[i]n practice, use of the thresholds from the [prior guidelines] has resulted in construction noise impact conclusions that are not supported by substantial evidence.”³⁰

The Staff Report continues to ignore this evidence, asserting that “City policy” permits the Project to use the outdated CEQA noise thresholds.³¹ This response does not address the plain General Plan conflict or demonstrate that the prior City noise thresholds are still supported by substantial evidence. As such, the evidence before the Committee demonstrates that the FEIR fails to meet CEQA’s requirements.

F. Other Impacts Identified in CREED LA’s Appeal Remain Unresolved

The Staff Report fails to resolve the City’s remaining legal violations, which include geotechnical and energy impacts. These comments also attach a letter from expert toxicologist Dr. James Clark, demonstrating that the Project’s significant hazardous materials impacts have not been addressed.³² Also attached is a letter from noise expert Jack Meighan, which demonstrates that the City has still failed to adequately analyze and mitigate noise impacts.³³

²⁸ Construction Noise and Vibration: Updates to Thresholds and Methodology” (August 2024), available at <https://planning.lacity.gov/odocument/fba26ae5-ca95-48c3-aace-ae3bf0cb43b1/Construction%20Noise%20and%20Vibration%20-%20Proposed%20Updates%20to%20Thresholds%20and%20Methodology%20&%20Attachments.pdf>.

²⁹ Cal. Code Regs. Tit. 14, § 15064.7

³⁰ Construction Noise and Vibration: Updates to Thresholds and Methodology” (August 2024), pg. 10.

³¹ PLUM Committee Staff Report, pg. 6; see Letter from Eyestone Environment to City re: 6000 Hollywood Boulevard Project—Response to CREED LA Comments on the Staff Report Regarding Environmental Case No. ENV-2022-6688-EIR (November 5, 2025) (“[d]uring the transition period from the prior noise and vibration thresholds to the UTM, City policy was that projects on close to publication were permitted to use the prior thresholds. Accordingly, the Draft EIR was published on November 7, 2024, and used the prior thresholds in accordance with City policy”).

³² Dr. Clark’s comments are attached as **Exhibit A**.

³³ Mr. Meighan’s comments are attached as **Exhibit B**.

I. The City Lacks Substantial Evidence to Support Approval Findings

The Committee lacks substantial evidence to support the proposed approval findings for the vesting tentative tract map under the LAMC and Subdivision Map Act because the map would place the community in a condition dangerous to its health and safety.³⁴

The Subdivision Map Act requires agencies to deny map approval if the project would result in significant environmental or public health impacts.³⁵ Here, emissions from the Project's construction equipment would emit TACs resulting in a significant cancer risk, and the Project's excavation may expose workers and residents to harmful levels of VOCs.

The Committee lacks substantial evidence to approve Site Plan Review under the LAMC Section 16.05 because of the Project's inadequate environmental review. The Committee also lacks substantial evidence to approve the Project's Density Bonus Compliance Review pursuant to LAMC Section 12.22 A.25 due to its "specific adverse impact" upon public health and safety and the physical environment.

II. The Housing Accountability Requires Compliance with CEQA

The Applicant contends that the Project qualifies as a housing development project under the Housing Accountability Act ("HAA"), and that the only basis to deny the Project would be if the Committee finds a specific, adverse impact on public health or safety where no feasible method of mitigation may mitigate or avoid the impact. The Applicant ignores the issues raised in the Appeal and the clear mandates of the HAA to comply with CEQA *before approving* the Project.

The HAA, in Government Code Section 65589.5(e), mandates that projects subject to the HAA must comply with CEQA, the Coastal Act and the applicable congestion management plan. Cases interpreting Section 65589.5(e) have held that HAA claims are not ripe until CEQA review is complete.³⁶ Thus, the City must

³⁴ Government Code, section 66474; *see* LAMC Section 17.15(c)(2).

³⁵ Government Code, section 66474.

³⁶ *Schellinger Brothers v. City of Sebastopol* (2009) 179 Cal.App.4th 1245, 1262, 1270; *Kalnel Gardens, LLC v. City of Los Angeles* (2016) 3 Cal.App.5th 927, 944, fn9 ("Because the HAA similarly provides that it shall not be construed to relieve local agencies from complying with the Coastal Act (§ 65589.5, subd. (e)), if we were to reach that issue we would likely conclude that it too was subordinate to the Coastal Act.").

bring the Project into compliance with CEQA before the Project can be considered for approval.

If approved now, the Project would result in adverse impacts to public health or safety because there is substantial evidence in the record that soil contamination and health risk impacts are significant and unmitigated. Therefore, the City cannot find that there are no adverse impacts under the HAA until these issues are addressed.

III. Conclusion

The CPC abused its discretion and failed to proceed in the manner required by law by approving the Project in reliance on a deficient CEQA document and without substantial evidence to support the approval findings.³⁷

CREED LA respectfully requests that the PLUM Committee uphold CREED LA's appeal, vacate the CPC's approval of the Project, and recirculate the EIR for public review.

Sincerely,



Aidan P. Marshall

Attachments
APM:acp

³⁷ Code Civ. Proc § 1094.5(b); *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515.